Minutes – Executive Policy Committee – December 6, 2017

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

Item No. 14 Rezoning – 400 Pipeline Road
(Old Kildonan Ward)
File DAZ 209/2017 [c/r DAV 148753/2017D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 209/2017 dated August 16, 2017 to an "RMF-S" Residential Multi-Family (Small) District, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated October 25, 2017, attached as Schedule 'B' of this report, with the following amendment to SECTION II – COSTS AND FEES:

        i. Add "per acre" after "$2138.00" in condition 3.

    B. That the developer be required to enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240(1) of the City of Winnipeg Charter to including the following conditions:

        i. The Owner must submit plans showing the location and design of any and all proposed:

            i) buildings;
            ii) accessory parking areas;
            iii) garbage enclosures;
            iv) private approaches;
            v) exterior lighting;
            vi) fencing; and
            vii) landscaping;

on the Owner's Land ("Works") to the Lord Selkirk-West Kildonan Community Committee ("the Committee") and the City's Director of Planning, Property and Development ("Director") 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 the minimum yard setback to any principal building shall be no less than 25 feet along the north, south and west property lines.

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

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

4. That in the event the application 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 this two (2) year period and the extension is subsequently approved by Council.

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

6. That the by-law shall come into force when 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 year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approved the extension.

7. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement

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

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

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

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

Carried

STANDING COMMITTEE RECOMMENDATION:

On November 27, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 21, 2017, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following to the end of recommendation 1A:

  "with the following amendment to SECTION II – COSTS AND FEES:

  i. Add "per acre" after "$2138.00" in condition 3."

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

RE: **Rezoning – 400 Pipeline Road**
File DAZ 209/2017

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

Prepared by: **P. Prinsloo, Committee Clerk**
Lord Selkirk-West Kildonan Community Committee

Report date: **November 21, 2017**

COMMUNITY COMMITTEE RECOMMENDATION:

On November 21, 2017, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 209/2017 dated August 16, 2017 to an "RMF-S" Residential Multi-Family (Small) District, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated October 25, 2017, attached as Schedule 'B' of this report, ***with the following amendment to SECTION II – COSTS AND FEES:***

        i. Add "per acre" after "$2138.00" in condition 3.

    B. That the developer be required to enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240(1) of the City of Winnipeg Charter to including the following conditions:

        i. The Owner must submit plans showing the location and design of any and all proposed:

            i) buildings;
            ii) accessory parking areas;
            iii) garbage enclosures;
            iv) private approaches;
            v) exterior lighting;
            vi) fencing; and
            vii) landscaping;

            on the Owner's Land ("Works") to the Lord Selkirk-West Kildonan Community Committee ("the Committee") and the City's Director of

Planning, Property and Development ("Director") 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 the minimum yard setback to any principal building shall be no less than 25 feet along the north, south and west property lines.

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

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

4. That in the event the application 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 this two (2) year period and the extension is subsequently approved by Council.

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

6. That the by-law shall come into force when 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 year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approved the extension.

7. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement

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

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

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

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Urban Planning Division dated November 10, 2017.

2. The developer has conducted public consultations and incorporated feedback into their design.

3. It is important to have a variety of housing stocks in this growing neighbourhood.

PUBLIC HEARING SUMMARY

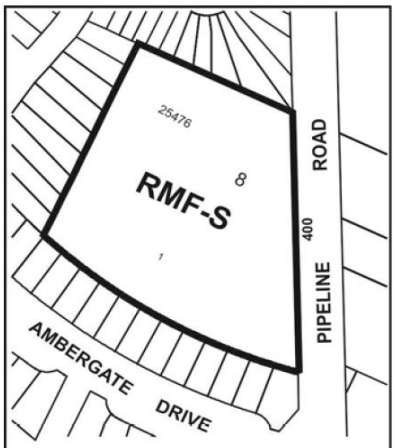
File: DAZ 209/2017

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

Public Hearing: November 21, 2017
Council Building, 510 Main Street

Applicant: Brendan Salakoh
Landmark Planning and Design Inc.

