Agenda – Executive Policy Committee – December 6, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

Item No. 1 Subdivision and Rezoning – Southeast Ravenhurst/Pandora/CNR Rail Line/Perimeter Highway Boundaries
(Transcona Ward)
File DASZ 10/2017 [c/r DCU 144031/2017D]

STANDING COMMITTEE RECOMMENDATION:

On November 27, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, as amended, and recommended to Council:

1. That the plan of subdivision under File DASZ 10/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 10/2017 dated September 1, 2017 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 Development Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated June 14, 2017, with the following amendments:

      GENERAL

      i. Delete "Future DAC Application" in its entirety and replace it with the following:

         Future DAC Application/Sidewalk

         The Developer and the City of Winnipeg shall do all things necessary, and as required, for the construction of a 1.5 m north-south sidewalk (and appropriate landscaping) extending from Van Slyk Way to the northernmost east-west public right of way in the proposed plan of subdivision. The sidewalk shall be constructed on either the east or west boundary of Zoe Lane and the City shall make application to legally close the remaining portion of Zoe Lane, south of Van Slyk Way. The City shall be responsible for the cost of the sidewalk within the current Zoe Lane right of way and the Developer shall be responsible for the cost of the sidewalk in Block 3 within the plan of subdivision.

In addition, The Developer shall be responsible for the removal of the existing pavement and all related works and restore the curb and sod in Zoe Lane, south of Van Slyk Way, to the satisfaction of the Directors of Public Works and Property and Development."

SERVICING CONDITIONS

ii. *Deleted*

iii. Add a new Condition 1)c) as follows:

"1)c) The City shall endeavor, through subsequent development applications, to reimburse, subject to Council approval, the developer for services benefiting private lands."

iv. Delete "Schedule C" from Condition 10)a) and replace it with "Schedule D".

v. Delete Condition 10)b) in its entirety and replace it with the following:

"10)b) The Developer shall construct a 3.5m wide asphalt multi-use pathway on the east side of Ravenhurst Street between the second proposed east-west public street south of Pandora Avenue East and the Canadian National Railway Redditt Subdivision, including its share of the costs to construct the a path across the rail line, within the confines of the existing lit crossing if possible, as indicated on the attached Schedule "D", to the satisfaction of the Director of Public Works."

vi. Add "within a maximum 4.7m wide non-dedicated public reserve" to Condition 10)c) after "shall be located".

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vii. Add the following new Condition 10)d):

"10)d) The developer shall, at no expense to the City, construct traffic tables, and install appropriate signage, at the locations shown on Schedule D, to the satisfaction of the Director of Public Works and the East Kildonan-Transcona Community Committee. Plans shall be submitted within 90 days of Council approval of this application."

viii. Add "north and" to Condition 11)a) after "appropriate transition".

ix. Add "25% of" to Condition 12)a) before "all costs".

x. Amend Condition 12)b) as follows:

- Add "50% of" before "all costs".
- Delete "as determined" and replace it with "if determined".
- Add "If it's determined that a traffic signal is not required at this intersection, the developer be required to install a half signal on Ravenhurst Street" after "Director of Public Works.".

xi. Delete Condition 12)c) in its entirety.

xii. Delete "2.0m" from Condition 13 and replace it with "1.83m".

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xiii. Delete Condition 14 in its entirety and replace it with the following:

"14) The Developer shall, at no expense to the City, construct a roundabout at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East, including but not limited to all landscaping and feature signage to Canterbury Crossing, inside said roundabout, as determined by and to the satisfaction of the Director of Public Works and the East Kildonan-Transcona Community Committee. Plans showing landscaping and feature signage shall be submitted to the East Kildonan-Transcona Community Committee within 90 days of Council approval of this application. In the event that the privately owned lands to the west of this development can't be acquired, the developer shall work with the City to design said roundabout within the Ravenhurst Street right-of-way and the lands owned by the developer."

xiv. Delete Condition 15)a) in its entirety and replace it with the following:

"15)a) There are to be no private approaches serving single or two family residential development off the two rights-of-way connecting Ravenhurst Street and their first intersection."

xv. Delete Condition 15)b) in its entirety.

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xvi. Delete Condition 22) in its entirety and replace it with the following:

"22) Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Community as well as the locations shown on Schedule D, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Plessis Road, Dugald Road, the Perimeter Highway (Provincial Trunk Highway 101), Canadian National Railway Redditt Subdivision, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, storm water retention facilities and all proposed community mailbox sites, all with the approval of and to the satisfaction of the East Kildonan-Transcona Community Committee and the Director of Planning, Property and Development. Plans shall be submitted within 90 days of Council approval of this application."

xvii. Add the following after "Director of Public Works." in Condition 24)a):

"Bins shall be a commercial/industrial large size steel bin and the practice of wire garbage enclosures shall not be permitted."

xviii. Add the following new Condition 24)c):

"24)c) The Developer shall sweep streets as required during construction."

xix. Add the following to the end of Condition 25)a):

"i. Fencing along rear yards abutting the public reserve adjacent to the storm water retention pond shall consist of black chain link fencing with no screening elements attached to the fence.
ii. Fencing along the flankage of yards abutting the public reserve adjacent to the storm water retention pond may consist of either black chain link or solid wood fencing.
iii. Fencing along rear yards and flankage abutting the southerly public reserve may consist of solid wood fencing."

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xx. Delete Condition 25)b) in its entirety and replace it with the following:

"25)b) That a temporary off-leash dog park be established at the location shown on Schedule D. The Developer shall be responsible for the installation and cost of the necessary perimeter fencing and signage. If the City deems an in ground waste receptacle is required, the developer shall supply and install a product to the satisfaction of the Director of Public Works, with the City reimbursing the cost of the unit. Plans showing the park, fencing and signage shall be submitted to the East Kildonan-Transcona Community Committee and Director of Public Works, for approval, prior to commencement of park improvements."

xxi. Add "and the East Kildonan-Transcona Community Committee" to Condition 26)a) after "approved by the Director of Public Works."

xxii. Delete Condition 26)b) in its entirety.

xxiii. Add "and the East Kildonan-Transcona Community Committee, within 90 days of Council approval of this application." to Condition 26)c) after "by the Director of Public Works".

xxiv. Delete "(ie. Adjacent to Lagimodiere)" from Condition 26)d).

xxv. Add the following new Condition 26)h):

"26)h) The Developer shall install a junior and senior play structure which connects to the park path system, at the location shown on Schedule D, as well as garbage containers and benches in both parks where appropriate. Plans shall be submitted to the East Kildonan-Transcona Community Committee for approval within 90 days of Council approval of this application."

xxvi. That Schedule D be amended by replacing the 3.5m wide asphalt multi-use path in the park located south of Block 4 and north of Block 5, with a 2.4m wide asphalt path.

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2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" of File DASZ 10/2017 dated September 1, 2017, to "R1-S" Residential Single-Family (Small) Zoning District, "R2" Residential Two-Family Zoning District, "RMF-M" Residential Multi-Family (Medium) Zoning District, "RMU" Residential Mixed-Use District, "CMU" Commercial Mixed-Use Zoning District; and "PR-1" Parks and Recreation 1 (Neighbourhood) District, subject to the following:

   A. That the applicant enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

      i. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, the Owner must submit plans, including elevations, showing the location and design of any and all proposed:
         a. buildings;
         b. accessory parking areas;
         c. private approaches;
         d. garbage enclosures;
         e. fencing;
         f. outside lighting;
         g. landscaping; and
         h. free-standing signage

         on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

      ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, billboard signs, mobile signs, and A-board signs shall not be permitted.

      iii. That carrier depots associated with Canada Post shall not be permitted on those portions of the Owner's Land zoned "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use.

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iv. That, on the Owner's land:

a. a 1.83 metre (six foot) height black chain link fence shall be erected along the entire southern limit of said land, bordering the rail right-of-way;
b. a 2.5 metre (8.2 foot) high berm, with side slopes no steeper than 3:1, shall be constructed along the entire southern limit of said land;
c. a uniform, 2.5 metre high (8.2 metre high) noise attenuation fence shall be erected on the full extents of the top of said berm; and

d. any habitable room or living space within a building shall be at least 30 metres (98.4 feet) from the southern limit of said land.

v. That, for those proposed lots that shall be abutting the southern limit of the subject site, the Developer shall permit the City to file a caveat against the title(s) of those proposed lots that shall require the owner(s) to maintain and/or repair or replace the chain link fence, the berm and the noise attenuation fence required in Clause iv, above.

vi. That, for those portions of the Owner's Land that are zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use:

a. the yard abutting the western limit of said land shall be at least 10 feet deep; and
b. street edge landscaping in said yard shall contain at least one tree for each 20 feet of linear street frontage, plus one shrub for each five feet of linear street frontage.

vii. That, for all public reserves, the applicant must submit plans showing the location and design of any and all proposed buildings, parking areas, driveways, walkways, pathways, fencings, outside light fixtures, landscaping, play structures and free-standing signage on the public reserves to the East Kildonan – Transcona Community Committee for approval, within 90 days of Council approval of this application, prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans.

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3. The Developer shall, at no expense to the City, legally open a 5m wide public reserve right-of-way to accommodate a 3.5m asphalt multi-use pathway, in the northeast portion of the Planned Area, from the southerly extension of Desrosiers Dr. to the eastern limit of the Planned Area, as outlined in Schedule D.

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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution by the City of the Development Agreement.

8. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this one (1)-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.

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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.

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DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On November 27, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee, with the following amendments:

- Delete recommendation 1.A.i. in its entirety and replace it with the following:

  "1.A.i. GENERAL

  i. Delete "Future DAC Application" in its entirety and replace it with the following:

  <u>Future DAC Application/Sidewalk</u>

  The Developer and the City of Winnipeg shall do all things necessary, and as required, for the construction of a 1.5 m north-south sidewalk (and appropriate landscaping) extending from Van Slyk Way to the northernmost east-west public right of way in the proposed plan of subdivision. The sidewalk shall be constructed on either the east or west boundary of Zoe Lane and the City shall make application to legally close the remaining portion of Zoe Lane, south of Van Slyk Way. The City shall be responsible for the cost of the sidewalk within the current Zoe Lane right of way and the Developer shall be responsible for the cost of the sidewalk in Block 3 within the plan of subdivision.

  In addition, The Developer shall be responsible for the removal of the existing pavement and all related works and restore the curb and sod in Zoe Lane, south of Van Slyk Way, to the satisfaction of the Directors of Public Works and Property and Development."

- Delete recommendation 1.A.ii. in its entirety.

- Add ", subject to Council approval," after "to reimburse" in recommendation 1.A.iii.

- Delete recommendation 1.A.xx. in its entirety and replace it with the following:

  "1.A.xx. Delete Condition 25)b) in its entirety and replace it with the following:

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DECISION MAKING HISTORY (continued):

"25)b) That a temporary off-leash dog park be established at the location shown on Schedule D. The Developer shall be responsible for the installation and cost of the necessary perimeter fencing and signage. If the City deems an in ground waste receptacle is required, the developer shall supply and install a product to the satisfaction of the Director of Public Works, with the City reimbursing the cost of the unit. Plans showing the park, fencing and signage shall be submitted to the East Kildonan-Transcona Community Committee and Director of Public Works, for approval, prior to commencement of park improvements."

- Delete "and delete "2.4 m" and replace it with "3.5m"." in recommendation 1.A.xxiii.

- Add the following new recommendation 1.A.xxvi.

  "1.A.xxvi. That Schedule D be amended by replacing the 3.5m wide asphalt multi-use path in the park located south of Block 4 and north of Block 5, with a 2.4m wide asphalt path."

