**Agenda – Council – June 15, 2016**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 7, 2016**

**Item No. 2 Subdivision and Rezoning – Waterford Green Phase 3: East of King Edward and Old Commonwealth Path (Point Douglas Ward) File DASZ 12/2016 [c/r DAC 7/2016 and DCU 111464/2016D]**

STANDING COMMITTEE RECOMMENDATION:

On June 8, 2016, 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 12/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2016 dated March 23, 2016 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement, with the City of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 9, 2016, which is Schedule B of this report, with the following amendments:

        i. Amend Condition 4 by deleting the words "prior to the release of mylars", after the words "the Developer shall", and before the words "pay their share".

        ii. Delete Condition 5 in its entirely, and replace with the following:
        "5a. The Developer shall, at no expense to the City, construct Portland cement concrete pavement in Jefferson Avenue between King Edward Street and the terminus of their obligation under AG 15/12, and all related works including but not limited to sidewalks on the south side of Jefferson Avenue, street lighting, boulevard landscaping, land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 7, 2016**

5b. Where services installed by the Developer directly benefit others, the City will endeavor to collect a cost recovery for the developer in accordance with the development parameters."

iii. Delete Condition 6 in its entirely, and replace with the following:
"6. The Developer shall, at no expense to the City, construct a Portland cement concrete sidewalk adjacent to the curb, along the north side of the proposed Millpond Path between King Edward Street and Brooskmere Trail and the east side of the proposed Prairie Springs Bay (east leg) between the proposed Millpond Path and the proposed school site to the north, as determined by and to the satisfaction of the Director of Public Works. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way."

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 12/2016 dated March 23, 2016, to an "R1-S" Residential Single-Family District and "R2" Residential Two-Family District.

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

4. 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.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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-year period and Council approves the extension.

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

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 7, 2016**

9. 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.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property, and Development within one 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.

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.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 7, 2016**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 8, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the Lord Selkirk-West Kildonan Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 7, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 17, 2016, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

- Amend Condition 4 by deleting the words “prior to the release of mylars”, after the words “the Developer shall”, and before the words “pay their share”.

- Delete Condition 5 in its entirely, and replace with the following:
  “5a. The Developer shall, at no expense to the City, construct Portland cement concrete pavement in Jefferson Avenue between King Edward Street and the terminus of their obligation under AG 15/12, and all related works including but not limited to sidewalks on the south side of Jefferson Avenue, street lighting, boulevard landscaping, land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

  5b. Where services installed by the Developer directly benefit others, the City will endeavor to collect a cost recovery for the developer in accordance with the development parameters.”

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 7, 2016**

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

- Delete Condition 6 in its entirely, and replace with the following:
  "6. The Developer shall, at no expense to the City, construct a Portland cement concrete sidewalk adjacent to the curb, along the north side of the proposed Millpond Path between King Edward Street and Brooskmere Trail and the east side of the proposed Prairie Springs Bay (east leg) between the proposed Millpond Path and the proposed school site to the north, as determined by and to the satisfaction of the Director of Public Works. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way."

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

**RE:** **Subdivision and Rezoning – Waterford Green Phase 3:**
**East of King Edward and Old Commonwealth Path**
**File DASZ 12/2016**

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

**Prepared by:** **Ms I. Skundberg, Committee Clerk**
**Lord Selkirk-West Kildonan Community Committee**

**Report date:** **May 19, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On May 17, 2016, the Lord Selkirk-West Kildonan 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 proposed under File DASZ 12/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2016 dated March 23, 2016 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement, with the City of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 9, 2016, which is Schedule B of this report, with the following amendments:

        ***i. Amend Condition 4 by deleting the words "prior to the release of mylars", after the words "the Developer shall", and before the words "pay their share".***

        ***ii. Delete Condition 5 in its entirely, and replace with the following:***
        ***"5a. The Developer shall, at no expense to the City, construct Portland cement concrete pavement in Jefferson Avenue between King Edward Street and the terminus of their obligation under AG 15/12, and all related works including but not limited to sidewalks on the south side of Jefferson Avenue, street lighting, boulevard landscaping, land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.***

        ***5b. Where services installed by the Developer directly benefit others, the City will endeavor to collect a cost recovery for the developer in accordance with the development parameters."***

***iii. Delete Condition 6 in its entirely, and replace with the following:***

***"6. The Developer shall, at no expense to the City, construct a Portland cement concrete sidewalk adjacent to the curb, along the north side of the proposed Millpond Path between King Edward Street and Brooskmere Trail and the east side of the proposed Prairie Springs Bay (east leg) between the proposed Millpond Path and the proposed school site to the north, as determined by and to the satisfaction of the Director of Public Works. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way."***

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 12/2016 dated March 23, 2016, to an "R1-S" Residential Single-Family District and "R2" Residential Two-Family District.

