Minute No. 558
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

Item No. 12 Subdivision – 82 Worthington Avenue
(St. Vital Ward)
File DAS 30/2016 [c/r DAV 115433/2016D]

COUNCIL DECISION:

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

1. That the plan of subdivision under File DAS 30/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DAS 30/2016 dated September 1st, 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, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 1st, 2016, which is Schedule "B" of this report.

2. That, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

COUNCIL DECISION (continued):

7. 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.

8. 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.

9. 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 – September 20, 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 adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the Riel Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 20, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2016, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

RE: **Subdivision – 82 Worthington Avenue**
File DAS 30/2016

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

Prepared by: **Rochelle Viray, Assistant Committee Clerk**
Riel Community Committee

Report date: **September 13, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2016, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision proposed under File DAS 30/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DAS 30/2016 dated September 1st, 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, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 1st, 2016, which is Schedule "B" of this report.

2. That, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

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

COMMUNITY COMMITTEE RECOMMENDATION (continued):

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 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.

8. 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.

9. 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.

The Riel Community Committee provided the following supporting reasons for its recommendation:

1. This is one of the more attractive walls, so there's no point in eliminating the wall.
2. Most concerns about green space were dealt with.
3. No objections with parking or traffic.
4. On this particular hearing, this seems like a pretty obvious completion of a longstanding plan to finish off that cul-de-sac.

PUBLIC HEARING SUMMARY

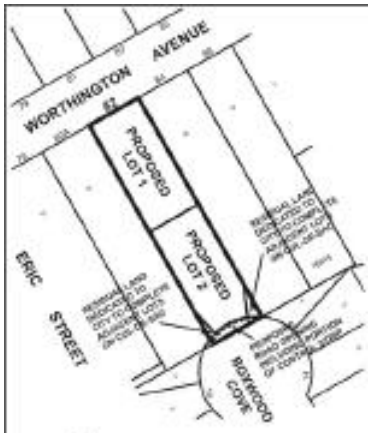
File: DAS 30/2016

Before: Riel Community Committee
Councillor Mayes, Chairperson
Councillor Allard
Councillor Lukes

Public Hearing: September 12, 2016
Council Building, 510 Main Street

Applicant: McGowan Russell Group Inc.

Subject:



APPLICANT : MCGOWAN RUSSELL GROUP INC.
FILE : DAS 30/16
PROPOSAL: An application for the approval of the plan of subdivision shown outlined above as may be determined by Council for the establishment of an infill residential zoning lot and to open a portion of right-of-way on Boxwood Cove to complete the existing cul-de-sac. **For information, phone Ms. E. Finnigan, Planner, at 204-986-8602.**
DEMANDEUR: MCGOWAN RUSSELL GROUP INC
N° DE DOSSIER : DAL 30/16
PROJET : Demande d'approbation par le Conseil du plan de lotissement indiqué ci-dessus visant à permettre l'aménagement d'un terrain à lotir pour logements intercalaires ainsi que l'ouverture d'une partie du droit de passage sur Boxwood Cove afin de compléter le cul-de-sac existant. **Pour plus de renseignements, communiquez avec Mme E. Finnigan, urbaniste, au 204-986-8602.**

Premises Affected: 82 Worthington Avenue

Exhibits Filed:

1. Application dated March 24, 2016
2. Notification of Public Hearing dated July 4, 2016
3. Manitoba Status of Title 2762341/1
4. Letter of authorization dated April 15, 2016 from The City of Winnipeg to McGowan Russell Group Inc. & Waterside Developments
5. Letter of authorization dated March 18, 2016 from Waterside Development Corporation to McGowan Russell Group Inc.
6. Surveyor's Building Location Certificate and sketch dated November 25, 2014
7. Plans (1 page)
8. Communication dated March 24, 2016, from McGowan Russell Group Inc. with respect to the application
9. Conceptual Plan of Subdivision dated March 2016
10. Conceptual Area Master Plan dated March 2016
11. Miscellaneous Plan No. 14919 from The City of Winnipeg Planning, Property and Development Department dated July 9, 2015
12. Report from the Urban Planning Division dated August 23, 2016
13. Inspection Report
14. Communication dated August 26, 2016, submitted at the public hearing by Susan Russell
15. Photos (10) and petition in opposition to the application purporting to contain the signatures of 4 area residents, submitted at the public hearing by Mitchell Teleplow
16. Photos (2) submitted at the public hearing by Susan Russell

