Minutes – Executive Policy Committee – September 20, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

Item No. 3 Subdivision and Rezoning – Brandon Avenue (Lots 9-21, Block 6, Plan 1606), 615 Hethrington Avenue, 421 Osborne Street (Fort Rouge - East Fort Garry Ward) File DASZ 12/2017 [c/r DAC 1/2017, DCU 120289/2017D and DAV 120298/2017D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the plan of subdivision under file DASZ 12/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for file DASZ 12/17 dated September 5, 2017, with minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the applicant addressing the requirements outlined in Schedule "B", with the following amendment:

   A. Delete Servicing Agreement condition 1) d) and replace it with the following:

      The Public Works Department shall:

      d) provide routine maintenance of the pathway including but not limited to surface grading, shaping and spot maintenance, and snow removal and sanding.

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 12/17 dated September 1, 2017 to a "C2" Commercial Community District.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

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

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

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

DECISION MAKING HISTORY:

Moved by Councillor Morantz,

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

Carried

Moved by Councillor Orlikow,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On September 19, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 5, 2017, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following to recommendation 1 after "Schedule B":

  ", with the following amendment:

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

A. Delete Servicing Agreement condition 1) d) and replace it with the following:

The Public Works Department shall:

d) provide routine maintenance of the pathway including but not limited to surface grading, shaping and spot maintenance, and snow removal and sanding."

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

RE: **Subdivision and Rezoning – Brandon Avenue (Lots 9-21, Block 6, Plan 1606), 615 Hethrington Avenue, 421 Osborne Street**
File DASZ 12/2017

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

Prepared by: **Kate McMillan, Senior Committee Clerk**
City Centre Community Committee

Report date: **September 7, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On September 5, 2017, the City Centre 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 DASZ 12/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for file DASZ 12/17 dated September 5, 2017, with minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the applicant addressing the requirements outlined in Schedule "B"***, with the following amendment:***

    A. ***Delete Servicing Agreement condition 1) d) and replace it with the following:***

    The Public Works Department shall:

    d) ***provide routine maintenance of the pathway including but not limited to surface grading, shaping and spot maintenance, and snow removal and sanding.***

2. That Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 12/17 dated September 1, 2017 to a "C2" Commercial Community District.

3. That in lieu of the dedication of land, the Developer shall provide 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.

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

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

1. I believe there needs to be some parking for transit employees. I understand we prefer to minimize the parking impacts on the neighbourhood but we're eliminating 109 spots and to go to zero is not tenable. There has to be some parking available or the problem that we already have, that's quite severe, with on street parking shortage is going to get worse so I don't really feel there's an alternative but to approve some sort of parking facility for staff.

2. A lot of thought and consideration has gone into the design in terms of minimizing the impact in terms of the trees, the fencing, the traffic flow. There was also a fairly good public consultation process and I think there should be acknowledgement of that, and an attempt to reach out and work with the community on it.

3. From the public consultation report as well there was a significant amount of people who felt that the on-street parking situation is quite bad and does require a parking lot for employees, regardless of whatever efforts they're making to reduce the amount of cars coming in there is still going to be some amount of parking.

PUBLIC HEARING SUMMARY

File: DASZ 12/2017

Before: City Centre Community Committee
Councillor Gilroy, Chairperson
Councillor Gerbasi

Public Hearing: September 5, 2017
Council Building, 510 Main Street

Applicant: MMM Group Limited (Brock Feenstra)

Subject:



CITY CENTRE COMMUNITY

APPLICANT : MMM GROUP LTD.
FILE : DASZ 12/17
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 "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "C3" COMMERCIAL CORRIDOR DISTRICT AND "M1" MANUFACTURING LIGHT DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the consolidation of lands for the establishment of a surface parking lot. **For information, phone Mr. D. Harris, Planner, at 204-986-7211.**

Premises Affected: Brandon Avenue (Lots 9-21, Block 6, Plan 1606), 615 Hethrington Avenue, 421 Osborne Street