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

4. 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.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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-year period and Council approves the extension.

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

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. 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.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property, and Development within one 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.

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.

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

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reason for its recommendation:

1. The proposal creates more buildable lots in this development, and is consistent with the overall project.

**PUBLIC HEARING SUMMARY**

File: DASZ 12/2016

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Eadie, Chairperson
Councillor Pagtakhan
Councillor Sharma

Public Hearing: May 17, 2016
Council Building, 510 Main Street

Applicant: Lombard North Group (Jeff Pratte)

Subject:




N

LORD SELKIRK WEST KILDONAN COMMUNITY

**APPLICANT :** LOMBARD NORTH GROUP

**FILE :** DASZ 12/16

**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, "R1-S" Residential Single-Family (Small) District, "R2" Residential Two-Family District, "RMF-S" & "RMF-M" Residential Multi-Family (Small & Medium) Districts to "R1-S" Residential Single-Family (Small) District and "R2" Residential Two-Family District to facilitate the reconfiguration of the previously established Waterford Green Phase 3 Neighbourhood lot, block and right-of ways plan. **For information, phone Mr. F. Ojo, Planner, at 204-986-6008.**

| | |
|---|---|
| Premises Affected: | Waterford Green Phase 3: East of King Edward and Old Commonwealth Path |

Exhibits Filed:

1. Application dated March 22, 2016
2. Notification of Public Hearing dated March 31, 2016
3. Manitoba Status of Titles 2818791/1, 2818794/1, 2818796/1, 2818797/1, 2818798/1, 2818801/1, 2818802/1, 2702159/1
4. Letter of authorization dated February 2, 2016 from David Palubeski, Terrascape Developments Inc. to Lombard North Group

5a. Caveat 4442385/1
5b. Caveat 4442384/1
5c. Caveat 4442383/1

6. Drawing of subject property (2 pages)
7. Report from the Urban Planning Division dated May 10, 2016
8. Inspection Report
9. PowerPoint Presentation in support of the application submitted by Jeff Pratte, Lombard North Group
10. Proposed amendments to the recommendations outlined in the Report from the Urban Planning Division as well as outlined in the report of the Administrative Coordinating Group
11. Recording of Representations

REPRESENTATIONS:

In Support:

David Palubeski, Lombard North Group
Jeff Pratte, Lombard North Group
Mile Rendulic
Narinder Sharma

In Opposition

Nil

For Information:

Robert Wiebe

For the City:

Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department
Mr. F. Ojo, Planner, Planning, Property and Development Department
Mr. N. Yauk, Planner, Planning, Property and Development Department

Exhibit "7" referred to in File DASZ 12/2016

# ADMINISTRATIVE REPORT

**Title:** DASZ 12/2016 – Waterford Green (Phase 3)

**Issue:** For consideration at the public hearing to rezone land from "RR5" Rural Residential District, "R1-S" Single Family District, "R2" Residential Two-Family District, "RMF-S" and "RMF-M" Residential Multi-Family District, to "R1-S" Residential Single-Family District and "R2" Residential Two-Family District.

**Critical Path:** Lord Selkirk – West Kildonan 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 |
|---|---|---|---|
| Femi Ojo | B. Smith | N/A | |

## RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 12/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 12/2016 dated March 23, 2016 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement, with the City of Winnipeg containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 9, 2016, which is Schedule B of this report.

2. That the Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for file DASZ 12/2016 dated March 23, 2016, to an "R1-S" Residential Single-Family District and "R2" Residential Two-Family District.

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

4. 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.

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

6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two 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-year period and Council approves the extension.

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

8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

9. 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.

10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property, and Development within one 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.

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.

## REASON FOR THE REPORT

- The applicant intends to create fifty-four (54) zoning lots and two blocks for residential development from an existing seven lots
- The subject land which is currently zoned “RR5” Rural Residential 5 District, “R1-S” Residential Single-Family District, “R2” Residential Two-Family District, “RMF-S” & “RMF-M” Residential Multi-Family District will be rezoned to “R1-S” Residential Single Family District and “R2” Residential Two-Family District.
- The rezoning requires a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The report is being submitted for the Committee’s consideration of the development application at the Public Hearing.

## IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the property can be rezoned to the proposed zoning districts.

## HISTORY

***DASZ 15/2012***

- The subject property was part of a land parcel that went through a subdivision approval process under file DASZ 15/2012 (By-law 59/2013) by rezoning the land located on Rosser North Kildonan, bounded by Jefferson & CPR & CNR previous line, Inkster Gardens bounded by Jefferson & King Edward from an “A” Agricultural District and “RR5” Rural Residential 5 District to an “R1-M” & “R1-S” Residential Single-family District, “R2” Residential Two-family District,

"RMF-S" & "RMF-M" Residential Multi-Family District, CMU" Commercial Mixed Use District and "PR1" Parks and Recreation 1 District.

## CONSULTATION

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

## SUBMITTED BY

| | |
|---|---|
| Department | Planning, Property and Development |
| Division | Urban Planning |
| Prepared by | Femi Ojo, MCIP |
| Date: | May 10, 2016 |
| File No. | DASZ 12/2016 |

**List of Attachments:**

- APPENDIX 'A': Planners Report
- Schedule "A" for File No. DASZ 12/2016, LSWK Community Committee, dated March 23, 2016.
- Schedule B: Report of Administrative Coordinating Group

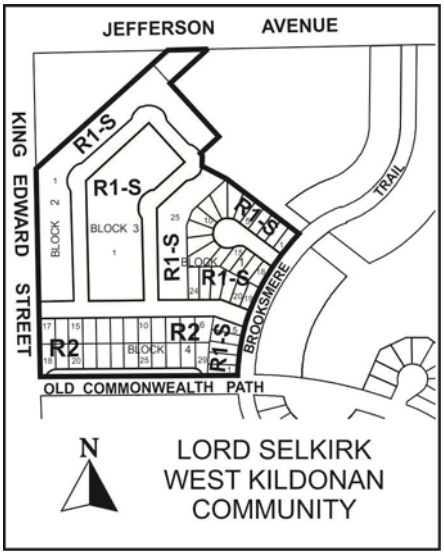
**APPENDIX 'A'**

| | |
|---|---|
| **DATE:** | May 10, 2016 |
| **FILE:** | **DASZ 12/16** |
| **RELATED FILES:** | **DAC 7/2016** |
| **COMMUNITY:** | Lord Selkirk / West Kildonan |
| **NEIGHBOURHOOD #:** | 3.316 |

**SUBJECT:** For consideration at the public hearing to rezone land from "RR5" Rural Residential District, "R1-S" Single Family District, "R2" Residential Family District, "RMF-S" and "RMF-M" Residential Multi-Family District, to "R1-S" Residential Single-Family District and "R2" Residential Two-Family District.

**LOCATION:** Waterford Green (Phase 3)

**LEGAL DESCRIPTION:** Lots 1, 2, 4, 5, 6, 7, 8 Block 1 Plan 55201




**APPLICANT:** Lombard North Group / Jeff Pratte
287 Tache Avenue
Wpg., MB R2H 2A1

**OWNER:** Terrascape Development Inc.
287 Tache Avenue
Wpg., MB R2H 2A1

**RECOMMENDATION:** Approval

**SITE DESCRIPTION**

- The subject property is located in the North West section of Precinct C. The Precinct is situated adjacent to the neighborhoods of Foxwarren Lake, Mandalay west and the developed portion of Inkster Gardens.
- Lands north of Precinct C are zoned Agriculture and to the east is the Arboug CPR line.
- The subject site is within Waterford Green (Precinct C) Policy Area under the Complete Communities Direction Strategy. The lots that are subject of this application are zoned “R1-S” Residential single-family small.