REPRESENTATIONS:

In Support:

Susan Russell
Bill McGarry
Paul Sunderland
Donna Thordarson

In Opposition

Mitchell Teleplow
Mike Chartier

For Information:

Nil

For the City:

G. Jasper, Land Development Administrator, Planning, Property and Development Department
B. Buyachok, Real Property Officer, Planning, Property and Development Department
R. Mahé, Planner, Planning, Property and Development Department
E. Finnigan, Planner, Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department

Exhibit "12" referred to in File DAS 30/2016

ADMINISTRATIVE REPORT

Title: DAS 30/2016 – 82 Worthington Avenue

Issue: An application for consideration at the public hearing for a subdivision to create two single family lots and open a portion of an existing right-of-way.

Critical Path: Riel 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 DAS 30/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DAS 30/2016 dated September 1st, 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, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated September 1st, 2016, which is Schedule "B" of this report.

2. That, the Developer shall provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

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

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

5. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.
6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.
7. 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.
8. 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.
9. 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 two (2) buildable residential lots. This proposal requires a DAS subdivision application given the proposed development includes the opening of a portion of right-of-way to complete the existing Boxwood Cove cul-de-sac.
- The proposal also involves subdividing two parcels from proposed Lot 2 required to complete the Boxwood Cove cul-de-sac in the future. The parcels will be dedicated to the City for future development control purposes.
- Subdivisions that include public road openings require a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Public Service are concurred in, the subject property will be subdivided as proposed and a portion of the public right-of-way will be opened.

HISTORY

DASZ 30/81

- In 1982 Council approved DASZ 14/81 which resulted in the creation of Boxwood Cove and Chokecherry Cove. The application involved the establishment of twenty (20) lots (10 lots on Boxwood Cove and 10 lots on Chokecherry Cove).
- The application did not involve the completion of the entire Boxwood Cove cul-de-sac as several land holdings at the top of the cul-de-sac were not involved with the proposal at that time.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Elise Finnigan, MA Planning
Date:	August 23rd, 2016
File No.	DAS 30/2016

List of Schedules and Attachments

1. Appendix A — Planning Discussion
2. Schedule "A" — File No. DAS 30/2016 Riel Community Committee, dated August 23rd, 2016
3. Schedule "B" — Report of the Administrative Coordinating Group (ACG)

APPENDIX 'A'

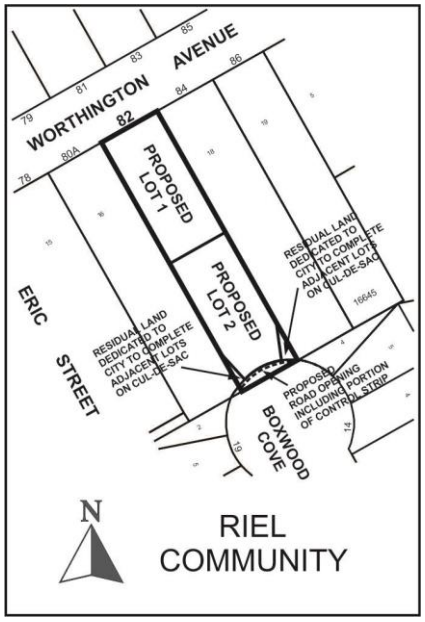
DATE: August 23rd, 2016

FILE: **DAS 30/2016**
RELATED FILES: DAV 16-115433/D (c/r)

COMMUNITY: Riel
NEIGHBOURHOOD #: 5.517 – Worthington

SUBJECT: An application for consideration at the public hearing for a subdivision to create two single family lots and open a portion of an existing right-of-way.

