**Agenda – Executive Policy Committee – July 14, 2021**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

**Item No. 11 Subdivision and Rezoning – Southeast Corner of Gunn Road and Redonda Street**
**(Transcona Ward)**
**File DASZ 19/2020 [c/r SPA 4/2020 and DAC 5/2020]**

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the following to Council:

1. That the subdivision under Development Application No. DASZ 19/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 15, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer be required to enter into an addendum to Development Agreement File No. AG 18/14 with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 7, 2021, and attached as Schedule "B" to this report, with the following amendments:

        i. Amend Condition 6) under 'Section II – Plan Considerations' by deleting the words "and no private approaches serving single or two-family residential development"

        ii. Delete Condition 12) under 'Section II – Plan Considerations' and replace with the following:

            "12) Public Reserve "A" shall be reconfigured such that the park pathway is located on the east side of the Public Reserve and such that the pathway aligns in a direct and linear manner with the multi-use pathway south of the Public Reserve, in order to prevent the pathway from bisecting the Public Reserve lands, to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development."

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

STANDING COMMITTEE RECOMMENDATION (continued):

iii. Amend Condition 15) under 'Section II – Plan Considerations' by adding the word "draft" immediately before "Legal Plan"

iv. Add the following new condition under 'Section II – Plan Considerations'

"16) The Developer shall, at no expense to the City, legally open property required for a second right-of-way connection to adjacent lands located at 477 Hewitson Road from the existing Public Road in the southeast portion of the Planned Area."

v. Add the following condition 1) b) under 'Section IV – Servicing Conditions'

"1) b) The Developer shall, at no expense to the City, construct and install wastewater sewers required to serve the Planned Area and adjacent lands in accordance with the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste."

vi. Amend Condition 3) a) under 'Section IV – Servicing Conditions' by adding the word "revised" immediately before "Schedule C"

vii. Delete condition 5) d) under 'Section IV – Servicing Conditions'

viii. Delete Condition 6) a) under 'Section IV – Servicing Conditions' and replace with the following:

6) a) The Developer shall pay to the City, in cash, on demand, 50% of the costs of the installation of the rectangular rapid flash beacon and all related works where Redonda Street intersects with the Transcona Trail, and on Redonda Street at Bramwell Avenue as determined by and to the satisfaction of the Director of Public Works.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

STANDING COMMITTEE RECOMMENDATION (continued):

ix. Amend Condition 7) a) under Section IV – Servicing Conditions' by adding the words "and approved by the East Kildonan-Transcona Community Committee" immediately after "determined by the Public Works Department"

x. Delete condition 8) c) under 'Section IV – Servicing Conditions'

xi. Add the following new condition under 'Section IV – Servicing

"10) Water Mains

The Developer shall, at no expense to the City, construct and install water mains required to serve the Planned Area and adjacent lands in accordance with the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste."

B. That the City enter into, execute and deliver with the Developer an addendum to the Development Agreement File No. AG 18/14 in accordance with recommendation 1.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the addendum to Development Agreement File No. AG 18/14, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "R1-S" Residential Single-Family (Small) District, a "RMF-S" Residential Multi-Family (Small) District, a "C2" Commercial Community District and a "PR1" Parks and Recreation 1 District as shown on the map dated June 15, 2021, and attached as Schedule "A" to this report.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

STANDING COMMITTEE RECOMMENDATION (continued):

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

5. That the subdivision section of the By-law will come into force when the Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

6. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 5 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 28, 2021, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- In Recommendation 1.A., delete the period after "Schedule "B" of this report", and replace with the following:

  ", with the following amendments:

  i. Amend Condition 6) under 'Section II – Plan Considerations' by deleting the words "and no private approaches serving single or two-family residential development"

  ii. Delete Condition 12) under 'Section II – Plan Considerations' and replace with the following:

  "12) Public Reserve "A" shall be reconfigured such that the park pathway is located on the east side of the Public Reserve and such that the pathway aligns in a direct and linear manner with the multi-use pathway south of the Public Reserve, in order to prevent the pathway from bisecting the Public Reserve lands, to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development."

  iii. Amend Condition 15) under 'Section II – Plan Considerations' by adding the word "draft" immediately before "Legal Plan"

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

iv. Add the following new condition under 'Section II – Plan Considerations'