Subject:



LORD SELKIRK
WEST KILDONAN
COMMUNITY

APPLICANT : LANDMARK
PLANNING & DESIGN INC.
FILE : DAZ 209/17
PROPOSAL : To rezone the land shown outlined above from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow for the establishment of a multi-family dwelling use. **For information, phone Mr. N. Yauk, Planner, at 204-986-4560.**

Premises Affected: 400 Pipeline Road

Exhibits Filed:
1. Application dated August 15, 2017
2. Notification of Public Hearing dated September 12, 2017
3. Manitoba Status of Title 2860948/1

4. Letter of authorization dated March 14, 2017, from 7354941 Manitoba Ltd. to David Hill and Brian Cornelsen, StreetSide Development Corporation
5. Letter of authorization dated July 6, 2017, from StreetSide Development Corporation to Donovan Toews and Brendan Salokoh, Landmark Planning and Design
6. Plans (5 pages)
7. Report from the Urban Planning Division dated November 10, 2017
8. Inspection Report
9. Presentation in support of the application submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Brendan Salakoh
Donovan Toews
David Hill

In Opposition

Dominic Anzala
Assumpta Anzala
Victor Anzala

For Information:

Karam Singh

For the City:

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

Exhibit "7" referred to in File DAZ 209/2017

ADMINISTRATIVE REPORT

Title: DAZ 209/2017 – 400 Pipeline Road

Issue: An application for consideration at the public hearing to rezone the property from an "RR5" Rural Residential 5 District to an "RMF-S" Residential Multi-Family Small District to allow the establishment of a multi-family dwelling.

Critical Path: Lord Selkirk-West Kildonan Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

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

RECOMMENDATIONS

1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 209/2017 dated August 16, 2017 to an "RMF-S" Residential Multi-Family (Small) District, subject to the following:

    A. That the Developer be required to enter into, execute and deliver a Servicing Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated October 25, 2017, attached as Schedule 'B' of this report.

    B. That the developer be required to enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240(1) of the City of Winnipeg Charter to including the following conditions:

    i. The Owner must submit plans showing the location and design of any and all proposed:

        i) buildings;
        ii) accessory parking areas;
        iii) garbage enclosures;
        iv) private approaches;
        v) exterior lighting;
        vi) fencing; and
        vii) landscaping;

    on the Owner's Land ("Works") to the Lord Selkirk-West Kildonan Community Committee ("the Committee") and the City's Director of Planning, Property and Development ("Director") 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 the minimum yard setback to any principal building shall be no less than25 feet along the north, south and west property lines.

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

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

4. That in the event the application is not proceeded with expeditiously and the by-law is not passes 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 this two (2) year period and the extension is subsequently approved by Council.

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

6. That the by-law shall come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date ocurs within one year from the date the by-law is passed, failing which the by-law will expire and the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one year period and Council approved the extension.

7. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement

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

REASON FOR THE REPORT

- The applicant is proposing to rezone the site from “RR5” Rural Residential 5 to “RMF-S” Residential Multi-Family – Small in order to establish a multiple family dwelling, with 190 units on site.
- Rezoning applications require a Public Hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*
- The Report is being submitted for the Lord Selkirk – West Kildonan Community Committee’s consideration of the development application at the Public Hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Urban Planning Division are concurred in, the subject land will be rezoned from “RR5” Rural Residential 5 District to “RMF-S” Residential Multi-Family Small.

