Agenda – Council – November 16, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

Item No. 10 Subdivision and Rezoning – North East corner of Almey Avenue at Ravelston Avenue West
(Transcona Ward)
File DASZ 31/2016 [c/r DAV 128198/2016D]

STANDING COMMITTEE RECOMMENDATION:

On November 9, 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 31/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 31/2016 dated September 2, 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 Servicing Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated September 8, 2016", with the following amendments:

        i. Delete condition 5) under "Servicing Conditions" in its entirety and replace it with the following:

            5) Right of Way Improvements

            The Developer shall pay to the City, on demand, the Developers share of the following services in Ravelston Avenue West from Almey Avenue to the future El Tassi Drive:

            a) A 7.5m wide by 150mm thick Portland cement concrete lane of pavement and all related works
            b) Street lighting
            c) Landscaping on both sides
            d) A 1.5m wide by 100mm thick Portland cement concrete sidewalk on the east side of Ravelston Avenue West, if required.
            e) A 3.5m wide multi-use pathway on the west side of Ravelston Avenue West, if required.

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

ii. Delete condition 6) under "Servicing Conditions" in its entirety.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" of File DASZ 31/2016 dated September 2, 2016, to "R1-M" Residential Single-Family Medium Zoning District.

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 Servicing 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 of 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

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 – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 9, 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 matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 8, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Add the following to Recommendation 1.A. after "dated September 8, 2016":

  ", with the following amendments:

  i. Delete condition 5) under "Servicing Conditions" in its entirety and replace it with the following:

     5) Right of Way Improvements

     The Developer shall pay to the City, on demand, the Developers share of the following services in Ravelston Avenue West from Almey Avenue to the future El Tassi Drive:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

a) A 7.5m wide by 150mm thick Portland cement concrete lane of pavement and all related works
b) Street lighting
c) Landscaping on both sides
d) A 1.5m wide by 100mm thick Portland cement concrete sidewalk on the east side of Ravelston Avenue West, if required.
e) A 3.5m wide multi-use pathway on the west side of Ravelston Avenue West, if required.

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

ii. Delete condition 6) under "Servicing Conditions" in its entirety."

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

Pursuant to the Code of Conduct adopted by Council on September 21, 1994, Councillor Wyatt advised Committee that he would refrain from entering the discussion and voting on the following matter, because of a potential conflict of interest, and left the meeting.

On September 20, 2016, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on Tuesday, October 18, 2016 at 6:00 p.m. in the Council Building, 510 Main Street.

RE: **Subdivision and Rezoning – North East corner of Almey Avenue at Ravelston Avenue West**
File DASZ 31/2016

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

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

Report date: **October 20, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On October 18, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under File DASZ 31/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 31/2016 dated September 2, 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 Servicing Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated September 8, 2016"***, with the following amendments:***

        i. Delete condition 5) under "Servicing Conditions" in its entirety and replace it with the following:

            5) Right of Way Improvements

            The Developer shall pay to the City, on demand, the Developers share of the following services in Ravelston Avenue West from Almey Avenue to the future El Tassi Drive:

            a) A 7.5m wide by 150mm thick Portland cement concrete lane of pavement and all related works
            b) Street lighting
            c) Landscaping on both sides
            d) A 1.5m wide by 100mm thick Portland cement concrete sidewalk on the east side of Ravelston Avenue West, if required.

e) A 3.5m wide multi-use pathway on the west side of Ravelston Avenue West, if required.

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

ii. Delete condition 6) under "Servicing Conditions" in its entirety.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" of File DASZ 31/2016 dated September 2, 2016, to "R1-M" Residential Single-Family Medium Zoning District.

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.

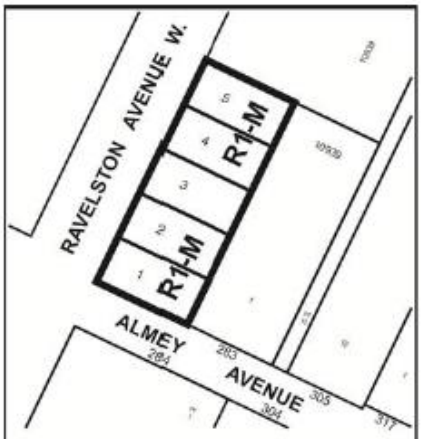
Note: The wording in bold and italics denotes amendments made by the Community Committee.

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

1. This is consistent with the Transcona West Area Structure Plan.
2. These lots will allow the opportunity to build big homes on larger lots.
3. This is a good development for the neighbourhood.