LOCATION: 82 Worthington AVE
LEGAL DESCRIPTION: LOT 17 PLAN 23091 44/45 ST V



APPLICANT: Susan Russell
825 St Joseph ST
Winnipeg , Manitoba R2H 3A8

OWNER: 3615 ROBLIN BLVD
Winnipeg , Manitoba R3R 0C6

RECOMMENDATION: Approval with Conditions

SITE DESCRIPTION

- The subject site is located on the south side of Worthington Avenue in the Worthington neighbourhood of the St Vital ward.
- The site is **11,140 square feet in area** and contains a one and a half storey 1,360 square foot single-family home fronting on Worthington Avenue built in 1953.
- The property is within the Areas of Stability – Mature Communities Policy Area under the Complete Communities Direction Strategy. The property is zoned R1-M (Single-Family Residential Medium).



Figure 1: Aerial photograph showing the location of the subject site and surrounding area (2016)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: Worthington Avenue; then single-family uses zoned Residential Single-Family Medium (R1-M).

South: Boxwood Cove cul-de-sac comprised of ten lots zoned Residential Single-Family Medium (R1-M).

East: Single-family uses zoned Residential Single-Family Medium (R1-M).

West: Single-family uses zoned Residential Single-Family Medium (R1-M) and a townhouse development zoned Residential Multi-Family Small (RMF-S).