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 7 and 8, 2017, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Add the following to Recommendation 1.A. after "June 14, 2017":

  ", with the following amendments:

  GENERAL

  i. Add the following to the end of "Future DAC Application":

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

DECISION MAKING HISTORY (continued):

"The Developer and the City of Winnipeg shall do all things necessary, and as required, for the Developer to provide for a north-south sidewalk in the right-of-way known south of Zoe Lane, south of Van Slyk Way, through to the southern edge of block 3 of the subdivision, on either the east or west side of the roadway, to allow for a 1.5m wide sidewalk and appropriate landscaping on either side. In lieu of said works and the right-of-way requirement, the cost to the Developer shall be offset by the City providing the remaining portion of Zoe Lane south of Van Slyk Way, to the developer at no cost."

SERVICING CONDITIONS

ii. Add the following to Condition 1)b) after "Director of Water and Waste".

", to a maximum of $3031.89/acre, and the developer shall receive a credit of up to 50% of that amount in the event that, via an agreed to independent engineering report paid for by the developer, additional costs are required to connect to the Transcona Sewer System via the invert."

iii. Add a new Condition 1)c) as follows:

"1)c) The City shall endeavor, through subsequent development applications, to reimburse the developer for services benefiting private lands."

iv. Delete "Schedule C" from Condition 10)a) and replace it with "Schedule D".

v. Delete Condition 10)b) in its entirety and replace it with the following:

"10)b) The Developer shall construct a 3.5m wide asphalt multi-use pathway on the east side of Ravenhurst Street between the second proposed east-west public street south of Pandora Avenue East and the Canadian National Railway Redditt Subdivision, including its share of the costs to construct the a path across the rail line, within the confines of the existing lit crossing if possible, as indicated on the attached Schedule "D", to the satisfaction of the Director of Public Works."

vi. Add "within a maximum 4.7m wide non-dedicated public reserve" to Condition 10)c) after "shall be located".

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DECISION MAKING HISTORY (continued):

vii. Add the following new Condition 10)d):

"10)d) The developer shall, at no expense to the City, construct traffic tables, and install appropriate signage, at the locations shown on Schedule D, to the satisfaction of the Director of Public Works and the East Kildonan-Transcona Community Committee. Plans shall be submitted within 90 days of Council approval of this application."

viii. Add "north and" to Condition 11)a) after "appropriate transition".

ix. Add "25% of" to Condition 12)a) before "all costs".

x. Amend Condition 12)b) as follows:

- Add "50% of" before "all costs".
- Delete "as determined" and replace it with "if determined".
- Add "If it's determined that a traffic signal is not required at this intersection, the developer be required to install a half signal on Ravenhurst Street" after "Director of Public Works.".

xi. Delete Condition 12)c) in its entirety.

xii. Delete "2.0m" from Condition 13 and replace it with "1.83m".

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DECISION MAKING HISTORY (continued):

xiii. Delete Condition 14 in its entirety and replace it with the following:

"14) The Developer shall, at no expense to the City, construct a roundabout at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East, including but not limited to all landscaping and feature signage to Canterbury Crossing, inside said roundabout, as determined by and to the satisfaction of the Director of Public Works and the East Kildonan-Transcona Community Committee. Plans showing landscaping and feature signage shall be submitted to the East Kildonan-Transcona Community Committee within 90 days of Council approval of this application. In the event that the privately owned lands to the west of this development can't be acquired, the developer shall work with the City to design said roundabout within the Ravenhurst Street right-of-way and the lands owned by the developer."

xiv. Delete Condition 15)a) in its entirety and replace it with the following:

"15)a) There are to be no private approaches serving single or two family residential development off the two rights-of-way connecting Ravenhurst Street and their first intersection."

xv. Delete Condition 15)b) in its entirety.

xvi. Delete Condition 22) in its entirety and replace it with the following:

"22) Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Community as well as the locations shown on Schedule D, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Plessis Road, Dugald Road, the Perimeter Highway (Provincial Trunk Highway 101), Canadian National Railway Redditt Subdivision, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, storm water retention facilities and all proposed community mailbox sites, all with the approval of and to the satisfaction of the East Kildonan-Transcona Community Committee and the Director of Planning, Property and Development. Plans shall be submitted within 90 days of Council approval of this application."

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DECISION MAKING HISTORY (continued):

xvii. Add the following after "Director of Public Works." in Condition 24)a):

"Bins shall be a commercial/industrial large size steel bin and the practice of wire garbage enclosures shall not be permitted."

xviii. Add the following new Condition 24)c):

"24)c) The Developer shall sweep streets as required during construction."

xix. Add the following to the end of Condition 25)a):

"i. Fencing along rear yards abutting the public reserve adjacent to the storm water retention pond shall consist of black chain link fencing with no screening elements attached to the fence.

ii. Fencing along the flankage of yards abutting the public reserve adjacent to the storm water retention pond may consist of either black chain link or solid wood fencing.

iii. Fencing along rear yards and flankage abutting the southerly public reserve may consist of solid wood fencing."

xx. Delete Condition 25)b) in its entirety and replace it with the following:

"25)b) That a temporary off-leash dog park be established at the location shown on Schedule D. The off-leash dog park shall be separated into two parts, one for smaller dogs and one for larger dogs. The Developer shall be responsible for the installation and costs of the necessary fencing and signage. Plans showing the park, fencing and signage shall be submitted, within 90 days of Council approval of this application, to the East Kildonan-Transcona Community Committee and the Director of Public Works, for approval."

xxi. Add "and the East Kildonan-Transcona Community Committee" to Condition 26)a) after "approved by the Director of Public Works."

xxii. Delete Condition 26)b) in its entirety.

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DECISION MAKING HISTORY (continued):

xxiii. Add "and the East Kildonan-Transcona Community Committee, within 90 days of Council approval of this application." to Condition 26)c) after "by the Director of Public Works" and delete "2.4 m" and replace it with "3.5m".

xxiv. Delete "(ie. Adjacent to Lagimodiere)" from Condition 26)d).

xxv. Add the following new Condition 26)h):

"26)h) The Developer shall install a junior and senior play structure which connects to the park path system, at the location shown on Schedule D, as well as garbage containers and benches in both parks where appropriate. Plans shall be submitted to the East Kildonan-Transcona Community Committee for approval within 90 days of Council approval of this application.""

- Add "including elevations" to Recommendation 2.A.i. after "the Owner must submit plans".

- Delete Recommendation 2.A.ii. and replace it with the following:

"2.A.ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, billboard signs, mobile signs, and A-board signs shall not be permitted."

- Add "associated with Canada Post" after "carrier depots" in Recommendation 2.A.iii.

- Delete Recommendation 2.A.iv.a. in its entirety and replace it with the following:

"2.A.iv.a. a 1.83 metre (six foot) height black chain link fence shall be erected along the entire southern limit of said land, bordering the rail right-of-way;"

- Add "living" after "any habitable room or" in Recommendation 2.A.iv.d.

- Delete "25 feet deep" from Recommendation 2.A.vi.a. and replace it with "10 feet deep".

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

DECISION MAKING HISTORY (continued):

- Add the following new Recommendation 2.A.vii.:

  "2.A.vii. That, for all public reserves, the applicant must submit plans showing the location and design of any and all proposed buildings, parking areas, driveways, walkways, pathways, fencings, outside light fixtures, landscaping, play structures and free-standing signage on the public reserves to the East Kildonan – Transcona Community Committee for approval, within 90 days of Council approval of this application, prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans."

- Add the following new Recommendation 3 and renumber the remaining Recommendations accordingly:

  "3. The Developer shall, at no expense to the City, legally open a 5m wide public reserve right-of-way to accommodate a 3.5m asphalt multi-use pathway, in the northeast portion of the Planned Area, from the southerly extension of Desrosiers Dr. to the eastern limit of the Planned Area, as outlined in Schedule D."

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

On October 18, 2017, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on November 7, 2017, at 6:30 p.m. in the Council Building, 510 Main Street, and requested the Winnipeg Public Service to respond, in writing, to the following questions, with respect to SERVICING CONDITIONS 1)b), outlined in Schedule "B," the report of the Administrative Coordinating Group, dated June 14, 2017:

1. What are the costs of Transcona Sewer Relief Works and what are the final projected costs?
2. What were the changes to the final projections of the Transcona Sewer Relief works?
3. What was the standard of flood protection in Transcona before the changes versus what the new protection does?
4. What do these changes do for Transcona in terms of the sewer separation, specifically for the removal of the interceptors?
5. How many interceptors were removed?
6. When was the project studied and when did work begin?

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DECISION MAKING HISTORY (continued):

7. How many other developers in Transcona have been levied the charge that is being imposed in this development? What were those developments and what were the costs?
8. What are other developers across the city being charged? Who are the developers and when where they charged?
9. What are the developers in the Cockburn-Calrossie area and the St. James area being charged for this work?
10. Where was the motion from Council to direct the Winnipeg Public Service to come forward with the policy to apply this charge?
11. What is the public policy driving this?
12. Why is this the first application to apply this charge?
13. Why is this not part of the Development Parameters Policy?
14. Is Qualico being charged for this for all the upgrades to the sewers being done in Charleswood for Ridgewood? Is Ladco being charged for this?
15. How do you segregate the extra sewage that is pouring into the line on Peguis Street, and why aren't the developers in that area being charged for this?
16. How are you planning to charge the developer for this? Will it be upfront when they execute the development agreement? When and how do they pay this cost?
17. Was a detailed analysis done to calculate this fee? Was the same analysis done and applied in other areas of the city.
18. If this is a new policy, who gave authority to impose this charge?

On September 11, 2017, the East Kildonan-Transcona Community Committee adjourned the public hearing to its meeting on October 17, 2017, at 6:30 p.m. in the Council Building, 510 Main Street.

RE: **Subdivision and Rezoning – Southeast Ravenhurst/Pandora/CNR Rail Line/Perimeter Highway Boundaries**
File DASZ 10/2017

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: **November 15, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 7, 2017, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the plan of subdivision under File DASZ 10/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 10/2017 dated September 1, 2017 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 Development Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated June 14, 2017***, with the following amendments:***

    GENERAL
    i. Add the following to the end of "Future DAC Application":

    "The Developer and the City of Winnipeg shall do all things necessary, and as required, for the Developer to provide for a north-south sidewalk in the right-of-way known south of Zoe Lane, south of Van Slyk Way, through to the southern edge of block 3 of the subdivision, on either the east or west side of the roadway, to allow for a 1.5m wide sidewalk and appropriate landscaping on either side. In lieu of said works and the right-of-way requirement, the cost to the Developer shall be offset by the City providing the remaining portion of Zoe Lane south of Van Slyk Way, to the developer at no cost."

SERVICING CONDITIONS

ii. Add the following to Condition 1)b) after "Director of Water and Waste".