CONSULTATION

In preparing this Report there was consultation with:

- Public Works
- Water and Waste
- Fire and Paramedics
- Parks and Open Spaces

SUBMITTED BY

Department	*Planning, Property and Development*
Division	*Planning and Land Use*
Prepared by	Femi Ojo, MCIP, RPP
Date:	November 10, 2017
File No.	DAZ 209/2017

APPENDIX 'A'

DATE: November 10, 2017

FILE: **DAZ 209/2017**

RELATED FILES: DAV 17- 148753/D

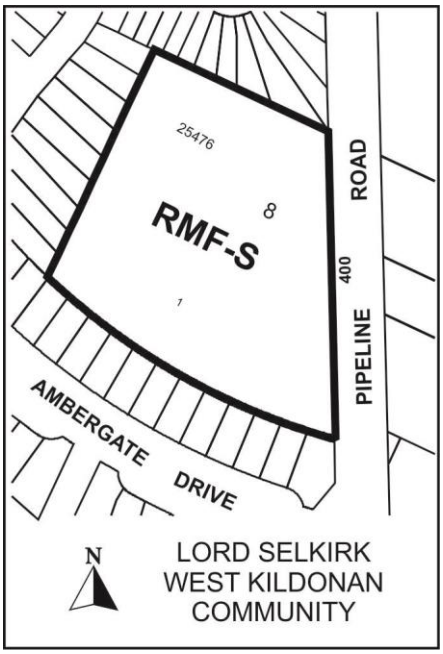
COMMUNITY: Lord Selkirk – West Kildonan Community

NEIGHBOURHOOD #: 3.337 (Amber Trails)

SUBJECT: To rezone the subject land from an "RR5" Rural Residential 5 District to an "RMF-S" Residential Multi-Family Small District

LOCATION: 400 Pipeline Road

LEGAL DESCRIPTION: LOT 1 BLOCK 8 PLAN 25476 16/19 K OTM



APPLICANT: Brendan Salakoh
298 Waterfront DR
Winnipeg, Manitoba R3B 0G5

OWNER: 7354941 Manitoba Ltd.
240 KENNEDY ST 300
Winnipeg, Manitoba R3C 1T1

RECOMMENDATION: Approval, with conditions

SITE DESCRIPTION

- The subject property is located on the west side of Pipeline Road, in the Amber Trails neighborhood of the Old Kildonan ward.

- The site contains a one 1/2 storey single-family house built in 1946 that will be demolished, as per file # DEMO 17-121873D.
- The site is within the Areas of Stability – Recent Communities Policy Area under the *Complete Communities Direction Strategy*. The property is currently zoned “RR5” Rural Residential 5.



Figure 1: Air photo of the subject property and surrounding area (flown 2016)

SURROUNDING LAND USES AND ZONING (See Figure 2)

North: Single-family residences zoned “RMF-S” Residential Multi-Family – Small.

South: Single-family residences zoned “R1-M” Residential Single-Family.

East: Pipeline Road, then residences and vacant parcels of land zoned “R1-E” Residential Single-Family.

West: Single-family residences zoned “R1-M” Residential Single-Family.