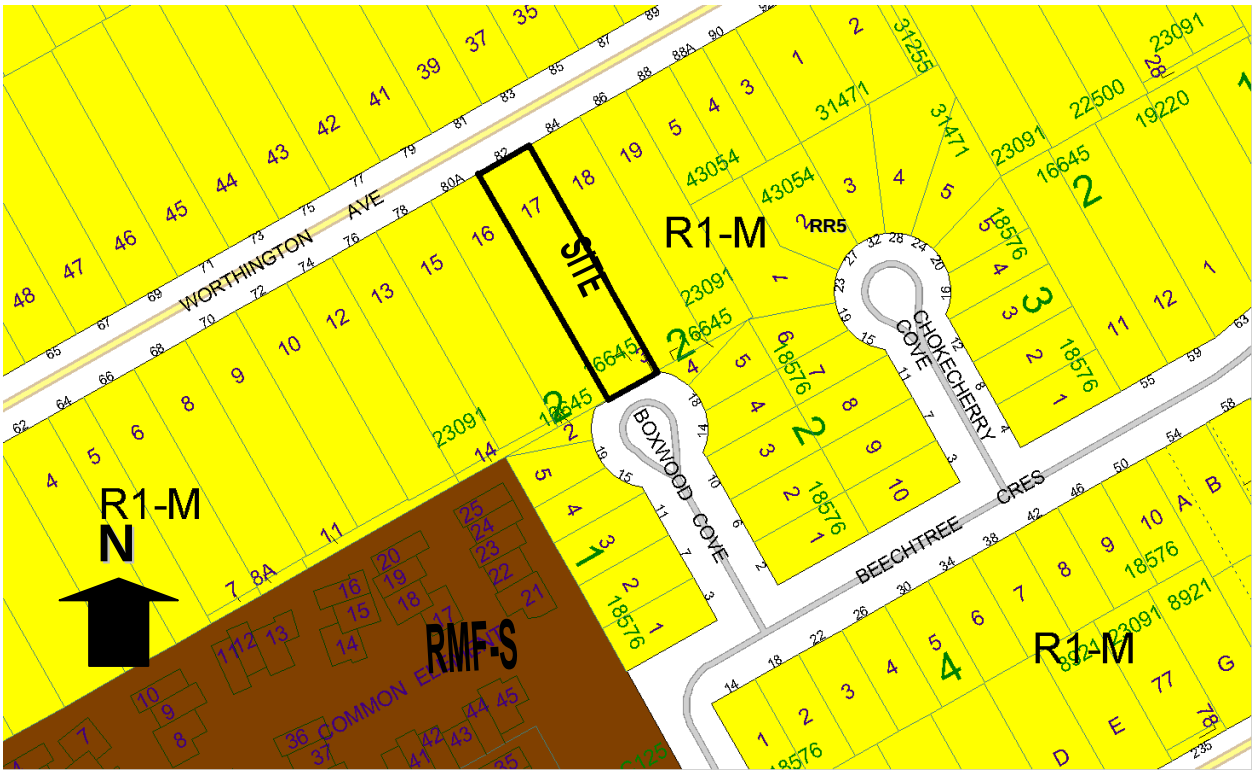


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide an existing parcel into two (2) residential zoning lots. The existing house on the property fronting on Worthington Avenue will be maintained.
- Proposed Lot 1 is 5413.4 square feet in lot area with a lot width 50 feet. Proposed Lot 2 is 5044.7 square feet in lot area with a lot width 50 feet.
- On the new lot (proposed Lot 2) the applicant intends to construct a single-family dwelling which will take access off Boxwood Cove.
- This proposal requires a long form subdivision application (DAS) given the proposed development includes the opening of a portion of right-of-way to complete the existing Boxwood Cove cul-de-sac as well as the City-owned “control strip”.
- The opening will allow access to proposed Lot 2
- The proposal also involves subdividing two parcels from proposed Lot 2 required to complete the Boxwood Cove cul-de-sac in the future indicated in the conceptual area master plan provided by the applicant as shown in Figure 3. The parcels will be dedicated to the City for development control purposes.