", to a maximum of $3031.89/acre, and the developer shall receive a credit of up to 50% of that amount in the event that, via an agreed to independent engineering report paid for by the developer, additional costs are required to connect to the Transcona Sewer System via the invert."

iii. Add a new Condition 1)c) as follows:

1)c) The City shall endeavor, through subsequent development applications, to reimburse the developer for services benefiting private lands.

iv. Delete "Schedule C" from Condition 10)a) and replace it with "Schedule D".

v. Delete Condition 10)b) in its entirety and replace it with the following:

"10)b) The Developer shall construct a 3.5m wide asphalt multi-use pathway on the east side of Ravenhurst Street between the second proposed east-west public street south of Pandora Avenue East and the Canadian National Railway Redditt Subdivision, including its share of the costs to construct the a path across the rail line, within the confines of the existing lit crossing if possible, as indicated on the attached Schedule "D", to the satisfaction of the Director of Public Works."

vi. Add "within a maximum 4.7m wide non-dedicated public reserve" to Condition 10)c) after "shall be located".

vii. Add the following new Condition 10)d):

"10)d) The developer shall, at no expense to the City, construct traffic tables, and install appropriate signage, at the locations shown on Schedule D, to the satisfaction of the Director of Public Works and the East Kildonan-Transcona Community Committee. Plans shall be submitted within 90 days of Council approval of this application."

viii. Add "north and" to Condition 11)a) after "appropriate transition".

ix. Add "25% of" to Condition 12)a) before "all costs".

x. Amend Condition 12)b) as follows:

- ***Add "50% of" before "all costs".***
- ***Delete "as determined" and replace it with "if determined".***
- ***Add "If it's determined that a traffic signal is not required at this intersection, the developer be required to install a half signal on Ravenhurst Street" after "Director of Public Works.".***

xi. Delete Condition 12)c) in its entirety.

xii. Delete "2.0m" from Condition 13 and replace it with "1.83m".

xiii. Delete Condition 14 in its entirety and replace it with the following:

"14) The Developer shall, at no expense to the City, construct a roundabout at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East, including but not limited to all landscaping and feature signage to Canterbury Crossing, inside said roundabout, as determined by and to the satisfaction of the Director of Public Works and the East Kildonan-Transcona Community Committee. Plans showing landscaping and feature signage shall be submitted to the East Kildonan-Transcona Community Committee within 90 days of Council approval of this application. In the event that the privately owned lands to the west of this development can't be acquired, the developer shall work with the City to design said roundabout within the Ravenhurst Street right-of-way and the lands owned by the developer."

xiv. Delete Condition 15)a) in its entirety and replace it with the following:

"15)a) There are to be no private approaches serving single or two family residential development off the two rights-of-way connecting Ravenhurst Street and their first intersection."

xv. Delete Condition 15)b) in its entirety.

xvi. Delete Condition 22) in its entirety and replace it with the following:

"22) Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Community as well as the locations shown on Schedule D, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Plessis Road, Dugald Road, the Perimeter Highway (Provincial Trunk Highway 101), Canadian National Railway Redditt Subdivision, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, storm water retention facilities and all proposed community mailbox sites, all with the approval of and to the satisfaction of the East Kildonan-Transcona Community Committee and the Director of Planning, Property and Development. Plans shall be submitted within 90 days of Council approval of this application."

xvii. Add the following after "Director of Public Works." in Condition 24)a):

"Bins shall be a commercial/industrial large size steel bin and the practice of wire garbage enclosures shall not be permitted."

xviii. Add the following new Condition 24)c):

"24)c) The Developer shall sweep streets as required during construction."

xix. Add the following to the end of Condition 25)a):

"i. Fencing along rear yards abutting the public reserve adjacent to the storm water retention pond shall consist of black chain link fencing with no screening elements attached to the fence.

ii. Fencing along the flankage of yards abutting the public reserve adjacent to the storm water retention pond may consist of either black chain link or solid wood fencing.

iii. Fencing along rear yards and flankage abutting the southerly public reserve may consist of solid wood fencing."

xx. Delete Condition 25)b) in its entirety and replace it with the following:

"25)b) That a temporary off-leash dog park be established at the location shown on Schedule D. The off-leash dog park shall be separated into two parts, one for smaller dogs and one for larger dogs. The Developer shall be responsible for the installation and costs of the necessary fencing and signage. Plans showing the park, fencing and signage shall be submitted, within 90 days of Council approval of this application, to the East Kildonan-Transcona Community Committee and the Director of Public Works, for approval."

xxi. Add "and the East Kildonan-Transcona Community Committee" to Condition 26)a) after "approved by the Director of Public Works."

xxii. Delete Condition 26)b) in its entirety.

xxiii. Add "and the East Kildonan-Transcona Community Committee, within 90 days of Council approval of this application." to Condition 26)c) after "by the Director of Public Works" and delete "2.4 m" and replace it with "3.5m".

xxiv. Delete "(ie. Adjacent to Lagimodiere)" from Condition 26)d).

xxv. Add the following new Condition 26)h):

"26)h) The Developer shall install a junior and senior play structure which connects to the park path system, at the location shown on Schedule D, as well as garbage containers and benches in both parks where appropriate. Plans shall be submitted to the East Kildonan-Transcona Community Committee for approval within 90 days of Council approval of this application."

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" of File DASZ 10/2017 dated September 1, 2017, to "R1-S" Residential Single-Family (Small) Zoning District, "R2" Residential Two-Family Zoning District, "RMF-M" Residential Multi-Family (Medium) Zoning District, "RMU" Residential Mixed-Use District, "CMU" Commercial Mixed-Use Zoning District; and "PR-1" Parks and Recreation 1 (Neighbourhood) District, subject to the following:

   A. That the applicant enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

i. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, the Owner must submit plans***, including elevations,*** showing the location and design of any and all proposed:

a. buildings;
b. accessory parking areas;
c. private approaches;
d. garbage enclosures;
e. fencing;
f. outside lighting;
g. landscaping; and
h. free-standing signage

on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

~~***ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, internally illuminated signage, digital signage, billboard signs, mobile signs, and A-board signs shall not be permitted except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.***~~

ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, billboard signs, mobile signs, and A-board signs shall not be permitted.

iii. That carrier depots ***associated with Canada Post*** shall not be permitted on those portions of the Owner's Land zoned "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use.

iv. That, on the Owner's land:

~~***a. a 1.83 metre (six foot) high chain link fence shall be erected along the entire southern limit of said land;***~~

a. a 1.83 metre (six foot) height black chain link fence shall be erected along the entire southern limit of said land, bordering the rail right-of-way;

b. a 2.5 metre (8.2 foot) high berm, with side slopes no steeper than 3:1, shall be constructed along the entire southern limit of said land;

c. a uniform, 2.5 metre high (8.2 metre high) noise attenuation fence shall be erected on the full extents of the top of said berm; and
d. any habitable room or ***living*** space within a building shall be at least 30 metres (98.4 feet) from the southern limit of said land.

v. That, for those proposed lots that shall be abutting the southern limit of the subject site, the Developer shall permit the City to file a caveat against the title(s) of those proposed lots that shall require the owner(s) to maintain and/or repair or replace the chain link fence, the berm and the noise attenuation fence required in Clause iv, above.

vi. That, for those portions of the Owner's Land that are zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use:

a. the yard abutting the western limit of said land shall be at least ~~***25 feet deep***~~ ***10 feet deep***; and
b. street edge landscaping in said yard shall contain at least one tree for each 20 feet of linear street frontage, plus one shrub for each five feet of linear street frontage.

vii. That, for all public reserves, the applicant must submit plans showing the location and design of any and all proposed buildings, parking areas, driveways, walkways, pathways, fencings, outside light fixtures, landscaping, play structures and free-standing signage on the public reserves to the East Kildonan – Transcona Community Committee for approval, within 90 days of Council approval of this application, prior to the issuance of any building or development permit and thereafter must construct the Works in substantial conformance with the approved plans.

3. The Developer shall, at no expense to the City, legally open a 5m wide public reserve right-of-way to accommodate a 3.5m asphalt multi-use pathway, in the northeast portion of the Planned Area, from the southerly extension of Desrosiers Dr. to the eastern limit of the Planned Area, as outlined in Schedule D.

~~***3.***~~***4.*** That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

~~***4.***~~***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.

~~5.~~6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.

~~6.~~7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution by the City of the Development Agreement.

~~7.~~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 and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

~~8.~~9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this one (1)-year period and Council approves the extension.

~~9.~~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.

~~10.~~11. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.

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

The East Kildonan-Transcona Community Committee provided the following supporting reasons for its recommendation:

1. This development is consistent with OurWinnipeg and has a healthy mix of land uses in terms of single family, multi-family and commercial.
2. It provides for active transportation which has been consistent with city policies, it meets FCM guidelines for rail setbacks, fencing and berms, as well as noise attenuation in terms of requirements along the Perimeter Highway.
3. The Developer has agreed to the costs for a temporary off-leash dog park for small and large dogs and a junior and senior play structure.

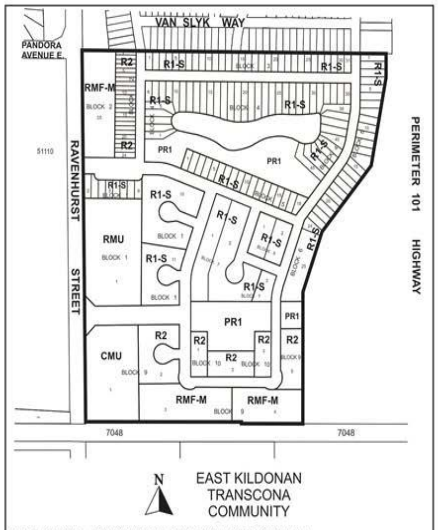
4. The neighbourhood is an extension of the existing Canterbury Park neighbourhood to the north.
5. The Developer made a point to having an open house with the community, has made sure that they are positioning new single family housing with existing single family housing to the north and concentrating multi-family housing on vacant corridors and is creating a quality park system, including and landscaped feature roundabout, which will provide an entrance feature for this development and east Transcona in general.
6. This will provide new tax rolls to the city on land that is currently marginal and undeveloped.
7. This is infill development on lands which are part of historic Transcona.
8. The Developer has agreed to pay, in part, some of the costs associated with sewer upgrades, which is noted to be a unique or new scenario in terms of developer obligation costs.
9. The community is served very well right now by the well run volunteer East End Community Centre, located further west on Pandora Avenue, so the residents will have access to an active well-run community centre.
10. The City has worked with Manitoba Transportation in addressing their concerns with regards to setbacks from the Perimeter Highway.
11. The Developer has agreed to work towards extending the active transportation system over the CN Reddit Subdivision Line which will allow for future connectivity to South Transcona and Buhler Recreation Park to the south.
12. Industrial lands have been identified to the west and south of the CN Reddit Subdivision rail line and these lands have been taken into account and proper setbacks, as required by the Planning Department, are in place to ensure the industrial nature of the lands are not impacted while at the same time providing for a proper buffer for the residential lands.
13. This development will phase in nicely with future potential development to the west.
14. We've applied a higher standard here when it comes to boulevard tree planting, landscaping as well as active transportation pathways in the park.
15. This is consistent with the Transcona Yards Industrial Neighbourhood area Redevelopment Plan.
16. I agree with the supporting comments by the planner on page 19, 20 and 21 of the administrative report.