"16) The Developer shall, at no expense to the City, legally open property required for a second right-of-way connection to adjacent lands located at 477 Hewitson Road from the existing Public Road in the southeast portion of the Planned Area."

v. Add the following condition 1) b) under 'Section IV – Servicing Conditions'

1) b) The Developer shall, at no expense to the City, construct and install wastewater sewers required to serve the Planned Area and adjacent lands in accordance with the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste.

vi. Amend Condition 3) a) under 'Section IV – Servicing Conditions' by adding the word "revised" immediately before "Schedule C"

vii. Delete condition 5) d) under 'Section IV – Servicing Conditions'

viii. Delete Condition 6) a) under 'Section IV – Servicing Conditions' and replace with the following:

"6) a) The Developer shall pay to the City, in cash, on demand, 50% of the costs of the installation of the rectangular rapid flash beacon and all related works where Redonda Street intersects with the Transcona Trail, and on Redonda Street at Bramwell Avenue as determined by and to the satisfaction of the Director of Public Works."

ix. Amend Condition 7) a) under Section IV – Servicing Conditions' by adding the words "and approved by the East Kildonan-Transcona Community Committee" immediately after "determined by the Public Works Department"

x. Delete condition 8) c) under 'Section IV – Servicing Conditions'

xi. Add the following new condition under 'Section IV – Servicing Conditions'

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 6, 2021**

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

> "10) Water Mains
>
> The Developer shall, at no expense to the City, construct and install water mains required to serve the Planned Area and adjacent lands in accordance with the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste."

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

## PUBLIC HEARING SUMMARY

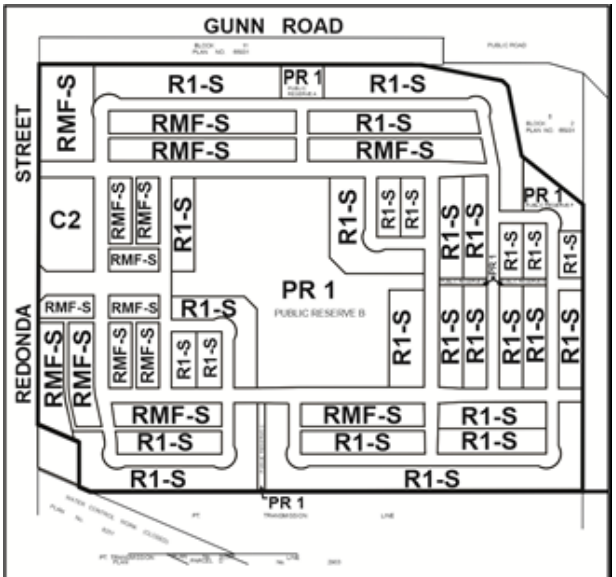
**File:** DASZ 19/2020

**Before:** East Kildonan-Transcona Community Committee
Councillor Nason, Chairperson
Councillor Browaty
Councillor Schreyer

**Public Hearing:** June 28, 2021
Council Building, 510 Main Street

**Applicant:** Genstar Development Company (Brock Feenstra)

**Subject:**




**APPLICANT : Genstar Development Company (Brock Feenstra)**
**FILE : DASZ 19/2020**
**PROPOSAL :** An application for the approval of the plan of subdivision shown outlined above as may be determined by Council and for a proposed zoning change to By-law No. 200/2006 by rezoning the land shown outlined above from an "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT, "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Summerlea Neighbourhood by the establishment of lots/blocks, public right-of-ways and the reconfiguration of public reserve lands. **For information, phone Mr. G. Doney, Planner at 204-986-2688.**

**Premises Affected:** Southeast Corner of Gunn Road and Redonda Street

**Prepared by:** T. Pomanski, Committee Clerk
East Kildonan-Transcona Community Committee

**Report date:** June 28, 2021

**Community Committee Recommendation:**

On June 28, 2021, 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 subdivision under Development Application No. DASZ 19/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 15, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

    A. That the Developer be required to enter into an addendum to Development Agreement File No. AG 18/14 with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated June 7, 2021, and attached as Schedule "B" to this report***, with the following amendments:***

        ***i. Amend Condition 6) under 'Section II – Plan Considerations' by deleting the words "and no private approaches serving single or two-family residential development"***

        ***ii. Delete Condition 12) under 'Section II – Plan Considerations' and replace with the following:***

            ***"12) Public Reserve "A" shall be reconfigured such that the park pathway is located on the east side of the Public Reserve and such that the pathway aligns in a direct and linear manner with the multi-use pathway south of the Public Reserve, in order to prevent the pathway from bisecting the Public Reserve lands, to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development."***