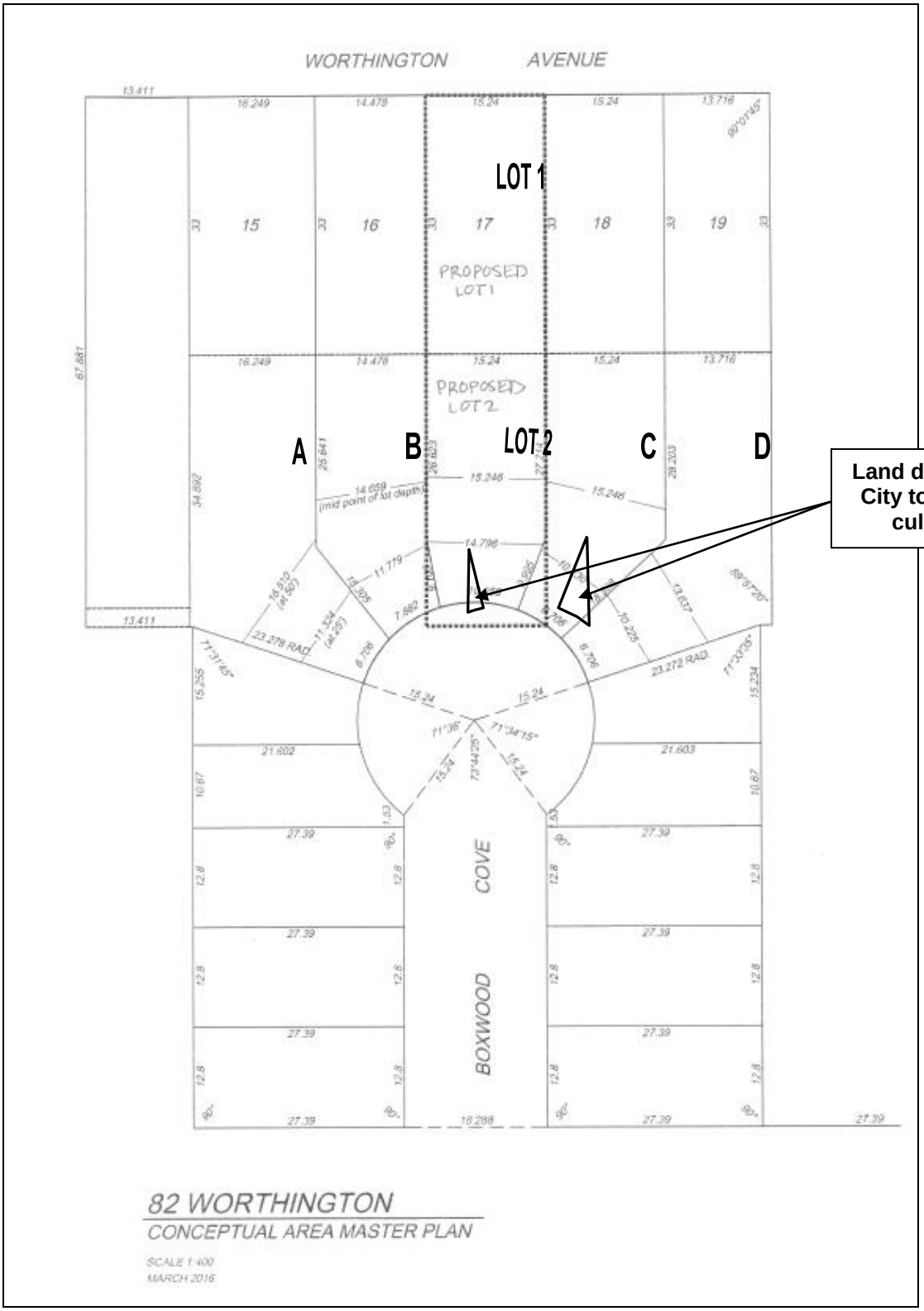

WORTHINGTON AVENUE
LOT 1
PROPOSED LOT1
PROPOSED LOT2
LOT 2
A
B
C
D
15
16
17
18
19
COVE
BOXWOOD
Land dedicated to City to complete cul-de-sac
82 WORTHINGTON
CONCEPTUAL AREA MASTER PLAN
SCALE 1:400
MARCH 2016

Figure 3: Conceptual Area Master Plan for Boxwood Cove cul-de-sac.

- The approximate lot sizes for the proposed future Boxwood Cove cul-de-sac lots are shown in the following table.

Lot	Lot Width	Lot Area
Lot A	54 feet	7467 ft^2
Lot B	48 feet	5174 ft^2
Proposed Lot 2	**50 feet**	**5044.7 ft^2**
Lot C	50 feet	5305 ft^2
Lot D	45 feet	6857 ft^2

Table 1: Approximate lot sizes for proposed future cul-de-sac lots as shown in Conceptual plan.

- There is an associated variance application of which the Urban Planning Division is supportive. See associated variance file for rationale (DAV 16-115433/D).

ANALYSIS AND ISSUES

OURWINNIPEG AND COMPLETE COMMUNITIES DIRECTION STRATEGY:

- *The Complete Communities Direction Strategy* is one of four direction strategies supporting *OurWinnipeg*, the city's long-range development plan, and has statutory authority as a secondary plan. The strategy guides land use and development in Winnipeg.
- The subject property is classified as an "Area of Stability – Mature Community" in *Complete Communities'* Urban Structure map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability.
- With regard to this proposal, the key policies guiding the development of Areas of Stability include:
    - Support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.
    - In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.
    - Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary 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.

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The future of the subject property was somewhat predetermined back in 1981 when the Boxwood Cove cul-de-sac was originally granted permission to be established under DASZ 14/81. At this time, Boxwood Cove was developed to accommodate the future subdivision of 78, 80A, 82, 84, and 86 Worthington Avenue.
- While the preferred method of subdivision would be for all of the owners of 78, 80A, 82, 84, and 86 Worthington Avenue to work together to complete the Boxwood Cove cul-de-sac at the same time, it is acknowledged the subject subdivision can proceed on its own without impeding future development as noted in Figure 3. The proposal to dedicate the two parcels of proposed Lot 2 to the City ensures the cul-de-sac can eventually be completed in an orderly manner.
- As previously noted, the site is located in the Areas of Stability – Mature Communities policy area under *the Complete Communities Direction Strategy*. Policies guiding development in the Mature Communities policy area support the subdivision of a parcel of land into two or more lots when it is done in a context-sensitive manner.
- Typically when reviewing subdivision applications in existing neighbourhoods, the Urban Planning Division looks to the subject block to determine the character and understand what appropriate lot sizes might be to ensure compatibility. Often support is based on existing examples of lots that are the same size as those proposed on the same block. Sometimes one block will have many examples and will be easy to support. In other cases a block may have only a few examples of lots the same size as what is being proposed and are supported based on these limited examples.
- With respect to the subject application and proposed Lot 1, with frontage on Worthington Avenue, the proposed lot area and lot width is comparable to the lot areas of 88, 88A, 90, and 94 Worthington Avenue which were established when the Chokecherry Cove cul-de-sac was completed in 2004 under DASZ 31/2003 (24, 38, and 32 Chokecherry Cove were established earlier, in 1994, under DASZ 546/93).
- With respect to proposed Lot 2, all of the existing lots on Boxwood Cove have a smaller lot area than the lot area of proposed Lot 2 (i.e., 5044.7 square feet), however, Lot 2 is unique in that it will be the first lot created around the bulb of the Boxwood Cove cul-de-sac which is compatible with the typical design of a cul-de-sac.
- The Urban Planning Division is recommending approval of the proposed development as it supports a more efficient use of land as well as existing infrastructure through moderate change that is consistent with the existing built form and character of the surrounding area.