Exhibits Filed:

1. Application dated April 28, 2017
2. Notification of Public Hearing dated June 27, 2017
3. Manitoba Status of Titles, 1171924/1, 1485239/1, 1485244/1, 1940363/1, 2110947/1, 2391543/1 and 2823290/1
4. By-law No. 12497 (Registration No. 631440/1)
5. By-law No. 19556 (Registration No. H75877)
6. Letter of authorization dated March 31, 2017 from Luca Imbrogno to City of Winnipeg, Transit Department
7. Letter of authorization dated March 31, 2017 from Tim Vandekerkhove, Project Manager, Winnipeg Transit to MMM Group Limited
8. Letter of authorization dated April 10, 2017 from Tim Vandekerkhove, Project Manager, Winnipeg Transit to MMM Group Limited
9. Plans (3 pages)
10. Report from the Urban Planning Division dated August 29, 2017
11. Inspection Report
12. Communication dated September 4, 2017 from Shauna Carmichael in opposition to the application
13. Communication dated September 5, 2017, from Kara Balshaw in opposition to the application
14. Presentation in support of the application submitted by the Applicant at the public hearing
15. Presentation in opposition to the application submitted by Ed Boudreaux at the public hearing
16. Recording of Representations

REPRESENTATIONS:

In Support:

David Jopling
Scot Paterson
Kevin Sim
Tim Vandekerkhove
Bryan Ward
Don Wieler

In Opposition

Kara Balshaw
Ed Boudreaux
Maurice Ciarelli
Shauna Carmichael
Stephen Swan

For Information:

Joel Tranq

For the City:

B. Buyachok, Real Property Officer, Planning, Property and Development Department
M. Robinson, Senior Planner, Planning, Property and Development Department
D. Harris, Planner, Planning, Property and Development Department

Exhibit “10” referred to in File DASZ 12/2017

ADMINISTRATIVE REPORT

Title: DASZ 12/17 Brandon Ave (615 Hethrington Ave. & 421 Osborne St.)

Issue: For consideration at the public hearing for a subdivision and rezoning for DASZ 12/17– 615 Hethrington & Osborne St.)

Critical Path: City Centre Community Committee as per the *Development Procedures By-law* and *The City of Winnipeg Charter*.

AUTHORIZATION

Author	Division Head	Department Head	CFO	CAO
Dylan Harris (MCP)	B. Smith, (RPP)	n/a	n/a	

RECOMMENDATIONS

1. That the plan of subdivision proposed under file DASZ 12/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule “A” for file DASZ 12/17 dated September 5, 2017, with minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the applicant addressing the requirements outlined in Schedule “B”
2. That Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule “A” for File DASZ 12/17 dated September 1, 2017 to a “C2” Commercial Community District.
3. That in lieu of the dedication of land, the Developer shall provide 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.

REASON FOR THE REPORT

- The applicant is proposing to consolidate 13 lots and rezone the subject property from a "R1-M" Residential Single Family medium district to a "C2" Commercial Community district for the establishment of a surface parking lot in support of the Winnipeg Transit bus garage expansion at 421 Osborne St.
- Subdivision rezoning applications 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 Urban Planning Division are concurred in, the land may be **subdivided** and **rezoned**.

CONSULTATION

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

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared By:	Dylan Harris, MCP
Date:	August 29, 2017
File No.	DASZ 12/17

APPENDIX 'A'