        ***iii. Amend Condition 15) under 'Section II – Plan Considerations' by adding the word "draft" immediately before "Legal Plan"***

        ***iv. Add the following new condition under 'Section II – Plan Considerations'***

            ***"16) The Developer shall, at no expense to the City, legally open property required for a second right-of-way connection to***

***adjacent lands located at 477 Hewitson Road from the existing Public Road in the southeast portion of the Planned Area."***

***v.*** ***Add the following condition 1) b) under 'Section IV – Servicing Conditions'***

***"1) b) The Developer shall, at no expense to the City, construct and install wastewater sewers required to serve the Planned Area and adjacent lands in accordance with the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste."***

***vi.*** ***Amend Condition 3) a) under 'Section IV – Servicing Conditions' by adding the word "revised" immediately before "Schedule C"***

***vii.*** ***Delete condition 5) d) under 'Section IV – Servicing Conditions'***

***viii.*** ***Delete Condition 6) a) under 'Section IV – Servicing Conditions' and replace with the following:***

***"6) a) The Developer shall pay to the City, in cash, on demand, 50% of the costs of the installation of the rectangular rapid flash beacon and all related works where Redonda Street intersects with the Transcona Trail, and on Redonda Street at Bramwell Avenue as determined by and to the satisfaction of the Director of Public Works."***

***ix.*** ***Amend Condition 7) a) under Section IV – Servicing Conditions' by adding the words "and approved by the East Kildonan-Transcona Community Committee" immediately after "determined by the Public Works Department"***

***x.*** ***Delete condition 8) c) under 'Section IV – Servicing Conditions'***

***xi.*** ***Add the following new condition under 'Section IV – Servicing Conditions'***

***"10) <u>Water Mains</u>***

***The Developer shall, at no expense to the City, construct and install water mains required to serve the Planned Area and adjacent lands in accordance with the accepted servicing report, as determined by and to the satisfaction of the Director of Water and Waste."***

B. That the City enter into, execute and deliver with the Developer an addendum to the Development Agreement File No. AG 18/14 in accordance with recommendation 1.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the addendum to Development Agreement File No. AG 18/14, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "R1-S" Residential Single-Family (Small) District, a "RMF-S" Residential Multi-Family (Small) District, a "C2" Commercial Community District and a "PR1" Parks and Recreation 1 District as shown on the map dated June 15, 2021, and attached as Schedule "A" to this report.

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

5. That the subdivision section of the By-law will come into force when the Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

6. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 5 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

***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 is a very exciting sub-division. It is adjacent to Gunn Road which has seen an increase of commercial traffic. I know just west of Redonda Street, a new access point into the Rural Municipality of Springfield has been added which will mean more commercial.

2. I know the province of Manitoba is looking with regards to interchanges at the perimeter which are very much needed, particularly as we build this out and more residents call this area home, to make that they are able to safely move to and from their neighbourhoods is appreciated.

3. The recreational opportunities with Active Transportation in the area will be appreciated. Being able to connect the additional public reserves that will be in the area will also be an added amenity to the community. The neighbourhood is going to be busy and that's part of the reason we've looked at some of these things, to try and improve. I, without a doubt see a lot of on street parking when we're talking the density that we're talking. Hopefully these changes will help support the neighbourhood as people move around. I did take careful consideration about the request of narrowing the roadway, however I'm concerned about the on-street parking and I want to make sure that we have proper widths so that people can navigate in all seasons.

**Exhibits Filed:**

1. Application dated May 13, 2021
2. Notification of Public Hearing dated May 28, 2021
3. Manitoba Status of Title 3037150/1
4. Letter of authorization dated November 24, 2020, from the Director of Planning, Property and Development, City of Winnipeg, to Brock Feenstra, Genstar Development Company
5. Plan of Subdivision and Title Plot dated August 14, 2020
6. Statutory Easement between Genstar Titleco #3 Limited and the City of Winnipeg 5142334/1
7. Proposed Zoning Plan
8. Transcona North Precinct Land Use Concept
9. Municipal Trunk Services Plan
10. Report from the Urban Planning Division dated June 18, 2021
11. Inspection Report
12. Recording of Representations
13. Revised Schedule "C" in support of the application submitted by the Winnipeg Public Service at the public hearing
14. Documentation/Submission with respect to the application submitted by Russ Wyatt at the public hearing