LAND DRAINAGE

- Land drainage has been raised as a concern by many of the area residents. In response to these concerns the Water and Waste Department provided the following statement:

  There have been drainage issues related to the narrow, deep lots on Worthington Avenue, Hindley Avenue, Berrydale Avenue, Sadler Avenue, where the original intent was for these lots to be serviced by a back lane. The lanes were never developed, yet portions of the drainage from these lots goes to the back of the property, with no means to collect the run-off (e.g catch basin) or direct it to the nearest side street. Some

portions of the former lanes have been subsequently sold off to the adjacent property owners, whereas others remain City owned parcels.

Water and Waste requires the developer to provide a lot grading plan, demonstrating that the new lot will not have any negative effect on neighbouring drainage, and the developer would be required to construct any land drainage sewers and catch basins based on the approved design.

Water and Waste would have the responsibility to ensure that the developer grade the new property according to plan, including the existing if it is part of the lot grading plan. Since it is expected that the drainage in the immediate area of the subdivision would be improved, Water and Waste has no concerns.

- Servicing requirements must be developed in accordance with the attached Report of the ACG (see Schedule 'B'). Section B.2. of the report specifically lists the grading and drainage requirements.

LAND DEDICATION

- *As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.*
- *The amount of land is not less than 10%.*
- *The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.*
- The Public Service is requesting 'cash-in-lieu' for this development.

RECOMMENDATION

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

- The Urban Planning Division is broadly supportive of infill development, as it helps increase density and achieves a more compact urban form. These objectives address key policies of *OurWinnipeg* and the *Complete Communities Direction Strategy* with respect to minimizing the spatial use of land and providing a wider range of housing options in existing neighbourhoods.
- The proposed lots are consistent in size with existing lots along the subject portion of Worthington Avenue and Boxwood Cove.
- Servicing requirements must be developed in a manner consistent with the report of the ACG.
- The Water and Waste Department engineers have indicated drainage will be improved in the immediate area surrounding the proposed new development.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning Division
Report Prepared by: Elise Finnigan, MA Planning
PPD File # DAS 30/2016

Schedule "A" for File No. DAS 30/2016, Riel Community Committee, dated August 23rd, 2016

By-Law No.