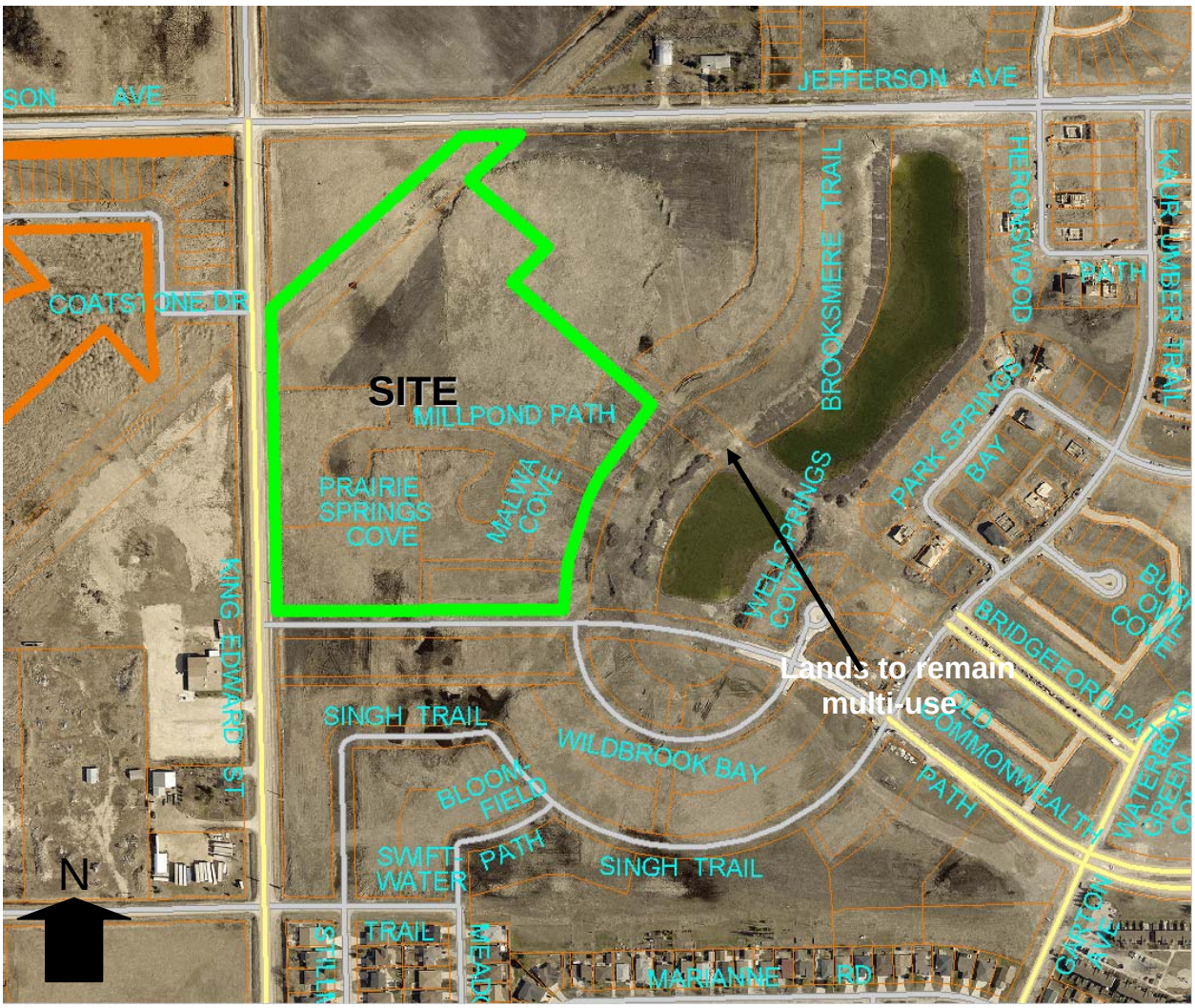



**Figure 1: Aerial photograph showing subject property (2014)**

**SURROUNDING LAND USES & ZONING (See Figure 1)**

- The subject site is bounded to the north by Jefferson Avenue and then vacant lands zoned Agriculture. To the south is the Old Commonwealth Path and then vacant land zoned "RMF-S" Residential Multi-family.
- Also, to the west is King Edward Street, then vacant land zoned "R1-M" Residential Single-Family and "A" Agriculture. Finally, the site is bounded to the east by Brooksmere Trail