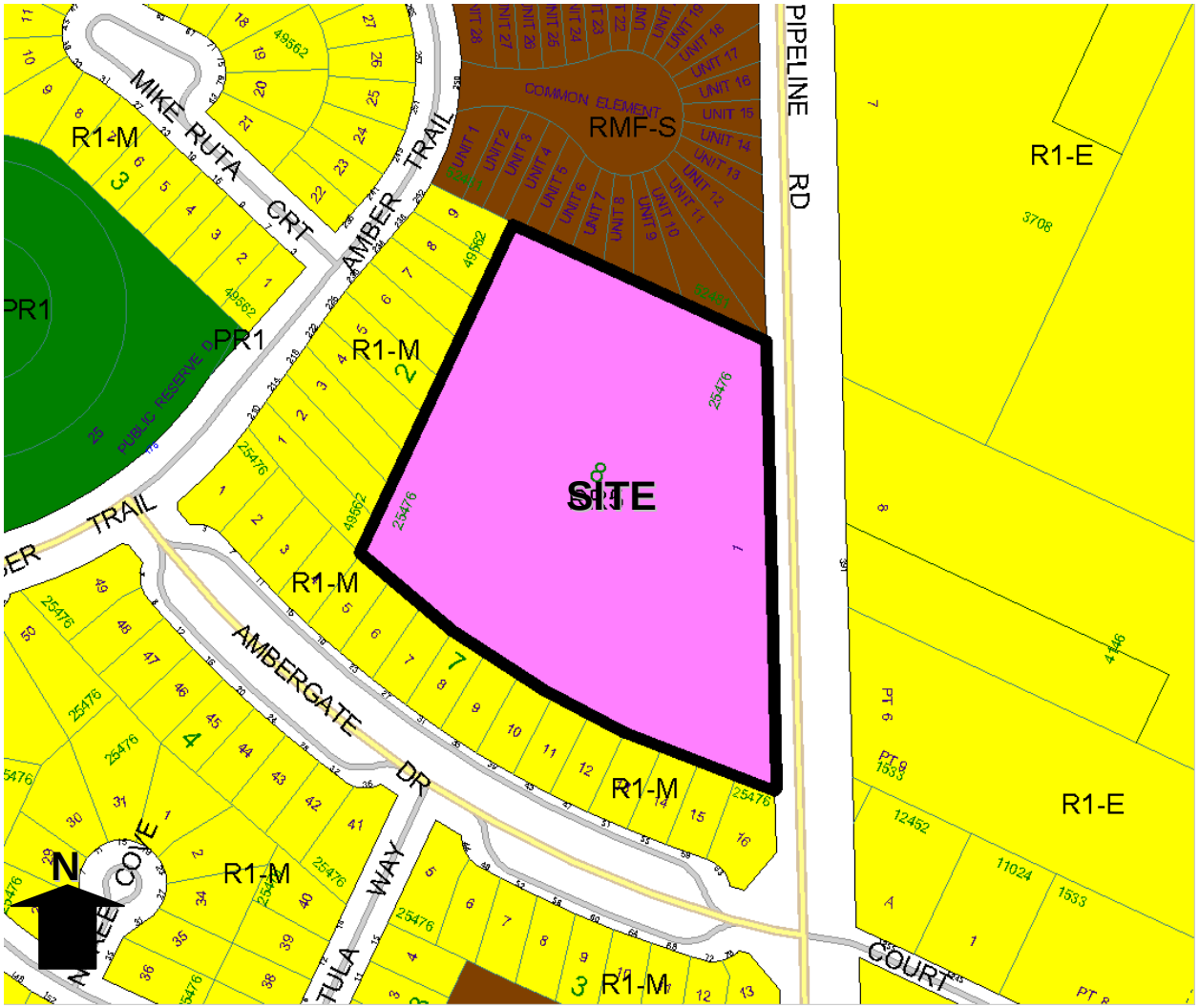


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to rezone the property from “RR5” Rural Residential District to “RMF-S” Residential Multi-Family – Small.
- The intent is to develop fifteen (15) multi-family buildings (190 residential dwelling units) on site. The proposed development consists mostly of two and three storey buildings.
- An associated variance application (DAV 17-148753D) has been applied for (See Planner’s report for details).

ANALYSIS AND ISSUES

COMPLETE COMMUNITIES DIRECTION STRATEGY:

- Under the *Complete Communities Direction Strategy* the proposed development is within the Areas of Stability – Recent Communities policy area. With regard to this proposal, the key policies guiding the development of Areas of Stability include:

- Support low to moderate change in low-density neighborhoods through development and redevelopment that is complementary to the existing scale, character and built form.
- In order to meet the full life-cycle of housing needs within the community, promote 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.

LAND USE BY-LAW

ZONING

Current Zoning: "RR5" Rural Residential 5

- The Rural Residential 5 district is intended to provide areas for large-lot rural residential development, along with limited agricultural uses. The current zoning of the property is not consistent with its policy designation in *Complete Communities.*

Proposed Zoning: "RMF-S" Residential Multi-Family-Small

- The "RMF-S" zone is intended to accommodate the development of multi-family units in neighbourhoods with medium to high residential densities. The dimensional standards for multi-family structures in the RMF-S zone are: a minimum front yard of 25 feet; a minimum rear yard of 25 feet; a minimum side yard of 4 feet and, a maximum building height of 35 feet. The minimum lot area is 9,000 square feet and the minimum lot area per dwelling unit is 1,250 square feet.
- Parking requirements are 1.5 stalls per unit. Based on the proposed 190 residential dwelling units, a total of 328 parking stalls are required.