File No. **DAS 30/16**

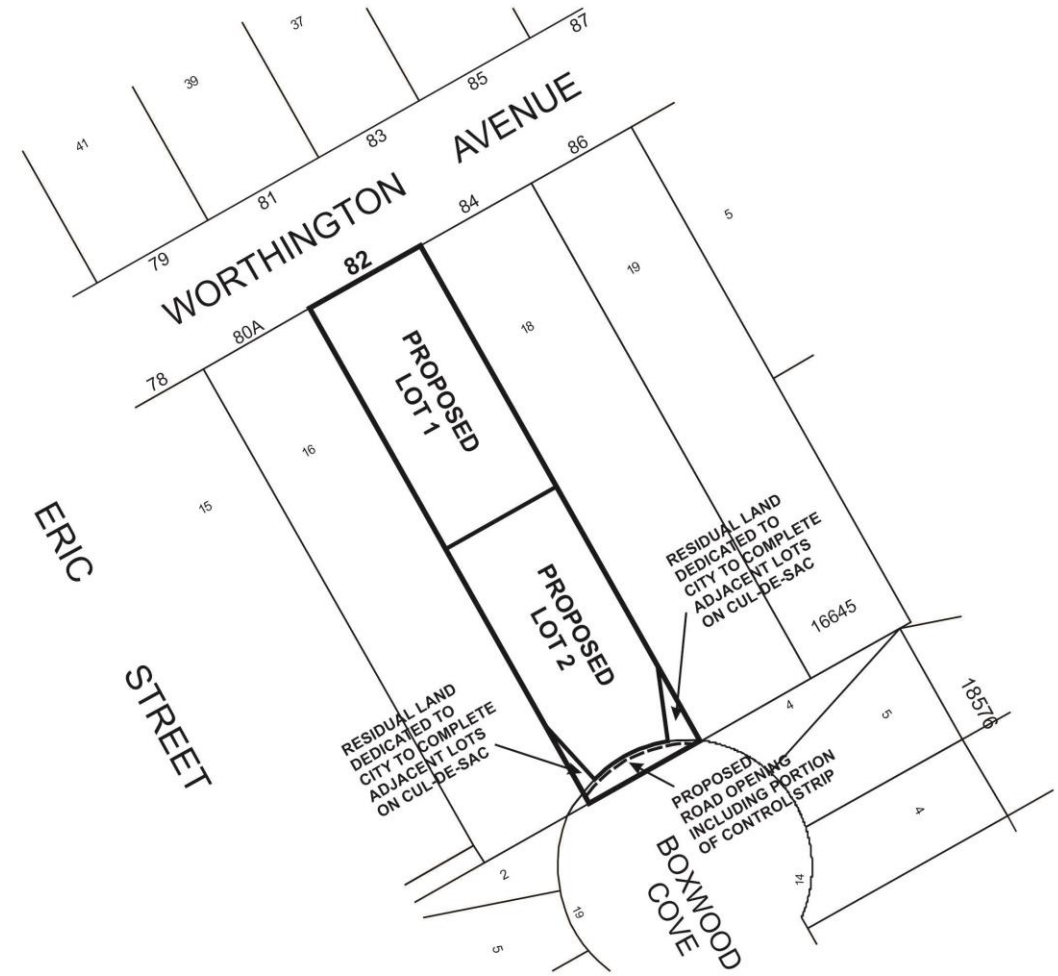
Explanation

An application for the approval of the plan of subdivision shown outlined below located at 82 Worthington Avenue to facilitate the establishment of an infill residential zoning lot and to open a portion of right-of-way on Boxwood Cove to complete the existing cul-de-sac.

Atlas Sheet No.

N

AF27
RIEL
COMMUNITY



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – Sept. 1st, 2016

RE: PROPOSED SUBDIVISION OF LAND LOCATED at 82 WORTHINGTON AVENUE DAS 30/16

The above noted application was reviewed by the ACG Group on July 13, 2016. It is recommended that the approval of DAS 30/2016, if granted, be subject to the applicant entering into a Servicing Agreement and addressing the following items:

A. PLAN CONSIDERATIONS

1) The Developer shall, at no expense to the City, legally open the existing 0.3m control strip separating the Planned Area from Boxwood Cove, for the length of the Planned Area abutting Boxwood Cove.

2) The Developer shall, at no expense to the City, legally open the right-of-way required for a cul-de-sac in Boxwood Cove, abutting the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

B. SERVICING

1) Share of Services

The Developer shall, prior to the release of mylars, pay their share of the cost of services previously installed by others in Boxwood Cove and abutting the Planned Area, as determined by the Director of Water and Waste and the Director of Public Works.

2) Grading and Drainage

The Developer shall, at no expense to the City:

a) provide a lot grading plan, prepared by a municipal engineer;
b) grant any easements as required by the engineer's design; and
c) construct, at no expense to the City, any catchbasins and leads as required by the design all to the satisfaction of the Director of Water and Waste.

3) Lot Line Services

The Developer shall provide a letter to the Land Development branch, signed by the applicant, stating that:

a) the Developer understands that they are responsible for the costs to install separate sewer and water lot line services from the respective main in Boxwood Cove to the property line of the proposed rear lot; and

b) in the event that the Developer sells the proposed rear lot, they are to advise the new owners of their responsibility of the above costs

4) Boulevards

a) The Developer shall, at no expense to the City, sod, and plant trees (if applicable) on the boulevard of Boxwood Avenue abutting the Planned Area, in accordance with City specifications and guidelines, to the satisfaction of 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.

C. OTHER 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, $2,138.00 plus GST 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. DAS 30/2016
September 1, 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

GJ/gj