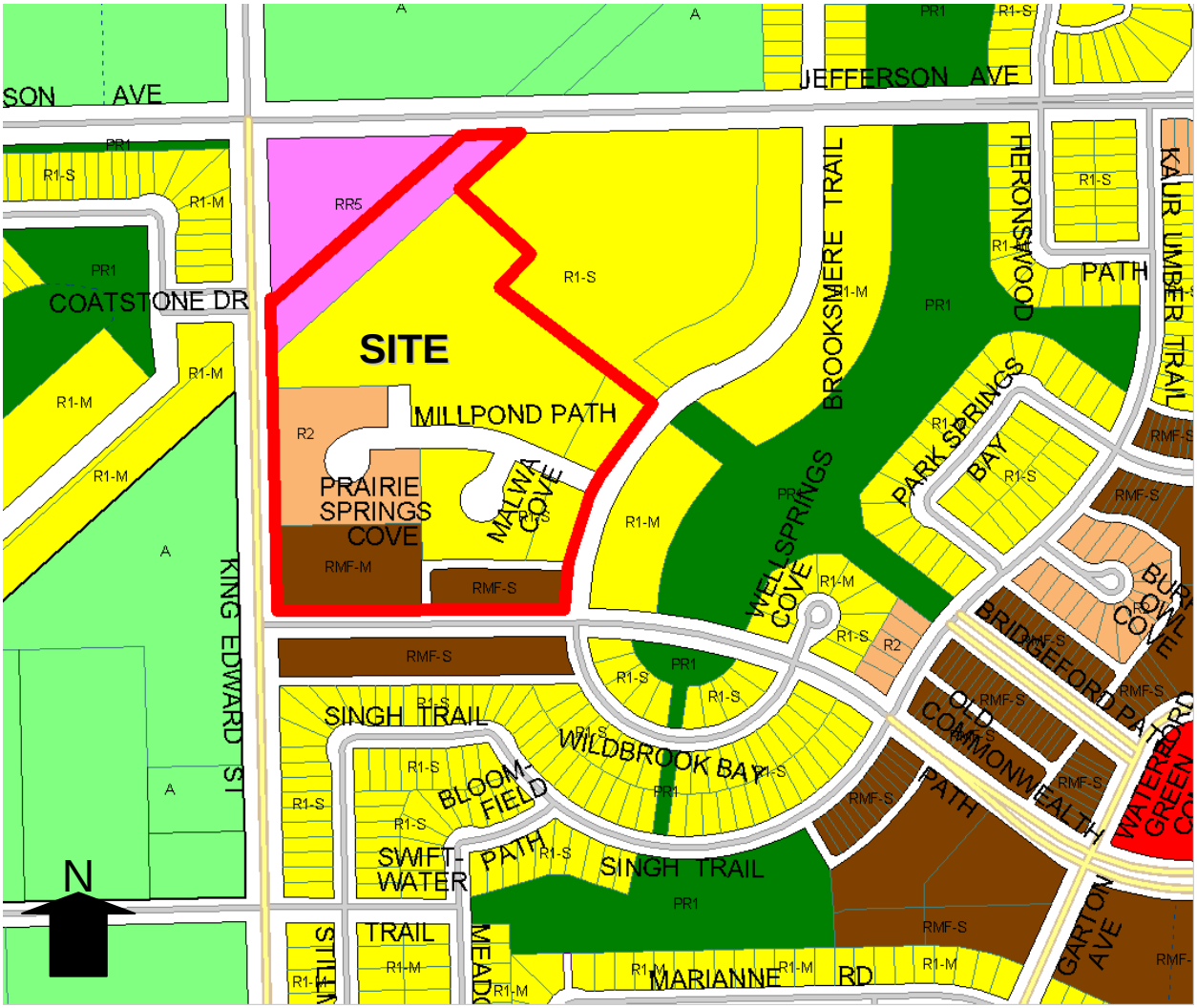



**Figure 2: Current Zoning of the Subject Lands and Surrounding Area.**

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

- The applicant intends to create fifty-four (54) zoning lots and two blocks for residential development from an existing seven lots. Specifically, the applicant will create 30 lots and 2 blocks with "R1-S zoning and 24 lots with "R2" zoning.
- This reconfiguration is necessitated due to the changes made to the land originally allocated as school reserve.

**ANALYSIS AND ISSUES**

COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under the *Complete Communities Direction Strategy* the proposed development is within the Waterford Green (Precinct C).
- A Precinct Plan is one of the tools the City of Winnipeg uses under the *Complete Communities Direction Strategy* to implement Our Winnipeg at a detailed neighborhood level. Precinct C, a *New Community* , is to be guided by the following six (6) Directions;
    - Be developed in a sustainable manner;
    - Be established through s planning process
    - Increase opportunities to live, work, learn and play in the same neighborhood;
    - Be developed with complete streets, enabling safe and convenient spaces for pedestrians, bicyclists, public transit ridership, and motorists to promote physical activity, health and active transportation;
    - Encourage green development and conserve natural areas to develop new communities in a suitable manner; and
    - Reflect local heritage.