Public consultation

- Based on information provided by the applicant, the following is a summary of the public consultation process undertaken by the project consultant:
  - Spring 2017: The intent to redevelop a six (6) acre parcel at 400 Pipeline Road into a multi-family housing was initiated. Having recognized the potential conflict between the proposed development and the existing residential context; the developer retained Landmark Planning and Design to lead the stakeholder engagement process.
  - Between April and July 2017, Landmark Planning and Design conducted a comprehensive public consultation/stakeholder engagement process to discuss the proposed development in order to gather stakeholders input.
  - May 24, 2017: The project team hosted a meeting with the tier 1 (directly impacted residents) stakeholders. The aim of the first meeting was to introduce the planning process, receive stakeholders input and address concerns/questions from the group.
  - June 13, 2017: The project group had a follow-up meeting with the tier 1 group. The aim, to introduce the revised development concepts and update residents about the project progress. Residents were offered opportunity to provide additional input and see how their previous concerns were addressed.
  - June 28, 2017: The project team staged a public open house at CannadInns, Garden City, which provided the Amber Trail residents the opportunity to learn about the project and

provide input before the rezoning application was finalized and submitted. There were 26 attendees, the area Councillor and the District Planner for the area.

- According to the applicant, the adjacent residents were supportive of the changes made, most especially, regarding issues such as height, density and setbacks.

Infill Guidelines for Multiple-Family Development

- In 2008, the Urban Planning Division produced infill development guidelines to help inform the design of multiple-family developments. While they have not been endorsed by Council and therefore cannot be considered as a policy direction, they are an articulation of design considerations to inform the Urban Planning Division's review.

- Below are a number of guidelines contained in the document:

    - Site selection:

        - Encourage development along streets with sufficient capacity to accommodate the anticipated traffic generated by the development. For example, medium-density, multiple family infill housing that has the potential to generate a significant volume of vehicular traffic should be located on Arterial or Collector Streets to minimize the potential for traffic impact on Local Streets.

        - Encourage development on sites with reasonable access to Transit, AT pathways, public green space, and other public services and amenities.

    - Building setbacks:

        - Where the proposed building is taller than the maximum allowable height for the adjacent, existing zoning district, achieve an appropriate side yard setback to adjacent residential property by setting the building back so that it does not project into a 45° angular plane measured from the adjacent residential property line (starting at a six foot height above grade) to the top of the proposed infill building.

    - Vehicular access and circulation:

        - Vehicular access and egress for medium-density, multiple-family infill housing developments should be oriented on Arterial or Collector streets, where possible.

        - The location and orientation of vehicle access and egress should minimize the impact on the pedestrian environment, pedestrian safety, and adjacent properties.

        - Limit the width and quantity of curb cuts as much as possible.

    - Built form guidelines:

        - Massing and height of new buildings should take into consideration the area context.

- Encourage building design and use details that emphasize human scale and are pedestrian friendly at grade.

- Reduce the perception of mass and height of large multiple-family buildings through the balanced use of colour, texture, and materials.

Site design issues

- The site plans submitted at the time of application provide an overview of the proposed development. However, an additional level of detail will be required before final building permits can be issued. As a result, the Urban Planning Division is recommending that final site and building plans be approved by both the Lord Selkirk-West Kildonan Community Committee and the Director of Planning, Property, and Development. The final design should address the following considerations:

    - A detailed landscaping plan should be provided that conforms to the principles in the Infill Guidelines for Multiple-Family Developments.