PUBLIC HEARING SUMMARY

File:	DASZ 10/2017
Before:	East Kildonan-Transcona Community Committee Councillor Schreyer, Chairperson Councillor Browaty Councillor Wyatt
Public Hearing:	November 7 and 8, 2017 October 18, 2017 September 11, 2017 Council Building, 510 Main Street
Applicant:	Susan Russell, McGowan Russell Group
Subject:	

EAST KILDONAN TRANSCONA COMMUNITY COMMITTEE PUBLIC HEARING

Date: Monday, September 11, 2017
Time: 6:30 P.M.
Location: Council Building,
510 Main Street



APPLICANT : MCGOWAN RUSSELL GROUP INC.
FILE : DASZ 10/17
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 from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT, "CMU" COMMERCIAL MIXED USE DISTRICT, "RMU" RESIDENTIAL MIXED USE DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the establishment of the Canterbury Crossing Neighbourhood by the creation of the lot and block plan, public reserve and public right-of-ways for a future development. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected: Southeast Ravenhurst/Pandora/CNR Rail Line/Perimeter Highway Boundaries

Exhibits Filed:

1. Application dated July 17, 2017
2. Notification of Public Hearing dated July 21, 2017
3. Manitoba Status of Title(s) 1853141/1, and 2772629/1
4. Letter of authorization dated January 17, 2017 from 2378699 Manitoba Ltd. to EdgeCorp Developments Ltd. and consultants Lombard North Group Ltd., Planners, Landscape Architects and McGowan Russell Group Inc.
5. Letter of authorization dated January 17, 2017 from Ravenhurst Developments Inc. to EdgeCorp Developments Ltd. and consultants Lombard North Group Ltd., Planners, Landscape Architects and McGowan Russell Group Inc.
6. Caveat(s) 1533342/1, 1904423/1
7. Conceptual Development Plan (2 pages)
8. Report from the Urban Planning Division dated September 1, 2017
9. Inspection Report
10. Recording of Representations of public hearing held on September 11, 2017
11. Presentation in support of the application submitted by the Applicant at the public hearing
12. Notice of Adjournment dated September 19, 2017
13. Recording of Representations of public hearing held on October 17, 2017
14. Notice of Adjournment dated October 24, 2017
15. Recording of Representations
16. Conceptual Plans with respect to the application submitted by the Applicant at the public hearing
17. Winnipeg Public Service response to Wastewater/Sewer questions, submitted by G. Patton, Manager of Engineering, Water and Waste Department

REPRESENTATIONS:

In Support:

Michelle Clarke
Michael Dickson
Jas Kalar
Shawn Kalar
Bob Kurylko
Patricia Lacey
Keith Merkel

Brandon Powell
Jon Powell
Susan Russell

In Opposition:

Nil

For Information:

Nil

For the City:

G. Jasper, Land Development Administrator, Planning, Property and Development Department
G. Doney, Senior Planner, Planning, Property and Development Department
G. Patton, Manager of Engineering, Water and Waste Department
M. Gajda, Engineer, Water and Waste Department
M. Geer, Director of Water and Waste

Exhibit "8" referred to in File DASZ 10/2017

ADMINISTRATIVE REPORT

Title: DASZ 10/2017 – South-East of Ravenhurst and Pandora

Issue: Proposed Plan of Subdivision and Rezoning that would create:

- 134 lots zoned "R1-S" Residential Single-Family (Small);
- 29 lots zoned "R2" Residential Two-Family;
- three lots zoned "RMF-M" Residential Multi-Family (Medium);
- one lot zoned "RMU" Residential Mixed-Use to accommodate a place-of worship;
- one lot zoned "CMU" Commercial Mixed-Use;
- three public reserves zoned "PR-1" Parks and Recreation 1 (Neighbourhood); and
- a network of public streets connected to Ravenhurst Street, Romance Lane and Desrosiers Drive.

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

AUTHORIZATION

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

RECOMMENDATIONS

1. That the plan of subdivision proposed under File DASZ 10/2017 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" of File DASZ 10/2017 dated September 1, 2017 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 Development Agreement with the City containing all the conditions outlined in Schedule "B," the report of the Administrative Coordinating Group, dated June 14, 2017.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land shown on Schedule "A" of File DASZ 10/2017 dated September 1, 2017, to "R1-S" Residential Single-Family (Small) Zoning District, "R2" Residential Two-Family Zoning District, "RMF-M" Residential Multi-Family (Medium) Zoning District, "RMU" Residential Mixed-Use District, "CMU" Commercial Mixed-Use Zoning District; and "PR-1" Parks and Recreation 1 (Neighbourhood) District, subject to the following:

   A. That the applicant enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240(1) of *The City of Winnipeg Charter* to include the following conditions:

      i. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, the Owner must submit plans showing the location and design of any and all proposed:

         - buildings;
         - accessory parking areas;
         - private approaches;
         - garbage enclosures;
         - fencing;
         - outside lighting;
         - landscaping; and
         - free-standing signage

         on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

      ii. That, for those portions of the Owner's Land zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use, internally illuminated signage, digital signage, billboard signs, mobile signs, and A-board signs shall not be permitted except a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit.

      iii. That carrier depots shall not be permitted on those portions of the Owner's Land zoned "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use.

      iv. That, on the Owner's land:

         - a 1.83 metre (six foot) high chain link fence shall be erected along the entire southern limit of said land;
         - a 2.5 metre (8.2 foot) high berm, with side slopes no steeper than 3:1, shall be constructed along the entire southern limit of said land;
         - a uniform, 2.5 metre high (8.2 metre high) noise attenuation fence shall be erected on the full extents of the top of said berm; and
         - any habitable room or space within a building shall be at least 30 metres (98.4 feet) from the southern limit of said land.

      v. That, for those proposed lots that shall be abutting the southern limit of the subject site, the Developer shall permit the City to file a caveat against the title(s) of those proposed lots that shall require the owner(s) to maintain and/or repair or replace the

chain link fence, the berm and the noise attenuation fence required in Clause iv, above.

vi. That, for those portions of the Owner's Land that are zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use:
   - the yard abutting the western limit of said land shall be at least 25 feet deep; and
   - street edge landscaping in said yard shall contain at least one tree for each 20 feet of linear street frontage, plus one shrub for each five feet of linear street frontage.

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 registration of the Plan of Subdivision in the Winnipeg Land Titles Office and execution by the City of the Development Agreement.

7. 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 and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one (1) year from the date the by-law is passed.

8. 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 this one (1)-year period and Council approves the extension.

9. 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.

10. 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

This report describes the proposal, analyses it in terms of compliance with *OurWinnipeg* and the *Complete Communities Direction Strategy* and makes recommendations accordingly.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the subdivision and rezoning process can proceed.

CONSULTATION

The City's Administrative Coordinating Group was consulted in the preparation of this report.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Glen Doney
Date:	Septmeber 1, 2017
File No.	DASZ 10/2017

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 10/2017, East Kildonan – Transcona Community Committee, dated September 1, 2017.**
- **Schedule "B," Report of the Administrative Co-ordinating group,dated June 14, 2017**

Appendix "A," Planning Discussion

DATE:	September 1, 2017
FILE:	**DASZ 10/2017**
RELATED FILE:	DCU 17-144031D
COMMUNITY:	East Kildonan - Transcona
NEIGHBOURHOOD #:	4.414 (Canterbury Park)
SUBJECT:	Proposed Plan of Subdivision and Rezoning that would create: - 134 lots zoned "R1-S" Residential Single-Family (Small); - 29 lots zoned "R2" Residential Two-Family; - three lots zoned "RMF-M" Residential Multi-Family (Medium); - one lot zoned "RMU" Residential Mixed-Use to accommodate a place-of worship; - one lot zoned "CMU" Commercial Mixed-Use; - three public reserves zoned "PR-1" Parks and Recreation 1 (Neighbourhood); and - a network of public streets connected to Ravenhurst Street, Romance Lane and Desrosiers Drive.
LOCATION:	southeast of Ravenhurst and Pandora
LEGAL DESCRIPTION:	part SE ¼ 3-11-4 EPM



APPLICANT:	McGowan-Russell (Susan Russell) 825 St. Joseph Street Winnipeg, MB R3X 2J9
OWNER:	Ravenhurst Developments Inc. **2378699 Manitoba Ltd.**
RECOMMENDATION:	Approval with Conditions

SITE DESCRIPTION

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

- southeast of Ravenhurst and Pandora;
- in the Canterbury Park Neighbourhood and the Transcona Ward;
- approximately 77 acres;
- encompassing a single family dwelling;
- in a “RR5” Rural Residential 5 District of Zoning By-law 200/2006; and
- in a Recent Communities Policy Area, which is a type of Areas of Stability Policy Area of *OurWinnipeg* and *Complete Communities*.

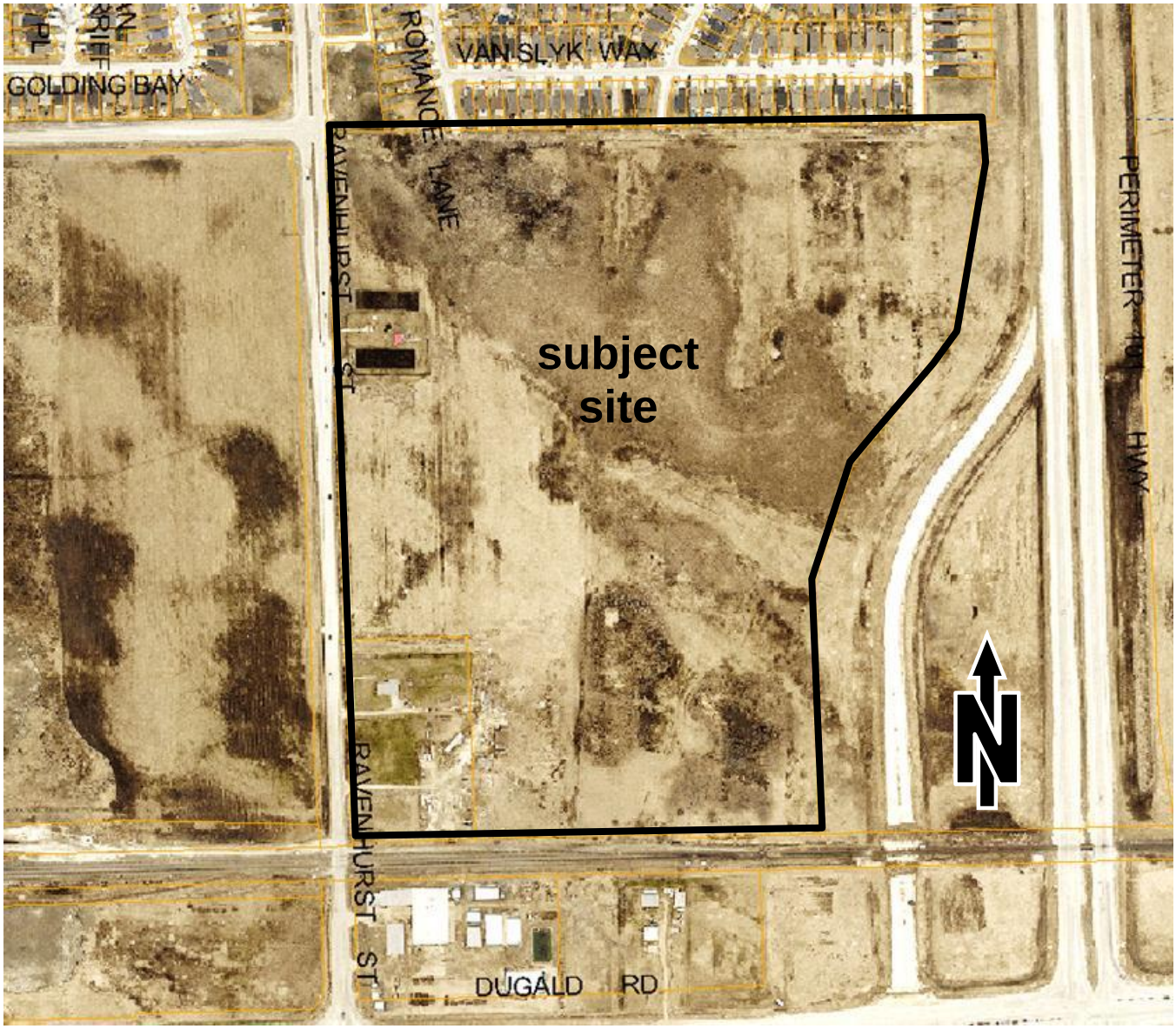


Figure 1: 2016 Aerial Photography

SITE CONTEXT SURROUNDING LAND USE AND ZONING

North: single-family dwellings and some vacant properties in an “R1-M” Residential Single Family (Medium) District; a vacant “C2” Commercial Community property; and the southern termini of Romance Lane, Zoe Lane and Desrosiers Drive.