**Zoning By-Law 200/2006: Proposed "R1-S" Residential Single-Family and "R2" Residential Two-Family**

- The "R1-S" Residential Single-Family District is intended to accommodate primarily single-family residential development in low-density areas. Development standards are as follows;
- The "R2" Residential Two-Family district is intended to accommodate the development of single and Two-Family units and where appropriate limited multi-family units in lower density areas.

**Figure 3: Dimensional Standards for the R1-S and R2 Zoning Districts**

| Zoning District | Minimum Lot Area | Minimum Front Yard (Ft.) | Minimum Rear Yard (Ft.) | Minimum Interior Side Yard (Ft.) | Minimum Reverse Corner Side Yard (Ft.) | Maximum Building Height (Ft.) |
|---|---|---|---|---|---|---|
| R1-S | 2,500 | 15 | 25 | 3 each or 2 & 4 | 4 | 35 |
| R2 | 5,000 (2,500 per dwelling unit for two-family; 800 per dwelling unit for multi-family) | 20 | 25 | 4 | 10 | 35 |

COMPATIBILITY WITH THE SURROUNDING AREA

- The proposed "R1-S" Single-Family residential small and "R2" Two-Family residential meets the low and medium density designation under the Precinct C development plan.

- This application is to realign and reconfigure some of the existing parcels and proposed roads within the development.
- The proposal will have no adverse effect on any development as the entire area is under a new subdivision.
- The Urban Planning Division is supportive of the proposed zoning changes.

## RECOMMENDATION

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

- The subdivision and rezoning proposal is consistent with *OurWinnipeg* and the *Complete Communities Direction Strategy* as itemized in Precinct C Plan.
    - The elements of the development respect Precinct C policies.
- The realignment of the entire site with new school site as identified on the new plan is consistent with the overall plan for Precinct C.
- Also, the proposal to rezone some parcels of land to “R1-S” residential single-family small and “R2” meets the intent of the Waterford Green Precinct plan, which designate some section of the land immediately north of Old Commonwealth Path “Medium Density Residential”
- The proposed subdivision and rezoning will not have any adverse effect on potential future development in the area.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared By: Femi Ojo, MCIP
PPD File # DASZ 12/2016