DATE: September 1, 2017

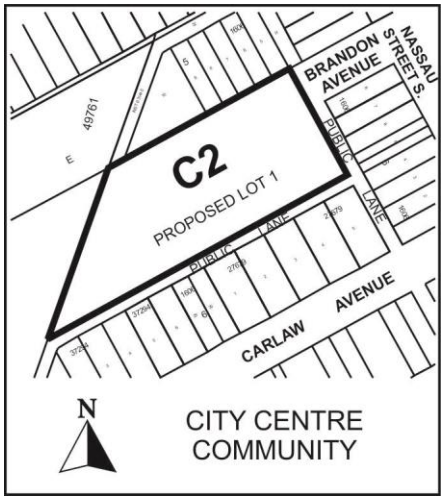
FILE: DAZ 12/17

RELATED FILES: DCU 17-120289/D, DAV 17-120298D, DAC 1/2017

COMMUNITY: City Centre Committee

NEIGHBOURHOOD #: **1.665 Lord Roberts**

SUBJECT: To rezone the subject land from R1-M to C2 to permit the establishment of a surface parking area.



LOCATION: Brandon Ave (615 Hethrington Ave. & 421 Osborne St.)

LEGAL DESCRIPTION: Lot 9-21, Block 6, Plan 1606 (Parish of St. Boniface)

APPLICANT: Brock Feenstra
111-93 Lombard Ave.
Winnipeg , Manitoba R3B 3B1

OWNER: City of Winnipeg / Luca Imbrogno

RECOMMENDATION: Approval with conditions

SITE DESCRIPTION

- The subject property is located on the south side of Brandon Ave., in the Lord Roberts neighbourhood of the Fort Rouge - East Fort Garry ward.
- The site is located in a Mature Community, as designated by the *Complete Communities* Direction Strategy.
- The properties are currently zoned “R1-M” Residential Single-Family Medium.
- The combined area of the subject lots is approximately 42 000 sq. ft. in area.
- A four unit rooming house which is scheduled for demolition is currently located on lot 12 of the subject site. The remaining lots are vacant.



Figure 1: Subject site and surrounding area (flown 2016)

SURROUNDING LAND USE AND ZONING

The subject area is characterized by a mix of commercial and residential uses. Directly adjacent land uses include:

North: Brandon Ave. then the Winnipeg Transit Campus zoned “C3” Commercial Corridor.

South: A rear land then single family homes zoned “R1-M” Residential Single-Family Medium.

East: A rear lane single family homes zoned “R1-M” Residential Single-Family Medium.

West: A rear lane then a Winnipeg Transit facility zoned “M2” Manufacturing General.