South: railway right-of-way containing a principal main line of the CNR.

East: right-of-way of PTH 101 (the Perimeter Highway) containing a four lane divided highway and an unused roadway.

West: Ravenhurst Street (which is an arterial road), then vacant land in an “M3” Heavy Manufacturing District, the planning area of the *Transcona Yards Industrial Neighbourhood Area Redevelopment Plan* and a General Manufacturing policy area of *Complete Communities.*

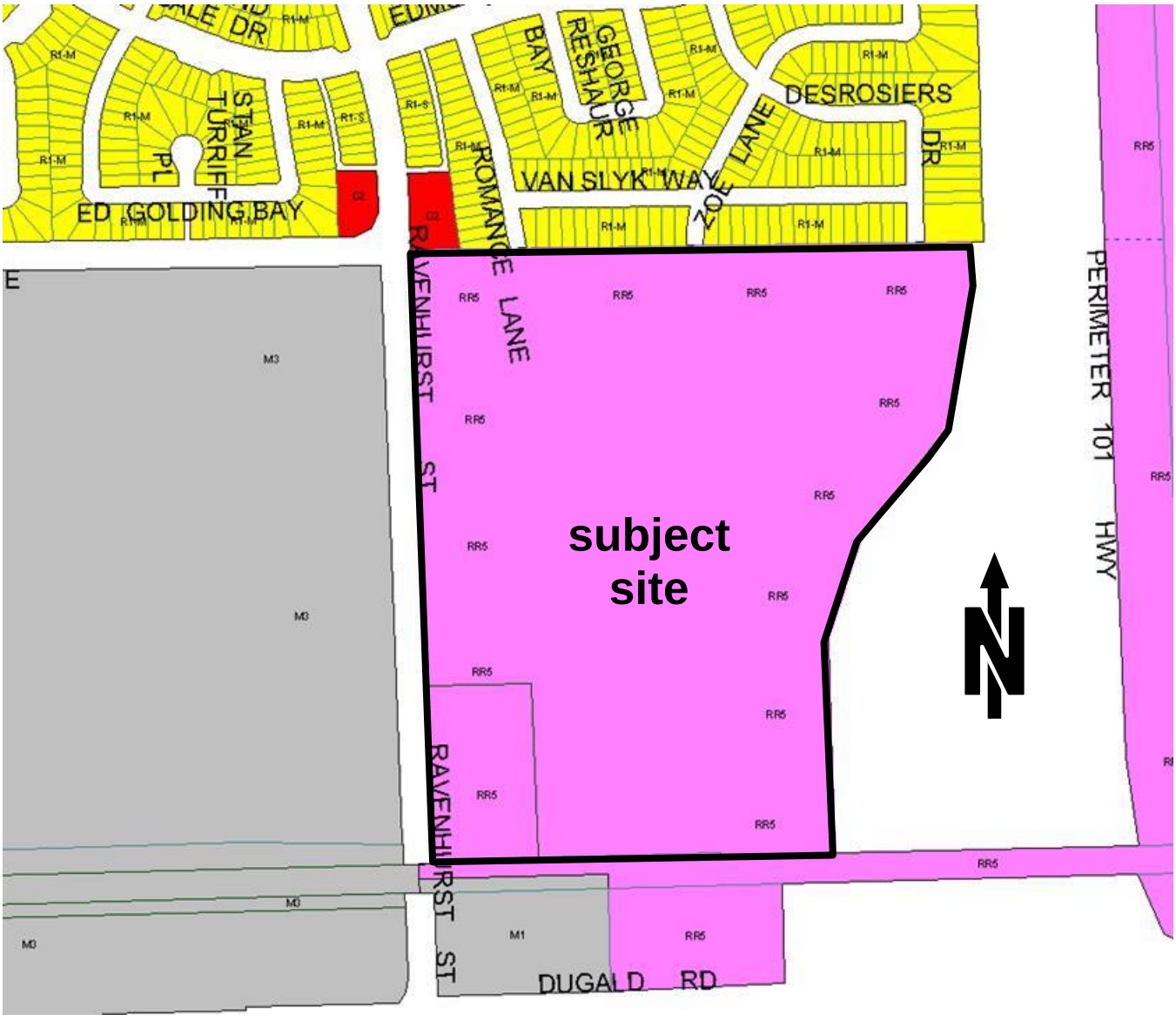


Figure 2: Existing Zoning and Lot Lines

Regarding the *Transcona Yards Industrial Neighbourhood Area Redevelopment Plan,* lands abutting the west side of Ravenhurst Street are in policy areas of this plan that allow "*light industrial, commercial, institutional and/or office uses*." Also of note is that the easterly 492 feet (150 metres) of these lands is in the Development Control Zone of this plan. Policies pertaining to this zone require buildings to be setback 40 feet from Ravenhurst Street and for landscaping to be established in the area that is within 25 feet of Ravenhurst.

Also noteworthy is that CN's Transcona Yards is over 1500 feet west of the subject lands

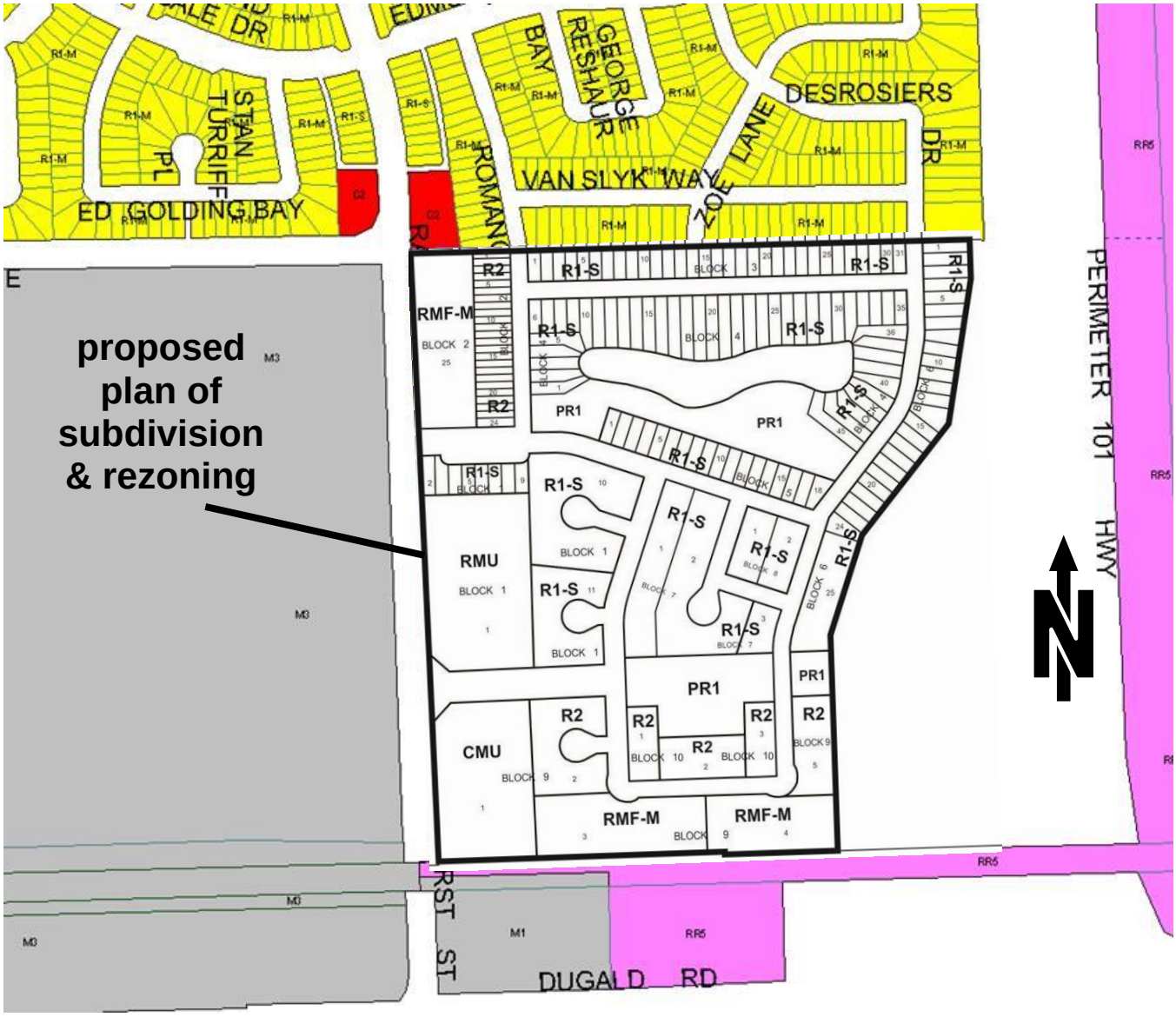


Figure 3: Existing and Proposed Zoning and Lot Lines

DESCRIPTION OF THE PROPOSED SUBDIVISION AND REZONING

The proposed plan of subdivision and rezoning, shown on Figure 3 and Schedule "A," would create:

- 134 lots zoned "R1-S" Residential Single-Family (Small) to accommodate 126 single-family dwellings and to establish eight large lots zoned "R1-S" for subdivision in a future phase;
- 29 lots zoned "R2" Residential Two-Family to accommodate 12 two-family dwellings and to establish five large lots zoned "R2" for subdivision in a future phase;
- three lots zoned "RMF-M" Residential Multi-Family (Medium) to accommodate multi-family dwellings;
- one lot zoned "RMU" Residential Mixed-Use to accommodate a place-of worship;
- one lot zoned "CMU" Commercial Mixed-Use;
- three public reserves zoned "PR-1" Parks and Recreation 1 (Neighbourhood); and
- a network of public streets connected to Ravenhurst Street, Romance Lane and Desrosiers Drive (but not to Zoe Lane).

In order for the place-of-worship proposal to proceed, Conditional Use Application DCU 17-144031D must be approved because a place-of-worship is a conditional use in the "RMU" Zoning District.

Regarding the proposed zoning districts, the maximum *principal* building height requirements are as follows:

- **"PR1" – 30 feet;**
- **"R1-S" – 35 feet;**
- **"RMF-M" – 60 feet for multi-family structures and 35 feet for non-residential structures;**
- **"RMU" – 100 feet for multi-family structures and 39 feet for non-residential structures; and**
- **"CMU" – 60 feet.**

Also regarding the proposed zoning districts, Table 1 on the next page identifies the principal uses that are permitted uses in the zoning districts and whether there is a use specific standard.

Table 1 notes that use specific standards typically limit the intensity of the use or its hours of operation. These standards are stated in Zoning By-law 200/2006. Table 4-1 of By-law 200/2006 identifies the section (of By-law 200/2006) where the use specific standard is stated.

Table 1: Permitted Principal Uses in the Proposed Zoning Districts
grey box = permitted use in zoning district shown at top of column
• = use specific standard applies (typically limiting intensity of use or hours of operation)

principal use	PR1	R1-S	R2	RMF-M	RMU	CMU
dwelling, multi-family						
dwelling, single-family detached						
dwelling, two-family						
assisted living facility						
care home		•	•	•	•	
neighbourhood rehabilitation home						
single room occupancy				•	•	•
community/recreation centre						
library						
post office/carrier depot						
protection & emergency services						
social service facility						
college or university						
community gardens						
park/plaza/square/ playground	•	•	•		•	
day care centre					•	•
place of worship						•
gallery/museum					•	
amusement enterprise, indoor						•
auditorium/concert hall/theatre/cinema						
studio, radio/tv/motion picture broadcast & production						
hostel						
hotel or motel						
animal hospital or veterinary clinic						
kennel						•
restaurant					•	
call centre						
office					•	
personal services (See Note 1 at end of table)					•	
medical/dental/optical/ counselling clinic					•	
retail sales (excluding uses listed separately)					•	•
auction room						•
landscape or garden supplies						
supermarket						•
auto/light truck/motorcycle, repair & service						•
auto/light truck/motorcycle, sales & rental						•
auto parts & supplies, sales						
fuel sales						•
parking, structured						
parking, surface						
utility facility, minor	•	•	•	•	•	•
recycling collection centre						

Note 1: does not include body modification establishment, cheque-cashing facility, funeral chapel or mortuary, or medical/dental/optical/ counselling clinic.