    - An area of common open space should try to be provided as a focal point for community interaction and/or recreation. It should be purposefully integrated into the overall design of the development and not merely residual areas left over after the buildings and parking lot are sited. Common open space can include gardens, courtyards, recreation, or play areas.

    - The overall building design should be made up of a distinctive, quality, architectural character and style that avoid monotonous and featureless building massing and design. Any proposed fencing should be composed of high quality materials and design.

    - Details on the site's lighting plan should be provided to ensure any light trespass onto adjacent properties is minimized as much as possible.

Traffic Analysis:

- Considering the scale of the development, Dillon Consulting was hired to prepare a traffic study along Pipeline Road. This is to highlight any potential impact of the proposed development on the overall traffic in the area.
- The traffic study indicated that Pipeline Road between Ambergate Drive and Templeton Avenue is already at or above the recommended maximum volume of 5,000 vehicles per day for a Residential Minor Collector. The study affirms that the ongoing development in the surrounding area will likely require Pipeline Road to be expanded to a 4 lane divided roadway from Leila Avenue to Templeton Avenue or the proposed Chief Peguis Trail extension in the medium term.
- The conclusion of the traffic study is that the proposed development at 400 Pipeline Road is not in itself the catalyst to warrant the expansion/redevelopment of the Pipeline Road

COMPATIBILITY WITH THE SURROUNDING NEIGHBOURHOOD

- The *Complete Communities Direction Strategy* encourages the intensification of land uses within the recent communities to increase housing choice, increase options for 'aging in place', and to maximize the use of existing infrastructure.
- The proposed two and three storey town-home styled development is compatible with the already built single-family residential homes surrounding the subject site.
- The applicant requires one variance, which is associated with the proposed fence along the front yard. The height variance is supportable (See planner's report for DAV 17-148753/D).
- The scale of the proposed development is consistent with the surrounding context and form. It must also be noted that the final design, in terms of height and massing, were guided by public consultation comments and concerns.
- The Urban Planning Division does not foresee any negative impact on adjoining properties.

RECOMMENDED ZONING AGREEMENT

Plan Approval

- The Urban Planning Division is recommending that final plans be submitted to the Lord Selkirk-West Kildonan Community Committee and the Director of Planning, Property and Development and the City Centre Community Committee. The inclusion of this clause will allow the Urban Planning Division and the Lord Selkirk-West Kildonan Community Committee to review final plans before development permits are issued.

- Also, the minimum yard setback of 25 feet imposed on the north, south and west property line is to ensure that the privacy of existing single family dwellings surrounding the subject site are respected.

LAND DEDICATION

- When a developer rezones and/or subdivides a parcel of land, they are required to submit an application with the City of Winnipeg.
- As a condition of rezoning or subdivision, a developer is required to contribute a portion of the land to be developed to the City for parks purposes.
- The amount of land is not less than 10%.
- The developer is to provide land or 'cash in lieu' as determined by the Planning, Property and Development Department.
- The City is requesting cash in lieu for this application.

RECOMMENDATION

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

- The rezoning to "RMF-S" Residential Multiple Family Small allows the development of the proposed number of units, which aligns with the policies in the *Complete Communities Direction Strategy* for Areas of Stability – Recent Communities;
    - ***'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, and townhomes. (Page 80 – Complete Communities Direction Strategy).

- The proposal is consistent and compatible with the surrounding properties;
    - ***The proposed form of buildings (two & three storeys) is compatible with the surrounding built form and scale.***
    - ***The one variance required for the front yard fence height is an indication of a well thought out proposal that complies with all remaining zoning by-law "RMF-S". Development standards.***
- With the City's increase in population, this proposal is consistent with the increased need for more housing supply within the City.