PUBLIC HEARING SUMMARY

File:	DASZ 31/2016
Before:	East Kildonan-Transcona Community Committee Councillor Browaty, Chairperson Councillor Schreyer
Public Hearing:	October 18, 2016 September 20, 2016 Council Building, 510 Main Street
Applicant:	McGowan Russell Group Inc. (Susan Russell)
Subject:	



EAST KILDONAN TRANSCONA COMMUNITY

APPLICANT : MCGOWAN RUSSELL GROUP

FILE : DASZ 31/16

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 above from an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT and an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to allow for the creation of residential zoning lots for future development. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected: North East Corner of Almey Avenue at Ravelston Avenue West

Exhibits Filed:

1. Application dated May 30, 2016
2. Notification of Public Hearing dated June 20, 2016
3. Manitoba Status of Title 2308284/1
4. Letter of authorization dated May 20, 2016 from 3798411 Manitoba Ltd. to McGowan Russell Group Inc.
5. Surveyor's Building Location Certificate and sketch dated October 5, 2007
6. Conceptual Plan
7. Report from the Urban Planning Division dated September 2, 2016
8. Inspection Report
9. Recording of Representations of public hearing held on September 20, 2016
10. Notice of Adjournment dated September 23, 2016
11. Recommended Amendments submitted by the Applicant at the public hearing
12. Recording of Representations of public hearing held on October 18, 2016

REPRESENTATIONS:

In Support:

Susan Russell

In Opposition:

Nil

For Information:

Nil

For the City:

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

Exhibit "6" referred to in File DASZ 31/2016

ADMINISTRATIVE REPORT

Title: DASZ 31/2016, NE of Almey and Ravelston West

Issue: proposed plan of subdivision and rezoning that would:
- create five lots; and
- rezone the site to "R1-M" Residential Single-Family Medium Zoning District.

Critical Path: East Kildonan – Transcona Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council as per the Development Procedures By-law and *The City of Winnipeg Charter.*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 31/2016 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 31/2016 dated September 2, 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 Servicing Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated September 8, 2016.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" of File DASZ 31/2016 dated September 2, 2016, to "R1-M" Residential Single-Family Medium Zoning District.

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 Servicing 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 of 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 31/2016) in terms of compliance with *OurWinnipeg*, the *Complete Communities Direction Strategy* and the *Transcona West Area Structure Plan.*

This report is available to the public, City Council and committees of Council.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the proposed plan of subdivision can be created and the subject site can be rezoned.

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	September 2, 2016
File No.	DASZ 31/2016

Attachments

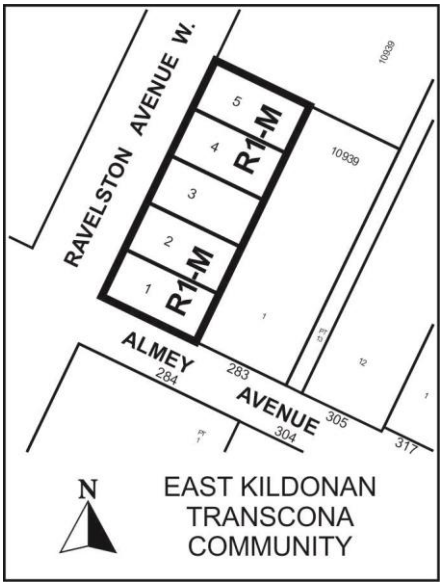
Appendix “A,” Planning Discussion

Schedule “A,” of File DASZ 31/2016, East Kildonan – Transcona Community Committee, dated September 2, 2016

Schedule “B,”

Appendix "A," Planning Discussion

DATE:	September 2, 2016
FILE:	DASZ 31/2016
RELATED FILE:	DAV 16-128198D
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.417
SUBJECT:	proposed plan of subdivision and proposed rezoning to: • create five lots; and • rezone the site to "R1-M" Residential Single-Family Medium Zoning District.
LOCATION:	northeast corner of Almey and Ravelston West
LEGAL DESCRIPTION:	Lot 2, Plan 10939



APPLICANT:	Susan Russell, McGowan-Russell 825 St. Joseph St. Winnipeg, MB R2H 3A8
OWNER:	3798411 Manitoba Ltd.
RECOMMENDATION:	Approval with Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2 of this attachment, is:

- at the northeast corner of Almey and Ravelston West;
- in the Peguis Neighbourhood and the Transcona Ward;
- approximately 25,000 square feet;

- undeveloped;
- partly in an “R1-L” Residential Single-Family Large District and partly in an “RR5” Rural Residential 5 District of Zoning By-law 200/2006;
- in the Almey – Ravelston Special Planning Area and a Residential Mixed Use policy area of the Transcona West Plan; and
- in a Recent Communities Area, which is a type of Areas of Stability policy area of *OurWinnipeg* and *Complete Communities*.