**Schedule "A" for File No. DASZ 12/16, LSWK Community Committee, dated March 23, 2016**

By–Law No. _____

Atlas Sheet No. **R20**

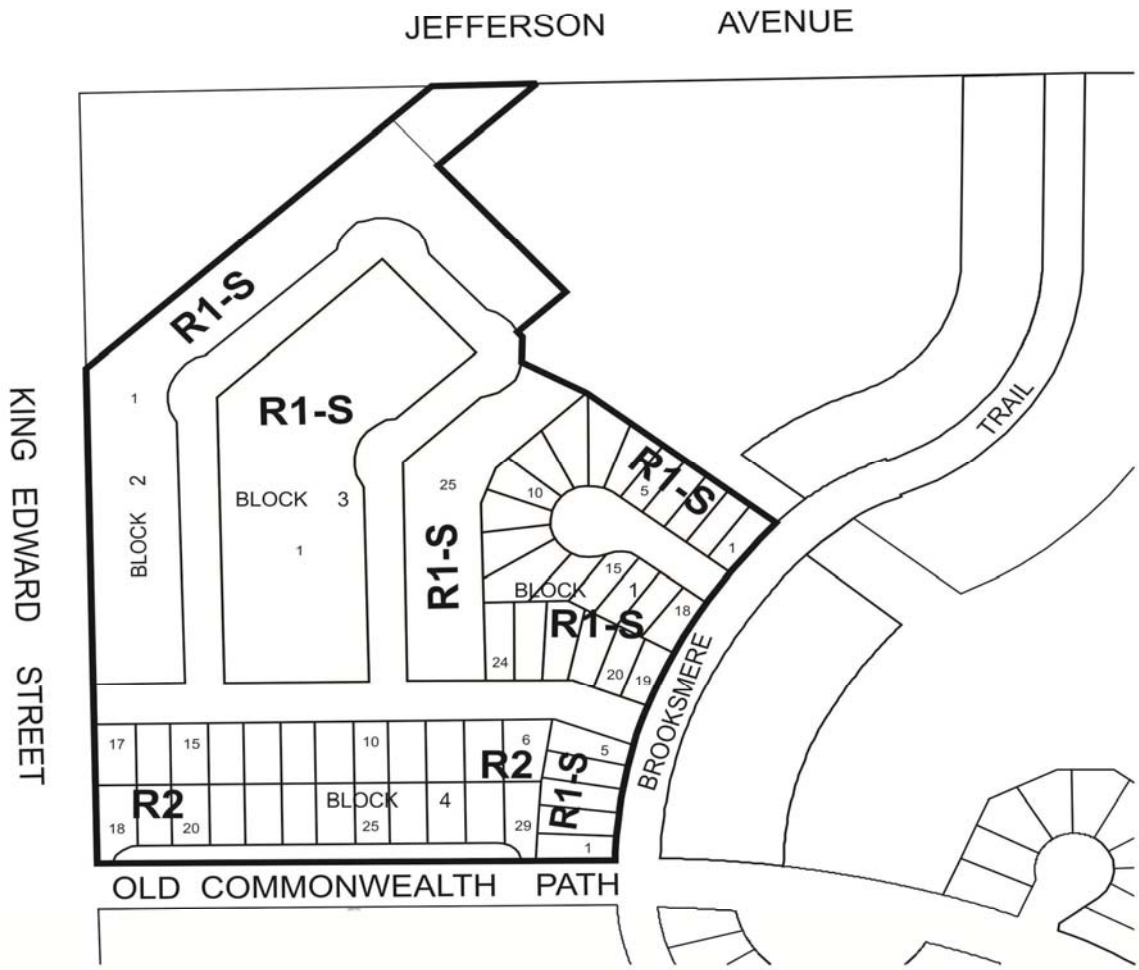
N

**LORD SELKIRK WEST KILDONAN COMMUNITY**

File No. **DASZ 12/16**

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 Waterford Green Phase 3: East of King Edward Street & Old Commonwealth Path from an "RR5" Rural Residential 5 District, "R1-S" Residential Single-Family (Small) District, "R2" Residential Two-Family District, "RMF-S" & "RMF-M" Residential Multi-Family (Small & Medium) Districts to "R1-S" Residential Single-Family (Small) District and "R2" Residential Two-Family District to facilitate the reconfiguration of the previously established Waterford Green Phase 3 Neighbourhood lot, block and right-of ways plan as shown outlined below.




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

## SCHEDULE B

## REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP (ACG) – March 9, 2016

**RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED NORTH OF OLD COMMONWEALTH PATH, EAST OF KING EDWARD STREET AND SOUTH OF JEFFERSON AVENUE, WATERFORD GREEN PHASE 3 – DASZ 12/16**

The above noted application was reviewed by the ACG Group on March 9, 2016. The application was determined to be within the planned area of the Waterford Green Development (DASZ 15/2012) and therefore this application is subject to the terms and conditions as outlined in the Development Agreement for AG 15/2012, with the following amendments:

1) The Developer shall, at no expense to the City provide an updated Waterford Green servicing report, prepared by a qualified municipal engineer, which shall outline the provision of underground services for the planned area and adjacent lands

2) The Developer shall, at no expense to the City, provide an updated lot grading plan, prepared by a municipal engineer, and shall grant any easements as required by the design.

3) The Developer shall, at no expense to the City construct, all water mains, wastewater sewers, land drainage sewers, and lot line service connections required to service the proposed subdivision and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste

4) The Developer shall, prior to the release of mylars, pay their share of the regional land drainage system for the additional lands along the west limit of the Planned Area, as determined and to the satisfaction of the Director of Public Works.

5) The Developer shall, at no expense to the City, construct Portland cement concrete pavement in Jefferson Avenue between King Edward Street and the terminus of their obligation under AG 15/12, and all related works including but not limited to sidewalks on both sides of Jefferson Avenue, street lighting, boulevard landscaping, land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

6) 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 the north side of the proposed Millpond Path between King Edward Street and Brooskmere Trail and the east side of the proposed Prairie Springs Bay (east leg) between the proposed Millpond Path and the proposed school site to the north, as determined by and to the satisfaction of the Director of Public Works. The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

7) 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 Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 12/16
April May 8, 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