This Report Submitted by:
Planning, Property and Development Department
Planning and Land Use Division
Report Prepared by: Femi Ojo, MCIP, RPP
PPD File # DAZ 209/2017

Appendices:
Appendix A – Planning Report
Appendix B (Schedule A) – Ad cut plan
Schedule B – Administrative Coordinating Group Report

APPENDIX "B"
Schedule "A" for File No. DAZ 209/2017, Lord Selkirk-West Kildonan Community Committee, dated August 16, 2017

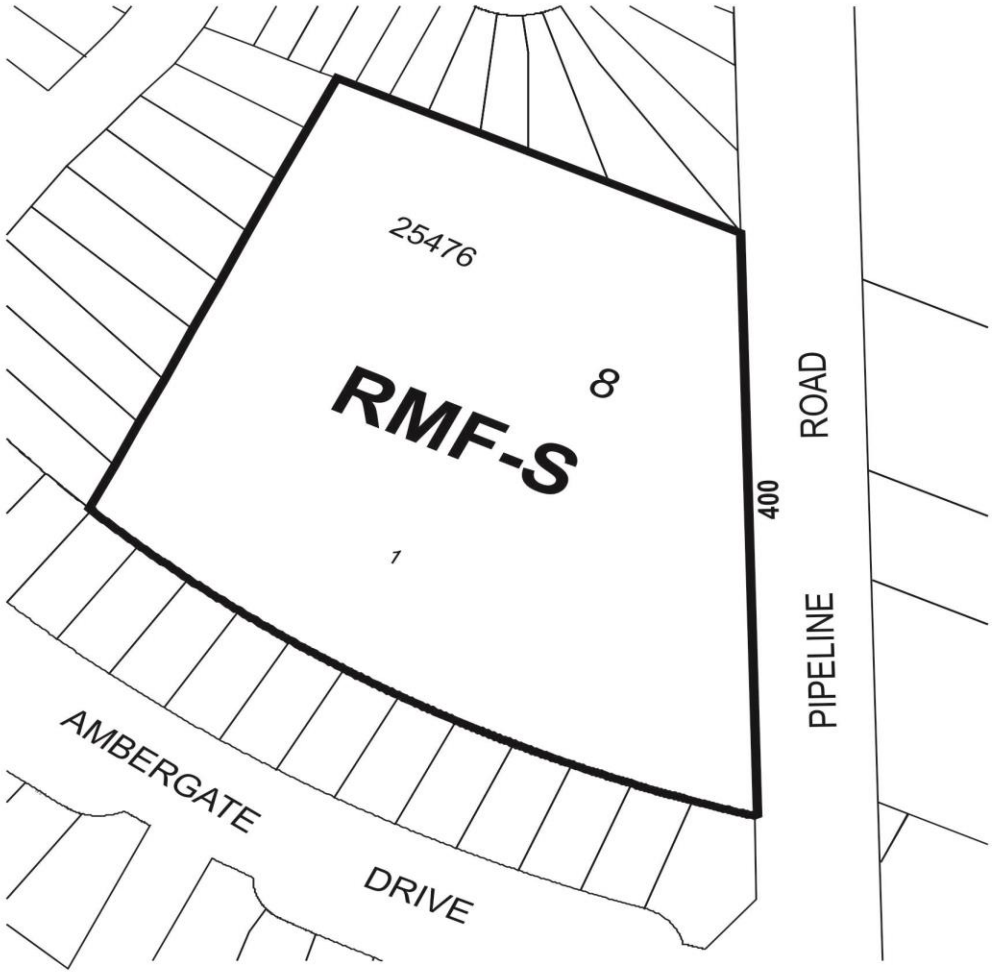
By–Law No. _____

File No. **DAZ 209/17**

Atlas Sheet No. **R23**
N
LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 400 Pipeline Road from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow for the establishment of a multi-family dwelling use as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – October 25, 2017

RE: PROPOSED REZONING OF LAND LOCATED AT 400 PIPELINE ROAD, LORD SELKIRK – WEST KILDONAN COMMUNITY – DAZ 209/2017

It is recommended that the approval of DAZ 209/2017, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

SECTION I – SERVICING

1) Watermains

The Developer shall, prior to the final release of agreements by the City, pay to the City their share of the existing watermain installed by others in Pipeline Road, as determined by the Director of Water and Waste.