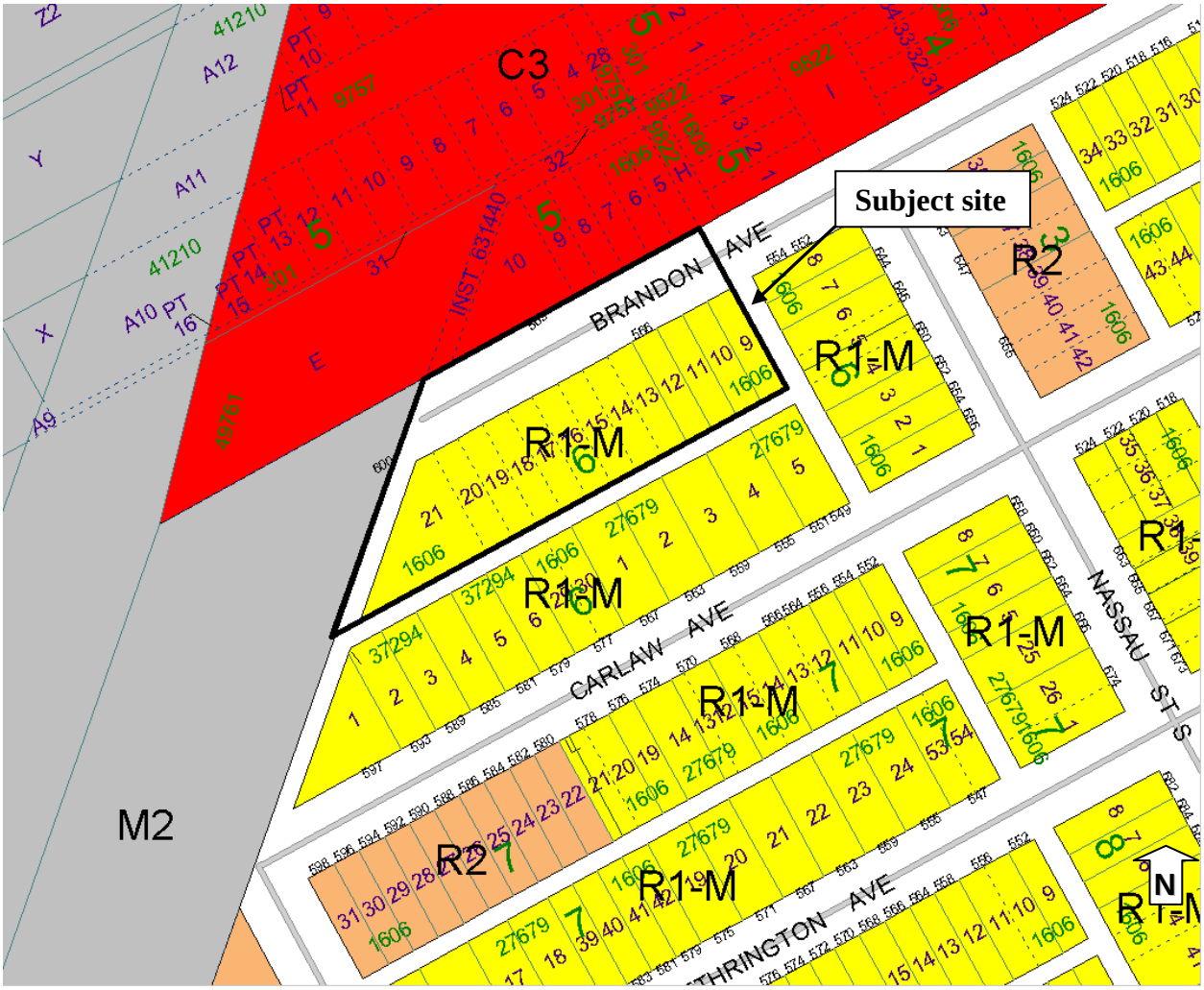


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- Winnipeg Transit is expanding a maintenance garage on their Transit Campus at 421 Osborne St.
- The proposed garage expansion will take place on the surface parking area currently located at 421 Osborne St. This loss of the existing parking must be replaced to accommodate vehicle parking for Transit drivers.
- After exploring several options and undertaking a community engagement process, it was determined the most suitable location for a new Winnipeg Transit surface parking area was on the subject properties along Brandon Ave.
- The applicant is proposing to demolish an existing rooming house located on lot 12, consolidate 13 lots, and rezone the property to a "C2" Commercial Community district to establish a 123 stall surface parking area.
- As part of this DASZ application, a portion of Brandon Ave. and a public lane along the western edge of the property will be closed. These former public rights of way will be consolidated with the 13 lots to create one new parcel.
- The existing Active Transportation pathway that runs along the northern edge Brandon Ave. will be relocated to the southern edge of the newly created parcel.

Reason for application

- The establishment of a non-accessory surface parking area is prohibited in the "R1-M" Residential Single Family Medium districts.
- The applicant wishes to establish a 123 stall, surface parking area to accommodate Winnipeg Transit staff parking needs that are being displaced as a result of a proposed bus garage expansion at 421 Osborne St.
- A rezoning to the "C2" Commercial Community district with a conditional use application (DCU 17-120289/D) and variances (DAV-17-120298/D) are required to enable the proposed development concept.

ANALYSIS AND ISSUES

Our Winnipeg

Key directions for connecting and expanding our sustainable transportation and infrastructure network are listed on page 32 of the City of Winnipeg's municipal development plan *Our Winnipeg.* The following direction relates directly to the proposed application to subdivide and rezone the properties along Brandon Ave:

- "Invest strategically in new water, waste and transportation infrastructure."