ANALYSIS AND ISSUES

OurWinnipeg

***OurWinnipeg* is the City's development plan.**

The Key Direction of *OurWinnipeg* 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 subject site encompasses nearly all the undeveloped portion of the Canterbury Park Neighbourhood. Given that the Key Direction states that development should "*enhance the quality… of stable neighbourhoods"* a Zoning Agreement is required.

The Zoning Agreement should

- require plan approval of any development proposed on any lot zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use in order to ensure existing and future developments are mutually compatible;
- prohibit carrier depots from establishing any lot zoned "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use because carrier depots are more appropriate in industrial areas;
- limit the types of signage allowed on any lot zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use in order to mitigate the potential for signage to detract from the quality of the development;
- require buffering of the lots zoned "RMF-M" Residential Multi-Family (Medium), "RMU" Residential Mixed-Use or "CMU" Commercial Mixed-Use from the lands along the west side of Ravenhurst because these lands are in a General Manufacturing policy area of *Complete Communities* and residential uses are permitted in these zoning districts; and
- require buffering of residential uses from the rail line in the right-of-way along the southern limit of the site in order to mitigate the potential for trains to adversely affect the residential uses (in terms of noise, vibration and extreme events).

The last requirement - buffering of residential uses from the rail line – has been implemented by the City for nearly 10 years. The buffering requirement is presently based on the recommendations May 2013 document - *Guidelines for New Development in Proximity to Railway Operations,* located in www.proximityissues.ca. Based on these guidelines, the City recommends that the developer should be required:

- to erect a 1.83 metre (six foot) high chain link fence along the entire length of the property line shared by the subject site and the rail line right-of-way, in order to hinder movement into the right-of-way;
- to construct a 2.5 metre (8.2 foot) high berm, with side slopes no steeper than 3:1, along the entire length of the shared property line;

- to erect a uniform, 2.5 metre high (8.2 metre high) noise attenuation fence on the full extents of the top of the berm; and
- ensure that any habitable room or space within a building shall be at least 30 metres (98.4 feet) from the shared property line described above.

Also of note is that the wide range of zoning districts that are being proposed would facilitate:

- **a diversity of uses and a variety of residential building types; and**
- **a greater residential density than what is allowed north of the site, which would make better use of existing infrastructure and increase the viability of public transit.**

Therefore, subject to the aforementioned Zoning Agreement, the proposal would comply with the Key Direction that applies to the Areas of Stability policy area. The generality of this Key Direction indicates that the proposal would comply with *OurWinnipeg* in general.

Complete Communities

Several policies under Direction 1 of Section 04 of *Complete Communities* apply to the proposal. These policies are stated below:

> ***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.***
>
> ***Promote a quality public realm with a high level of accessibility to community services and amenities and opportunities for gathering and social interaction.***
>
> ***Encourage intensification to occur at centres and along corridors.***
>
> ***Support Complete Communities by ensuring diverse and high quality housing stock.***
>
> *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 a mix of commercial services and employment uses that serve the local community.*
>
> *Where intensification/densification of housing occurs, ensure that the types of open space - passive, active, and plazas - respond to community needs.*
>
> *Ensure that existing public open spaces meet the neighbourhood's current and future requirements.*

The recommended Zoning Agreement, outlined above, could be used to ensure that any proposed development of any lot zoned “RMF-M” Residential Multi-Family (Medium), “RMU” Residential Mixed-Use or “CMU” Commercial Mixed-Use would comply with the first and second polices stated above.

The proposed plan of subdivision and rezoning would comply with the other policies stated above because they would:

- provide opportunities to create a *“quality public realm”* that would *“respond to community needs”* and add to the existing supply, and variety of, public open space such that the “*neighbourhood’s current and future requirements”* would be met;
- accommodate higher intensity uses on lots that would be abutting or near Ravenhurst Street or Dugald Road, both of which are significant transportation “*corridors”;*
- add a variety of new housing to the area; and
- accommodate a variety of commercial and institutional uses that could serve the neighbourhood and provide employment opportunities.

Therefore, subject to the aforementioned Zoning Agreement, the proposal would comply with these policies of *Complete Communities.*

Also, the Key Direction of *Complete Communities* that applies to the Areas of Stability Policy Area is the same as the Key Direction of *OurWinnipeg* that applies to this policy area. Therefore, subject to the aforementioned Zoning Agreement, the proposal would also comply with *Complete Communities* in general.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning Division recommends approval because, subject to a Zoning Agreement, the proposal would comply with *OurWinnipeg* and *Complete Communities*.

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

Report Prepared by:
Glen Doney

PPD File #:
DASZ 10/2017

Schedule "A" of File DASZ 10/2017, East Kildonan – Transcona Community Committee, dated September 1, 2017

By-Law No. _____

File No. **DASZ 10/17**

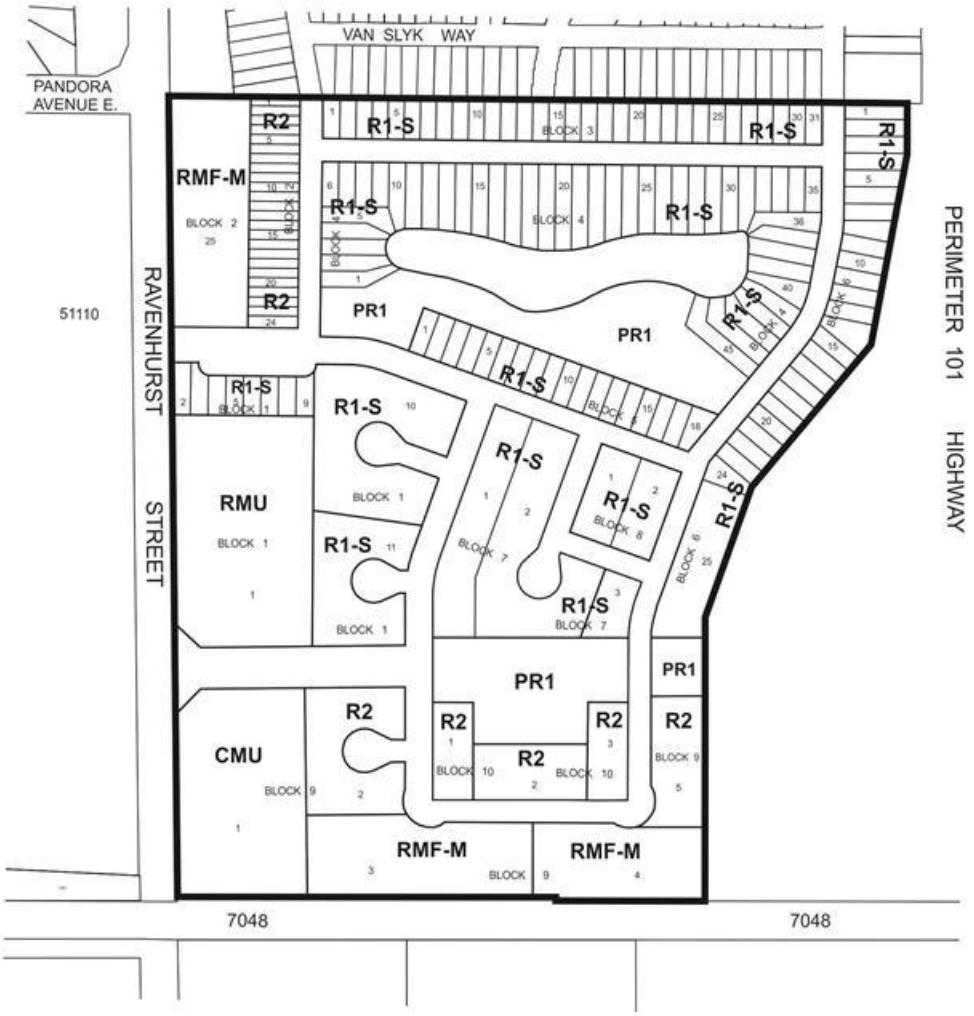
Atlas Sheet No. **AA38**

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 northeast corner of Ravenhurst Street and the CNR Rail Line, south of Pandora Avenue East and west of the Perimeter Highway boundaries, from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT, "R2" RESIDENTIAL TWO-FAMILY DISTRICT, "RMF-M" RESIDENTIAL MULTI-FAMILY (MEDIUM) DISTRICT, "CMU" COMMERCIAL MIXED USE DISTRICT, "RMU" RESIDENTIAL MIXED USE DISTRICT AND "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the establishment of the Canterbury Crossing Neighbourhood by the creation of the lot and block plan, public reserve and public right-of-ways for a 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 – June 14, 2017

RE: PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT THE NORTH EAST CORNER OF RAVENHURST STREET AND THE CNR RAIL LINE, SOUTH OF PANDORA AVENUE EAST AND WEST OF THE PERIMETER HIGHWAY – DASZ 10/2017

It is recommended that the approval of DASZ 10/2017, if granted, be subject to the applicant entering into a Development Agreement addressing the following items:

GENERAL

Manitoba Infrastructure Approval

The Public Works Department recommends that the Developer obtain acceptance from Manitoba Infrastructure and submit same to the City, that the Planned Area is outside of any possible future interchange or rail underpass right-of-way requirements.

Future DAC Application

The Developer shall, at no expense to the City, submit application to the City, to legally close Zoe Lane south of Van Slyk Way. As part of the road closure application, the Developer should be responsible to remove the existing pavement and all related works and restore the curb and sod, to the satisfaction of the Director of Public Works.

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 Romance Lane for the length of the Planned Area abutting Romance Lane.

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

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

4) The Developer shall, at no expense to the City, legally open property required to accommodate a 3.5m wide asphalt multi-use pathway on the east side of Ravenhurst Street, along the full length of the Planned Area abutting Ravenhurst Street, to the satisfaction of the Director of Public Works.

5) The Developer shall, at no expense to the City, legally open property required to accommodate a roundabout at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East, to the satisfaction of the Director of Public Works.

6) The Draft Legal Plan and a functional design must be submitted for review and approval by the Public Works Department.

7) The Developer shall, at no expense to the City, provide a 10m wide pathway connection north of Lot 20, Block 6, from the proposed easterly most north-south road to the Perimeter highway as determined by and to the satisfaction of the Director of Public Works.

8) The Developer shall, at no expense to the City, legally open right-of-way to accommodate proposed cul-de-sac turnarounds consistent with the dimensions, as per the City's Transportation Standards Manual (M-10 or ST-90A).

9) Proposed cul-de-sac streets shall not exceed a length of 105m.

10) The Developer shall, at no expense to the City, legally open property for right-of-way corner cuts measuring 2.0m by 2.0m in each corner of the intersection of two streets measuring 22.0m in width or greater. Right-of-way corner cuts measuring 3.0m by 3.0m are to be provided at each corner of any intersection where the angle is less than 80°, to the satisfaction of the Director of Public Works.

11) Intersections of local streets within the Planned Area are to be designed such that the angle of intersection is no less than 70° as measured in the quadrant with the acute angle.