2) Wastewater Sewer

The Developer shall:

a) prior to the final release of agreements by the City, pay to the City their share of the wastewater sewer oversizing installed by others in Pipeline Road, as determined by the Director of Water and Waste.

b) At no expense to the City, install wastewater sewers required to service the proposed subdivision and adjacent land as determined by and to the satisfaction of the Director of Water and waste.

3) Land Drainage

The Developer shall, prior to the final release of agreements by the City, pay to the City their share of the following:

a) The Regional Land Drainage Trunk Service Rate (TSR)

b) the Leila Trunk User Charge

c) the land drainage sewer lateral installed by others between Lots 5 & 6 of Block 2 Plan 49562.

All as determined by and to the satisfaction of the Director of Water and Waste.

4) Pipeline-Leila Area Charge

a) The Developer shall , prior to the final release of agreements by the City, pay to the City, their share of the cost of the following improvements on an area basis for the area bounded by Leila Avenue, Pipeline Road and the future Chief Peguis Trail:

b) an 8.3m in width by 200mm in thickness Portland cement concrete pavement in Leila Avenue between Pipeline Road and the future Chief Peguis Trail and in Pipeline Road between Leila Avenue and the future Chief Peguis Trail.

c) channelization, including, but not necessarily limited to construction of pavement for through lanes, auxiliary lanes, channelization, transitions, the installation and/or relocation of street lights and other utilities and boulevard landscaping at all street intersections entering Amber Trials from Pipeline Road and Leila Avenue including, but not necessarily limited to, the intersections of Ashville Street and Mandalay Drive with Leila Avenue and the intersections of the two east-west streets entering Amber Trials from Pipeline Road.

d) channelization at the intersection of Pipeline Road and Leila Avenue including, but not necessarily limited to construction of pavement for through lanes, auxiliary lanes, channelization, transitions and the installation and/or relocation of street lights and other utilities and boulevard landscaping.

e) traffic control signals at the intersection of Leila Avenue and Pipeline Road.

f) ornamental street lighting, sidewalks, boulevard landscaping and any accessory land drainage works in conjunction with the above works.

5) Traffic Control Signals

The Developer shall, pay to the City, in cash, on demand, 15% of the 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 Ambergate Drive and Pipeline Road, when and as determined by and to the satisfaction of the Director of Public Works.

6) Median Opening

Based on the current proposed site plan, the Public Works Department will not likely support a median opening at the proposed location if/when Pipeline Road is twinned in the future. Although Public Works cannot guarantee a future median opening for this development, the Developer would have more of a possibility of a median opening if the proposed access were located further north.

7) Construction Traffic

The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works. The Developer shall maintain, at no expense to the City, the access routes in a clean, dust free and safe condition, free of dropped and tracked-on mud, and shall undertake regular scraping and sweeping of streets until building construction, including landscaping is complete, all as determined by and to the satisfaction of the Director of Public Works.

8) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the proposed subdivision and will pay the full cost to convert any existing overhead services within the proposed subdivision to underground to the satisfaction of the Director of Public Works.

b) The Developer shall pay all costs associated with the relocation of street lights and other utilities made necessary as a result of, or required to accommodate, the works to be constructed by the Developer to serve the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

9) Litter and Refuse Control and Clean-Up

a) The Developer shall, at no expense to the City, and of its own volition, initiate and control the regular cleanup of litter and refuse from the contractors and builders for this development, both on-site and off-site, during the installation of services and construction of buildings, until substantial completion of all construction, as determined by and to the satisfaction of the Director of Public Works.

b) The cleanup of litter and refuse shall be done on a regular basis as determined by the Director of Public Works. This shall include initiating action and assuming any costs in remedying the situation to the satisfaction of the Director of Public Works.

SECTION II – 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 plus applicable GST, to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DAS 209/2017
November 7, 2017

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

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