The proposed DASZ application to establish a surface parking area on Brandon Ave adjacent to the existing Winnipeg Transit campus is required to enable the expansion of the current Winnipeg Transit bus garage at 421 Osborne St. The garage expansion is necessary to accommodate evolving bus maintenance techniques and increased bus fleet sizes.

The location of the proposed bus garage expansion has been chosen for its operational efficiency and strategic value. Buses stored in the expanded garage at 421 Osborne will have direct access to the southwest rapid transit corridor. The garage is within 750 metres of Osborne Station and approximately 600 metres from the Fort Rouge Yards transit oriented

major redevelopment site. Expanding Transit capacity at this location represents a strategic investment in transportation infrastructure that will benefit the entire City and is consistent with key directions for transportation infrastructure investment as described in *Our Winnipeg.* The proposed DASZ to establish the surface parking area on Brandon Ave. is an essential component in facilitating this strategic investment in Winnipeg's transit infrastructure.

Complete Communities Direction Strategy

The subject properties are located within a Mature Community as designated in the *Complete Communities* Direction Strategy. Key policies guiding development in Mature Communities relevant to this application include:

- Areas of Stability accommodate low to moderate change in a contextually suitable manner. Supporting Direction and Enabling Strategies for Areas of Stability include:
    - 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.

Due to the location of the proposed parking area within a mature residential neighbourhood, careful attention must be taken to limit the impact of the proposed surface parking area on adjacent residential land uses.

The Urban Planning Division will require the highest standard of landscaping and site design on the subject properties. This will include planting and landscape features that exceed zoning by-law requirements and the installation of light proof and decorative wrought iron style fencing along the edges of the property.

The Urban Planning Division encourages applicants to preserve trees when undertaking development activity. There are numerous mature trees on the proposed parking area. Given the proposed project is a City led initiative on City owned land, the Urban Planning Division will expect the highest level of care be taken in preserving the healthy, mature trees on site. The applicant should work in collaboration with the City Forester in developing a strategy to preserve trees on site. In addition to a preservation strategy, the applicant should employ design interventions that mitigate the impact of proposed development on future tree health.

The Urban Planning Division will expect the proposed parking area to demonstrate best practices in parking area design. In agreeing to meet these design requirements, the applicant will demonstrate sensitivity to the community context, creating a respectful transition from proposed to existing land uses in this Mature Community as envisioned in the *Complete Communities* direction strategy.

ZONING BY-LAW 200/2006

The Urban Planning Division recommends the applicant pursue a rezoning to "C2" Commercial Community with a conditional use to establish a non-accessory surface parking area. The "C2" zone ensures development occurs at a community scale in a fashion consistent with the context of this Mature Neighbourhood. In the event of future redevelopment of the subject property, the C2 zone presents an excellent opportunity for residential, commercial or mixed use development at a scale consistent with the neighbourhood context.

ADDITIONAL CONSIDERATIONS

Site design

Landscaping

Through discussions with the Urban Planning Division, the applicant has agreed to provide abundant landscaping on the proposed parking area to reduce any potential impact on adjacent land uses. Landscape improvements include planting trees along all property edges with grasses and shrubs filling in spaces between the trees to create a green wall. Trees will also be planted inside the parking area. The attached site plan reflects the landscape improvements that have been requested by the Urban Planning Division. The applicant will be expected to provide landscaping as illustrated on the attached site plan.

Tree preservation

In the pre-application letter for the proposed parking area construction, the Urban Planning encouraged the applicant to where possible, preserve existing trees on site. The applicant has illustrated in their site plan their intention to preserve a large cottonwood tree in the centre of the proposed parking area. The Urban Planning Division will expect this tree to be maintained.

Fencing

The Urban Planning Division requested the applicant install decorative fencing around the the proposed parking area. The applicant has agreed to provide decorative fencing along the perimeter of the site as shown on the attached site plan.