12) Where two local residential streets intersect with a residential collector street on opposite sides of said collector, the centerlines of the local streets are to be aligned to be coincident with one another at their intersection with the collector or be offset by a minimum of 45.0m along the collector.

13) Where local residential streets are aligned to curve within 20.0m of their intersection with a residential collector street, such curves are to have a minimum centerline radius of 60.0m.

14) The Draft Legal Plan in its entirety shall be reviewed and approved by the Public Works Department prior to submitting to Winnipeg Land Titles Office.

SERVICING REPORTS

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

2) The Developer shall, at no expense to the City, submit Servicing Criteria sheets for water, wastewater and land drainage facilities including plans showing the current and ultimate service areas

SERVICING CONDITIONS

1) <u>Wastewater Sewers</u>

   a) The Developer shall, at no expense to the City, construct and install wastewater sewers required to serve the Planned Area to the satisfaction of the Director of Water and Waste.

b) The Developer shall pay to the City, prior to the release of mylars, their share of the cost of oversizing for the Transcona Wastewater Relief Sewer which shall be determined by the Director of Water and Waste.

2) Watermains

a) The Developer shall, at no expense to the City, construct and install watermains required to serve the Planned Area to the satisfaction of the Director of Water and Waste.

b) The Developer shall pay to the City, on demand, their share of the cost of the watermain to be installed on Ravenhurst which shall be determined by the Director of Water and Waste.

3) Land Drainage

a) The Developer shall, at no expense to the City, construct and install land drainage sewers required to serve the Planned Area as indicated by the servicing report, all to the satisfaction of the Director of Water and Waste.

b) The Developer shall pay to the City, prior to the release of mylars, their share of the cost of the land drainage sewer lateral installed by others in Ravenhurst Street as determined by the Director of Water and Waste.

c) The Developer shall pay to the City, prior to the release of mylars, their share of the cost of the Kildare Trunk User Charge (if land drainage runoff is discharged to the Kildare Land Drainage Trunk Sewer) as determined by the Director of Water and Waste

4) Storm Water Management Facilities

a) The Developer shall, at no expense to the City, construct and install land drainage sewers and naturalized stormwater retention facilities (including a piped outfall) required to serve the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

b) The Developer shall dedicate all land and provide all easements necessary to accommodate the required stormwater retention and land drainage facilities, as determined by the Director of Water and Waste, in accordance with the City's Development Agreements Parameters.

c) The Developer shall pay its share of the cost of the regional land drainage system for the Planned Area as determined by the Director of Water and Waste. The cost of regional land drainage facilities constructed by the Developer (including the value of the land for the stormwater retention basins) shall be credited against this charge.

5) Lot Grading

a) Upon registration of the approved plan of subdivision mylars in the Land Titles Office, the Developer shall, at no expense to the City, provide to the City all easements the City considers necessary with respect to the installation, construction,

maintenance, and replacement of swales, catchbasins, and leads for drainage of the Planned Area.

b) Prior to the issuance of building permits, the Developer shall, at no expense to the City:

c) Submit to the City, for approval, a lot grading plan for the Planned Area, prepared by a municipal engineer; and

d) Construct all swales, catchbasins, and leads necessitated by the approved lot grading plan

6) Lot Line Services

a) The Developer shall, at no expense to the City, construct and install wastewater and water building services from the wastewater sewer and watermain, to service all lots within the Planned Area, as determined by, and to the satisfaction of, the Director of Water and Waste.

b) The Developer shall ensure that each sewer service remains plugged from installation until the foundation excavation has been backfilled and the roof of the dwelling has been sheathed, after which the house sewer may be connected. The Developer hereby agrees to indemnify the City against all actions, claims, demands, damages, losses, and costs, including legal and court costs, suffered or incurred by the City arising out of any failure to do so.

c) The Developer shall replace or repair any water or sewer service found to be defective within one year following the date the water is turned on for domestic use, and shall pay the City any cost incurred by the City arising out of any such defect.

7) Stormwater Management Facilities

The Developer's share of the stormwater management facilities owing under this agreement shall be credited against the cost of the facilities previously constructed by the Developer as determined by the Director of Water and Waste.

8) 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

9) Pavement

a) The Developer shall, at no expense to the City, construct Portland cement concrete pavement, 7.5m, 10.0m wide by 150mm, 200mm thick in all streets within the Planned Area and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct the proposed cul-de-sac as per the City's Transportation Standards Manual (M-10 or ST-90A), as determined by and to the satisfaction of the Director of Public Works.

10) Multi-use Pathways/Sidewalks

a) The Developer shall, at no expense to the City construct 3.5m wide asphalt multi-use pathways and 1.5m wide Portland cement concrete sidewalks and all related works, on the standard alignment, 0.3m off of the property line, unless otherwise stated, as per the attached Schedule "C", to the satisfaction of the Director of Public Works.

b) The Developer shall, pay to the City, the costs to construct a 3.5m wide asphalt multi-use pathway on the east side of Ravenhurst Street between the second proposed east-west public street south of Pandora Avenue East and the Canadian National Railway Redditt Subdivision, including its share of the costs to construct the multi-use path across the rail line, as indicated on the attached Schedule "C", to the satisfaction of the Director of Public Works.

c) The Developer shall, provide the appropriate approvals from Manitoba Infrastructure to the City, regarding the construction of a 3.5m wide multi-use pathway abutting the east side of the Planned Area. Alternatively the multi-use pathway shall be located within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

11) Ravenhurst Street

a) The Developer shall, at no expense to the City, construct a divided roadway within Ravenhurst Street from the existing terminus approximately 110m south of Pandora Avenue East to the second proposed east-west public street south of Pandora Avenue East with the appropriate transition south thereof, and all related works including, but not necessarily limited to ornamental street lighting, boulevard landscaping and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, construct the appropriate intersection treatments where the proposed east-west public streets intersect Ravenhurst Street, as determined by and to the satisfaction of the Director of Public Works.

12) Traffic Control Signal

a) The Developer shall, at no expense to the City, pay to the City, in cash, on demand, all costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the

intersection of Pandora Avenue East and Ravenhurst Street, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, pay to the City, in cash, on demand, all costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the intersection of Ravenhurst Street and the first proposed east-west public street, south of Pandora Avenue East, as determined by and to the satisfaction of the Director of Public Works.

c) In the event that a roundabout is not supported, the Developer shall, at no expense to the City, pay to the City, in cash, on demand, all costs associated with the installation of traffic control signals and all related works including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic-control signals, countdown and audible pedestrian signals at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East, as determined by and to the satisfaction of the Director of Public Works.

13) Railway Crossing

The Developer shall, at no expense to the City, construct within the Planned Area abutting the Canadian National Railway Redditt Subdivision, a uniform fence 2.0m in height, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of the proposed lot abutting the Canadian National Railway Redditt Subdivision requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works. Said fence is intended to ensure that “pedestrian trespass, to the tracks does not become a consequence of the subject development, thereby creating safety issues and jeopardizing existing and/or future anti-whistling regulations along the subject railway line.

14) Roundabout

The Developer shall, at no expense to the City, construct a roundabout at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East or alternatively pay to the City, in cash on demand, its share of the costs associated with the construction of a roundabout at the intersection of Ravenhurst Street and the second proposed east-west public street south of Pandora Avenue East, all as determined by and to the satisfaction of the Director of Public Works.

15) Private Approaches

a) There are to be no private approaches serving single or two family residential development off rights-of-way measuring 22.0m or greater in width.

b) There are to be no private approaches serving single or two family residential development to the proposed north-south street within Block 1 lots 10 and 11, Block 7 lot 1; Block 3 lots 1-6. These should be accessed via a public lane or frontage road.

c) Private approaches serving all R2 zoning lots shall be joint use and there shall be a minimum of 6.1 metres between the edge of the private approach flares between lots, measured at the curb, to the satisfaction of the Director of Public Works.

16) Temporary Dead-End Streets

a) The Developer shall, at no expense to the City, construct a paved cul-de-sac-style vehicle turnaround at the terminus of each temporarily dead-ended street within the Planned Area, and provide to the City any rights-of-way or easements necessary to accommodate same, all as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, erect and maintain barricades and signage, across the full width of any streets which are temporarily dead-ended due to phasing of development, immediately upon completion of the paving or when house construction has begun, whichever is sooner, as determined by and to the satisfaction of the Director of Public Works.

17) Street Name Signs

The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs at each new intersection within or adjacent to the Planned Area, as determined by the Director of Public Works.

18) 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.

19) Noise Attenuation/Rear-Yard setback

a) The Developer shall, at no expense to the City, construct within the rear yards of all one and two family lots abutting the Perimeter Highway (Provincial Trunk Highway 101), a uniform noise attenuation fence 2.0m in height, complete with a berm minimum of 2.0m in height, centered on the property line of the residential lots, as determined by and to the satisfaction of the Director of Public Works. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting the Perimeter Highway (Provincial Trunk Highway 101) requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

b) All single-family and two-family residential lots backing onto the Perimeter Highway (Provincial Trunk Highway 101), shall be of sufficient depth to provide a minimum rear-yard setback which together with a berm and a noise attenuation fence achieve the City's Motor Vehicle Noise Policies and Guidelines sound-level limit of 65 dBA in

the typical outdoor recreation area of those lots. The Zoning Agreement covering those lots shall stipulate this minimum rear yard.

c) The Developer shall submit the noise analysis to the Public Works Department for review and approval prior to the Zoning Agreement being executed.

20) Two Means of Vehicle Access

The Developer shall, at no expense to the City, ensure that two means of paved vehicular access are available at all times to each stage of development of the Planned Area, to the satisfaction of the Director of Public Works. This may require the construction of temporary paved roadways by the Developer and the provision of easements or rights-of-way by the Developer to the City.

21) 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.

22) Development Information Signs

Prior to construction, the Developer shall, at no expense to the City, obtain approval of and install, and subsequently maintain, at the entrances to the Community, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, Plessis Road, Dugald Road, the Perimeter Highway (Provincial Trunk Highway 101), Canadian National Railway Redditt Subdivision, all proposed arterial and collector streets, sidewalks, public walks, active transportation facilities, all proposed parks, storm water retention facilities and all proposed community mailbox sites, all with the approval of and to the satisfaction of the Director of Planning, Property and Development.

23) Utilities

a) The Developer shall, pay the full cost to convert the existing overhead services in Ravenhurst Street, abutting the Planned Area, to underground, to the satisfaction of the Director of Public Works.

b) The Developer shall, at no expense to the City, cause to be installed ornamental street lights in all streets within the Planned Area, to the satisfaction of the Director of Public Works.

c) 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.

d) 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.

24) 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.