SITE CONTEXT

Figures 1 and 2 show that the site is:

- near single-family dwellings on properties zoned “RR5” or partly zoned “RR5” and partly “R1-L” and an office building (a credit union) on a property zoned “C2” Commercial Community District; and
- near land that was approved for subdivision and rezoning under File DASZ 3/2016.

DASZ 3/2016 will result in El Tassi Drive being extended west to Ravelston Avenue West and the development of many single- and two-family dwellings.

Piped wastewater and water, a rural cross-section roadway and ditches are in the Almey Avenue Public Right-of-Way (ROW). In the Ravelston Avenue West Public ROW are a rural cross-section roadway, ditches and, extending north from the Almey ROW by approximately 30 feet, piped water.

Almey Avenue is closed to motor-vehicle traffic between the private approach to the office building and Ravelston Avenue West.

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

As shown on Schedule “A” to this report, the proposal is to create five identical “R1-M” lots. Plans of development have not been included with the application.

The Special Boundary Conditions of Zoning By-law 200/2006 will have to be varied to establish the proposed lots as buildable lots. Application for approval of these variances has been made under File DAV 16-128198D and a report on this application has been submitted for consideration by the East Kildonan – Transcona Community Committee.

ANALYSIS AND ISSUES

OurWinnipeg and Complete Communities

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

Direction 3 of Section 01 A of *OurWinnipeg* requires “piped water, piped wastewater, piped land drainage and an urban standard roadway” (or an equivalent alternative approved by the City) be provided in areas where the “intensification of land-uses” is proposed. The recommended condition that the developer enter into a servicing agreement and fulfill all the conditions stated in Schedule “B” to this report would ensure the development’s compliance with this Direction.

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

The creation of five buildable “R1-M” lots from a vacant parcel of land will result in five new houses being added to the area in which they are located and more efficient use of existing and future infrastructure. (In order for the proposed lots to buildable, Variance Application DAV 16-128198D will have to be approved.)

Therefore, the proposed subdivision and rezoning comply with the aforementioned Key Direction.

The first and third policies of Direction 1 of Section 04 of *Complete Communities* state, respectively:

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

The proposed subdivision plan and rezoning are consistent with these policies because they will enable the development of single-family dwellings, which is a typical land use in the area in which the site is located.

Transcona West Area Structure Plan

Sub-subsection 5.4.2 of the Transcona West Plan states that “*a significant use of land within Residential Mixed Use Areas will incorporate low, medium and higher density residential uses*.”

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

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval because the proposed plan of subdivision and rezoning 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