Community engagement

Prior to submitting the subject DASZ application, the applicant initiated a public engagement process to seek input from area residents in regards to the bus garage expansion and proposed surface parking area development. The first round of engagement took place in early 2017 using stakeholder meetings, a public information session and a survey to elicit feedback on the proposed development concept. A total of 101 people were consulted as part of the first round of engagement.

The applicant has compiled a community engagement report outlining feedback from area stakeholders. In their report the applicant states the primary concerns of area residents was a lack of street parking for residents due to Transit employees occupying on-street parking. Engagement participants felt this was due to a lack of off-street Winnipeg Transit employee parking. The report states participants were supportive of creating a larger, off street parking area that could reduce the demand for street parking by Transit employees.

Participants in the engagement process also indicated they would like to see landscaping used to mitigate the visual impact of the proposed parking area.

The second round of community engagement is anticipated to occur shortly and will focus on the proposed design of the Transit garage expansion.

A summary of the first round of engagement can be found here:
http://winnipegtransit.com/assets/1861/Winnipeg_Transit_Garage_Expansion_Public_Engagement_Summary.pdf

SUMMARY

The Urban Planning Division **supports** the rezoning of the subject property on Brandon Ave. (615 Hethrington Ave & 421 Osborne) to “C2” Commercial Community for the following reasons:

- The proposed parking area will replace the existing Winnipeg Transit surface parking area at 421 Osborne St. allowing for a Transit garage expansion that will increase the capacity of the transit system in Winnipeg.
- Through the installation of landscaping, fencing and the preservation of existing trees, the applicant will use design interventions to reduce any negative impact associated with the proposed parking area on adjacent land uses.
- The applicant has engaged the community through a public participation process and has committed to additional engagement events as the project proceeds.

RECOMMENDATIONS

The Urban Planning Division recommends this application be **approved** and the subject property be rezoned to a “C2” – Commercial Community district.

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

Report Prepared by: Dylan Harris, MCP
PPD File # DASZ 12/17 – Brandon Ave (615 Hethrington Ave & 421 Osborne St.)

Schedule "A" for File DAZ 12.17, City Centre Community Committee, September 5, 2017

By-Law No. _____

File No. **DASZ 12/17**

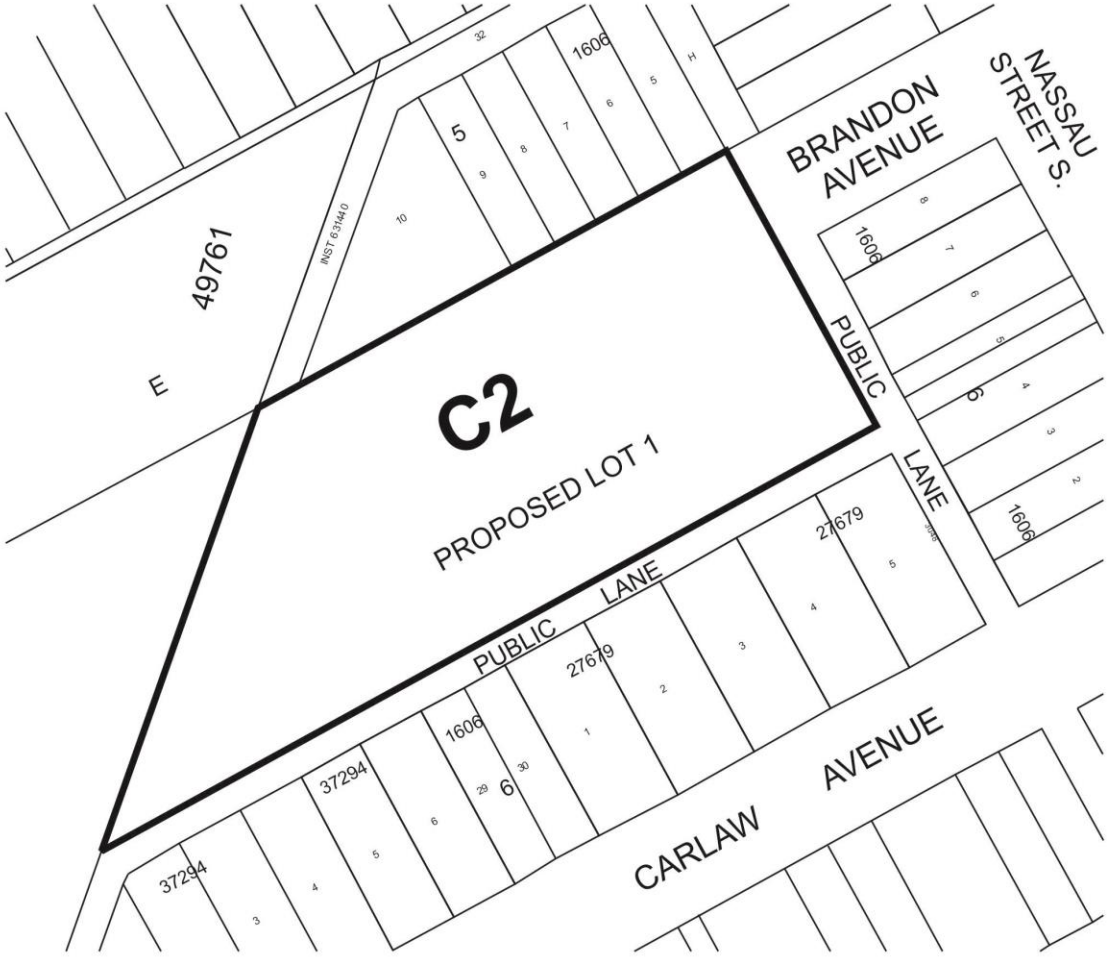
Atlas Sheet No.