25) Park Fencing

a) The Developer shall, at no expense to the City, provide continuous fencing along yards of properties abutting public reserve land. The fencing shall be located within private property and established by caveat to be the responsibility thereafter of the private property owner.
b) If any portion of the Park lands are intended to be used as an off-leash dog area, the developer may be required to provide barrier fencing between the off leash area and the balance of the park. The City will reimburse the cost of that fence, subject to approval of the cost by the Director of Public Work, in advance of construction,

26) Public Reserve Landscaping

a) The Developer shall dedicate as Public Reserve at least 8% of the land contained within the overall development and shall, at no expense to the City, undertake landscape improvements and pay its share of the cost of services in streets abutting the dedicated land all in accordance with plans and specifications approved by the Director of Public Works. If the Developer is unable to dedicate a full 8% of the land, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Property, Planning & Development, and compensate the City for any shortfalls in the amount of land, servicing and improvements not provided, at the then current values, by payment of cash, or, by the provision of an equivalent value of additional site amenities in the Public Reserves within the Planned Area, as approved by the Directors of Public Works and Planning Property and Development.

b) It is recommended that only partial (50%) credit be granted for the narrow sloped linear park running along the retention ponds, where the primary function is for land drainage and sloped grade limits use to pathway. The determination of affected lands shall be to the satisfaction of the Director of Planning, Property and Development

c) Landscape improvements of the Public Reserve lands shall be done in accordance with plans and specifications provided by the Developer and approved, prior to the

commencement of construction, by the Director of Public Works. The scope of landscaping shall include grading, sodding, land drainage, irrigation in accordance with the Development Agreement Parameters. Concurrent with those works, in consideration of the developers commitment to walkable communities, the developer shall provide, at no expense to the City, a continuous 2.4 m wide asphalt path through the development and at walkway connections including requisite curb ramps at streets. If the City deems that the provision of irrigation or water service to the public reserve is not required, the Developer shall provide compensation in the form of site amenities of predetermined equivalent value.

d) In circumstances where a path is intended to cross over a berm (ie. adjacent to Lagimodiere) the Developer shall ensure the grading is design to accommodate the pathway going over the berm while still complying with Universal Design requirements.

e) The Developer shall assume responsibility for all Public Reserve sites until they are developed, and throughout the maintenance period until Final Acceptance Certificate for Parks has been issued by the Director of Public Works.

f) The Developer shall, at no expense to the City, maintain Public Reserve improvements, in accordance with specifications approved by the Director of Public Works, for a period of two years following the issuance of a Construction Completion Certificate. The City reserves the right to impose longer maintenance terms for amenities and features, such as naturalized areas, that the Director of Public Works deems to be beyond the standard scope of public reserve improvements.

g) Securities for Public Reserve improvements may be reduced following the issuance of a Construction Completion Certificate and site inspection and approval by the City, but shall not be released in full until Final Acceptance has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

27) Survey Monuments

a) Subsequent to completion of the Planned Area, as determined by the Director of Planning, Property and Development, the Developer shall pay the full costs of having all survey monuments within the Planned Area verified and/or restored by a Manitoba Land Surveyor and shall prepare a Plan of Survey Perpetuating Certain Monuments, confirming the position of all the survey monumentation within the Planned Area, for filing in The Property Registry.

b) In certain circumstances where all the survey monuments within the Planned Area have been found or restored to their original positions, upon approval by the Director of Planning, Property and Development, the requirements for Plan of Survey Perpetuating Certain Monuments may be waived.

C. COSTS AND FEES

1. By-laws and Approvals

   The Developer shall pay all of its and the City's costs, fees, and expenses associated with the preparation and attainment of approval for registration of the Zoning By-law(s) and plan(s) of subdivision, including all Municipal Board, Land Titles Office and other fees and expenses, all survey, engineering and advertising fees and costs, and all expenses incidental to the preparation of the Agreement and the physical development of the Planned Area.

2. Professional Fees

   a) The Developer shall pay the full cost of all design services, including preliminary engineering studies, servicing reports, servicing criteria, construction drawings and specifications, and grading and landscaping plans and specifications, to be provided by Consulting Engineer(s) approved by the City, for the design of the municipal services, and associated works required to serve the Planned Area;

   b) The Developer shall pay the full cost of construction and landscaping supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following substantial performance of the work, and all other engineering consulting services related to the installation and acceptance of municipal services, and all associated works to serve the Planned Area.

3. Administration Fees

   The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, $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 10/2017
September 5, 2017

"*Original Signed by G. Jasper"*
G.V. Jasper P. Eng.,
Land Development Branch

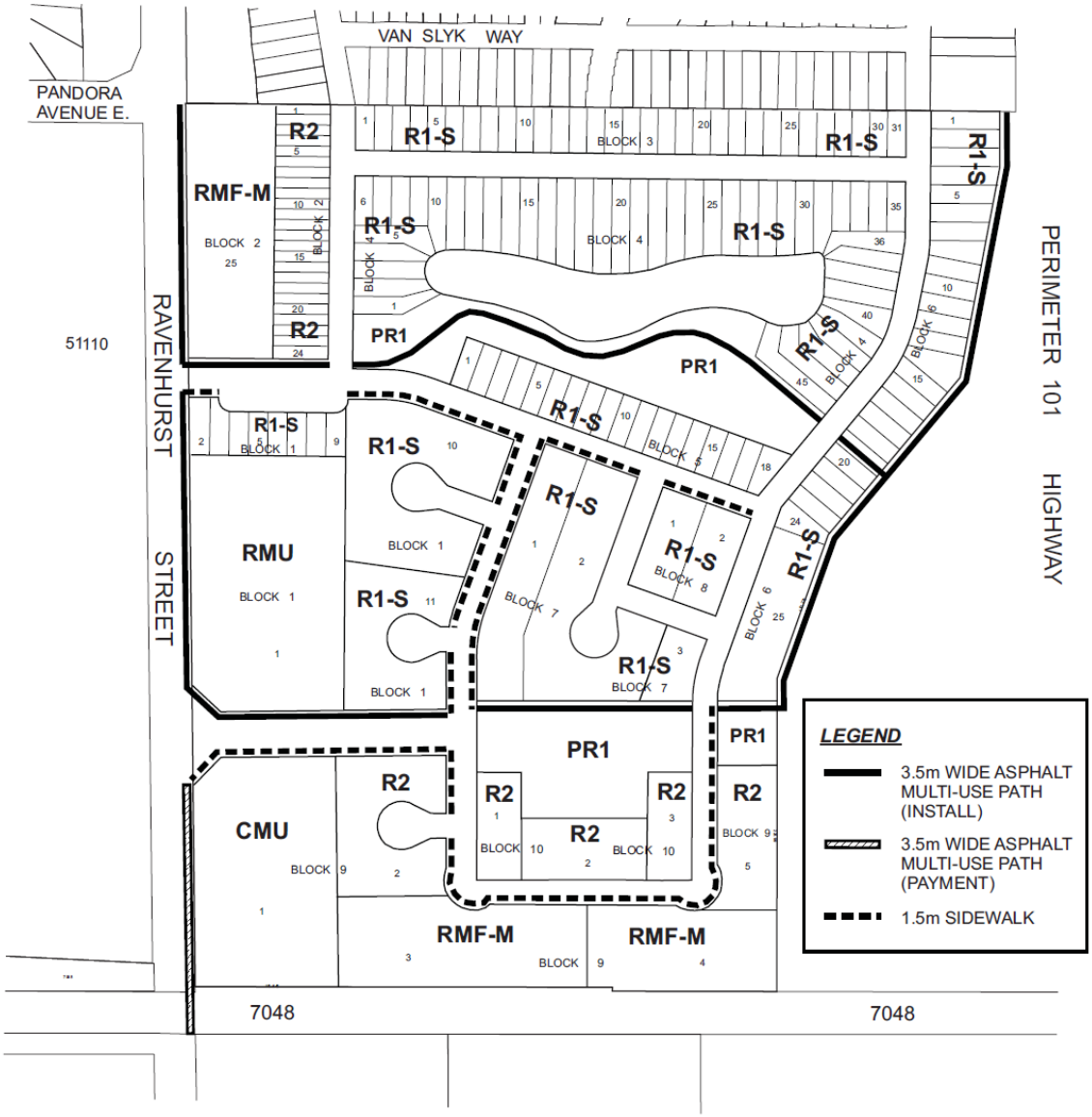
"*Original Signed by M. Gadja"*
M. Gadja, P. Eng.
Water & Waste Department

"*Original Signed by C. Desjardine"*
C.J. Desjardine P. Eng.
Public Works Department

"Original signed by D.Beaton, M.L.Arch"
D. Beaton, M.L.Arch.
Parks, Riverbanks, & Community Initiatives Branch

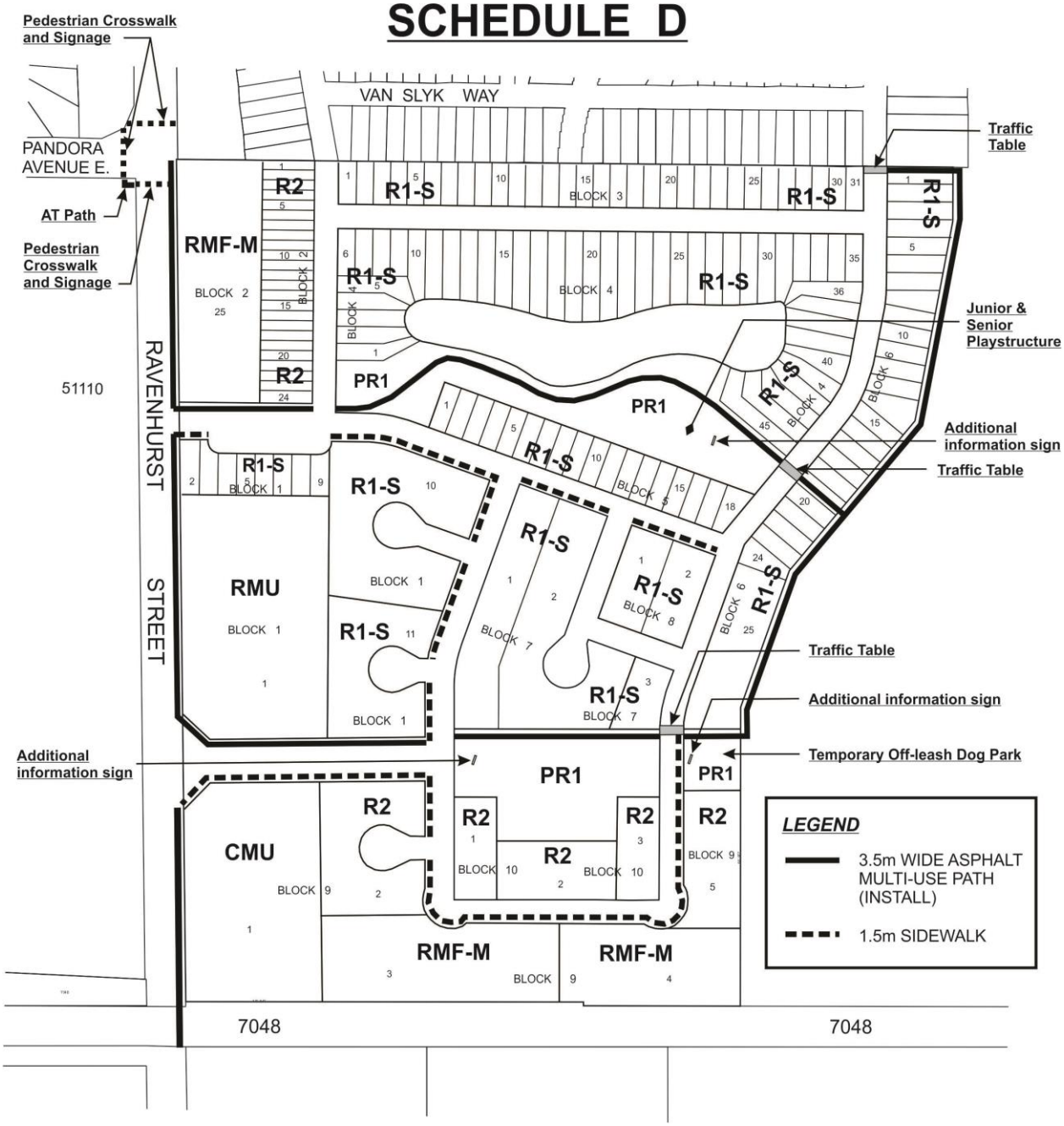
GJ/gj

SCHEDULE C



DASZ 10/17 MAP 2

SCHEDULE D



DASZ 10/17 MAP 2