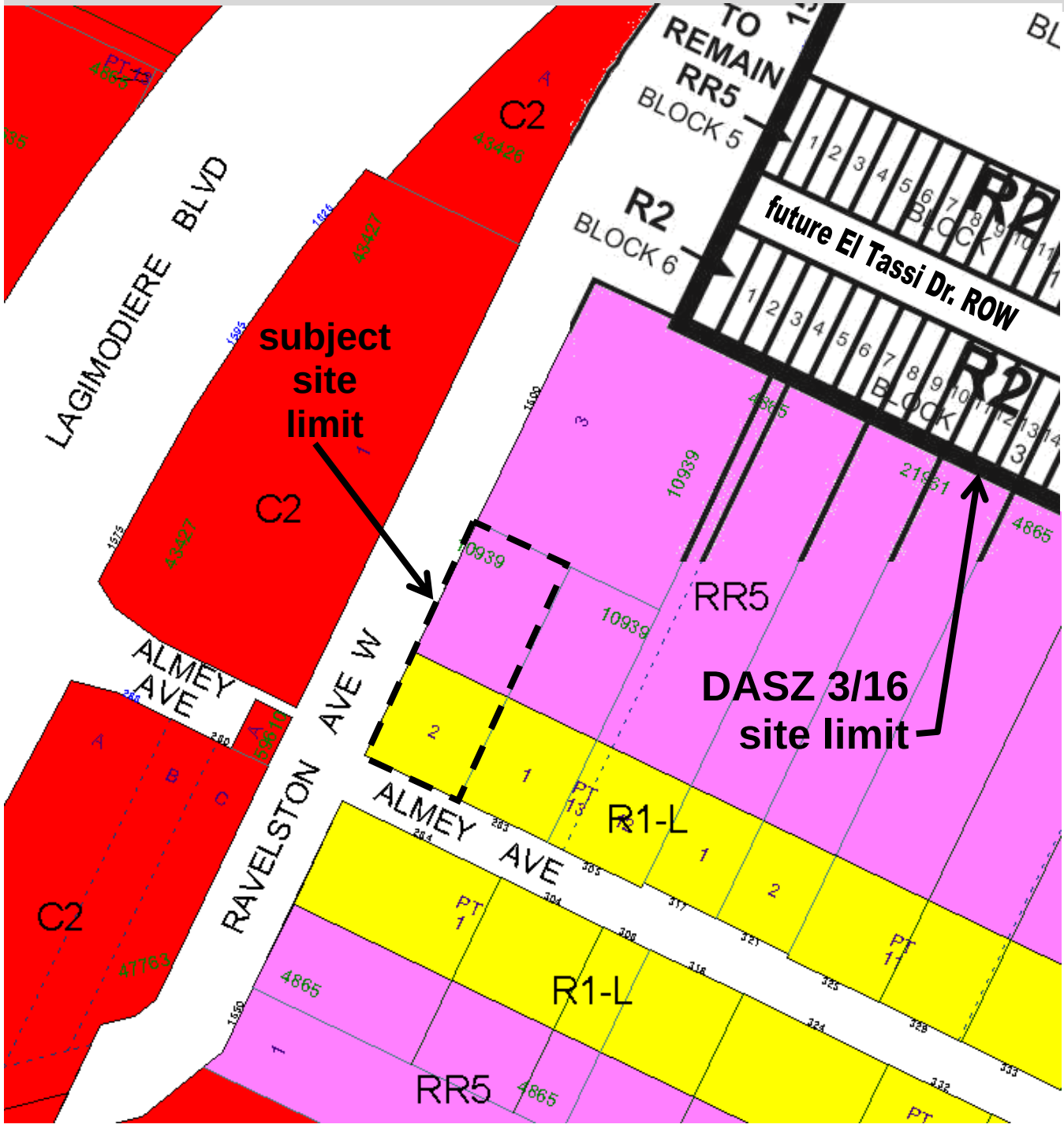
Report Prepared by:
Glen Doney

PPD File #:
DASZ 31/2016

Figure 1: 2016 Assessed Land Areas & 2016 Aerial Photography **North↑**



Figure 2: Existing Zoning and Registered Plans and Part of Approved Subdivision and Rezoning DASZ 3/2016 **North↑**



Schedule "A" of File DASZ 31/2016, East Kildonan – Transcona Community Committee,

dated September 2, 2016

By-Law No. _____

File No. **DASZ 31/16**

Atlas Sheet No. **Y30**

N

EAST KILDONAN TRANSCONA COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at the North East Corner of Almey Avenue at Ravelston Avenue West from an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT and an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT to allow for the creation of residential zoning lots for future development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Schedule "B"

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE NORTHEAST CORNER OF ALMEY AVENUE AND RAVELSTON AVENUE WEST – DASZ 31/2016

It is recommended that the approval of DASZ 31/2016, if granted, be subject to the applicant entering into a Servicing to address the following items:

SERVICING REQUIREMENTS

1) Wastewater Sewers

The Developer shall, at no expense to the City, construct and install a wastewater sewer in Ravelston Avenue West or pay their share of the wastewater sewer constructed by others to the satisfaction of the Director of Water and Waste.

2) Watermains

The Developer shall, at no expense to the City, construct and install a watermain in Ravelston Avenue West or pay their share of the watermain constructed by others to the satisfaction of the Director of Water and Waste.

3) Land Drainage Charges

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

a) pay their share of the regional stormwater management facilities

b) pay their share of Cal Gardner Drive land drainage sewer oversizing

as determined by the Director of Water and Waste

4) 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

5) Right of Way Improvements

The Developer shall, at no expense to the City, construct the following services in Ravelston Avenue West from Almey Avenue to the future El Tassi Drive:

a) A 7.5m wide by 150mm thick Portland cement concrete lane of pavement and all related works
b) Street lighting
c) Landscaping on both sides
d) A 1.5m wide by 100mm thick Portland cement concrete sidewalk on the east side of Ravelston Avenue West
e) A 3.5m wide multi-use pathway on the west side of Ravelston Avenue West

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

The City will endeavor, within the limits of its powers, to make recoveries from other benefiting privately owned lands through subsequent development agreements or

6) 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.

7) 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.

8) 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.

9) 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.

10) 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.

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, $2138.00/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 31/2016
September 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

GJ/gj