N

AC25
CITY CENTRE
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 on the south side of Brandon Avenue, west of Nassau Street South, including Brandon Avenue and public lane to be closed under DAC 1/2017, from an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, "C3" COMMERCIAL CORRIDOR DISTRICT AND "M1" MANUFACTURING LIGHT DISTRICT to a "C2" COMMERCIAL COMMUNITY DISTRICT to facilitate the consolidation of lands for the establishment of a surface parking lot as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – June 14, 2017

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON BRANDON AVENUE, 615 HETHRINGTON AVENUE & 421 OSBORNE STREET – DASZ 12/2017

It is recommended that the approval of DASZ 12/2017, if granted, be subject to the applicant addressing the following items:

1) Multi-use Pathway

The Applicant shall:

a) construct a 3.5m wide asphalt multi-use pathway for public use within the Planned Area, abutting the north limit of the east-west public lane and the west limit of the north-south public lane;

b) install and maintain a painted centerline and lighting along the full length of the pathway;

c) provide the appropriate easements, if required, and

d) provide routine maintenance of the pathway including but not limited to surface grading, shaping and spot maintenance, and snow removal and sanding,

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

2) Private Approach

The Applicant shall make application to the Public Works Department, to convert the existing street turnout to a private approach, where Brandon Avenue is proposed to be closed west of the existing north-south public lane.

3) Construction Traffic

The Applicant shall

a) ensure that construction traffic uses access routes;

b) maintain, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and

c) 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.

4) Utilities

a) The Applicant shall, 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 Applicant 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.

5) Litter and Refuse Control and Clean-Up

a) The Applicant shall 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.

6) By-laws and Approvals

The Applicant 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.

7) Professional Fees

a) The Applicant 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 Applicant 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.

8) Administration Fees

The Applicant shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $2138.00 plus applicable 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. DASZ 12/2017
August 18, 2017

(Original Signed By G.V. Jasper P.Eng.)

G.V. Jasper, P. Eng.,
Land Development Branch

(Original Signed By C.J. Desjardine, M.Sc., P.Eng.)

C.J. Desjardine, M.Sc., P. Eng.
Public Works Department, Transportation Division

GVJ/gj