REPRESENTATIONS:

In Support:

David Boles
Marc Brown
Brock Feenstra
Michael Mark

In Opposition:

Nil

For Information:

Dave Haines
Wilson Parasiuk
Russ Wyatt

For the City:

G. Doney, Senior Planner, Planning, Property and Development
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit "10" referred to in File DASZ 19/2020

# ADMINISTRATIVE REPORT

**Title:** DASZ 19/2020 – Southeast of Gunn and Redonda

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

- create public streets, public lanes, six public reserves, 41 lots and 18 blocks,
- zone the public reserves "PR1" Parks and Recreation 1, zone one of the blocks "C2" Commercial Community, zone some of the lots and blocks "RMF-S" Residential Multi-Family (Small), and zone some of the lots and blocks "R1-S" Residential Single-Family (Small).

**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 |
|---|---|---|---|
| Glen Doney, RPP, MCIP | n/a | n/a | |

## RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 19/2020 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated June 15, 2020 and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following conditions:

   A. That the Developer be required to enter into an addendum to Development Agreement File No. AG 18/14 with the City pursuant to subsection 259(1) of *The City of Winnipeg Charter* in accordance with the report of the Administrative Coordinating Group dated June 7, 2021, and attached as Schedule "B" to this report.

   B. That the City enter into, execute and deliver with the Developer an addendum to the Development Agreement File No. AG 18/14 in accordance with recommendation 1.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

   C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the addendum to

Development Agreement File No. AG 18/14, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "R1-S" Residential Single-Family (Small) District, a "RMF-S" Residential Multi-Family (Small) District, a "C2" Commercial Community District and a "PR1" Parks and Recreation 1 District as shown on the map dated June 15, 2021, and attached as Schedule "A" to this report.

3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above.

5. That the subdivision section of the By-law will come into force when the Addendum to the Development Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

6. That the zoning section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

7. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan is not registered in accordance with recommendation 5 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

8. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

## REASONS FOR REPORT

This report is required because a proposed plan of subdivision and rezoning application requires a public hearing as per the *Development Procedures By-law* and *The City of Winnipeg Charter.*

## IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning and Design Division are concurred in, the proposed plan of subdivision and rezoning can proceed in accordance with Schedule "A" to this report.

Pursuant to the "Policy for Sale, Acquisition, Rental, Leasing and Management of Properties", all sales of property designated or acquired for park pruposes shall be subject to Section 205(2) of The City of Winnipeg Charter Act which requires a vote of 2/3 of all members of Council.

## HISTORY

On July 16, 2014, the Transcona North Precinct Plan came into force.

On March 25, 2015, City Council approved the Plan of Subdivision and Rezoning Application File DASZ 18/2014, subject to conditions. This approval led to the creation of the subject site.

## CONSULTATION

The Administrative Co-ordinating Group was consulted in the preparation of this report.

## OURWINNIPEG POLICY ALIGNMENT

The proposed plan of subdivision and rezoning aligns with *OurWinnipeg* because it is consistent with the Key Direction of *OurWinnipeg* that applies to the New Communities Policy Area. This Key Direction states:

> *New Communities will continue to play an important role in accommodating the city's projected population growth. These New Communities will be planned as complete from the outset and will continue to achieve a high standard of sustainability in planning, design, construction and management.*

The proposed plan of subdivision and rezoning is consistent with the aforementioned Key Direction because:

- Application File SPA 4/2020 would modify the *Transcona North Precinct Plan* in a manner that would not significantly alter the general intent of the Plan;
- the proposed rezoning would accommodate a higher residential density than the current zoning allows; and
- the proposed plan of subdivision would create public street right-of-ways for collector roads, on which public transit service can be established; and

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

One of the Strategic Opportunities in the Winnipeg Climate Action Plan states: “Facilitate compact, complete development and increase density.”

The proposal aligns with this Strategic Opportunity and with the *Winnipeg Climate Action Plan* in general because:

- The proposed residential zoning districts would enable a slightly higher residential density than the existing zoning of the subject site; and
- the proposed plan of subdivision would create public street right-of-ways for collector roads, on which public transit service can be established.

## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Urban Planning and Design |
| Prepared by: | Glen Doney, RPP, MCIP |
| Date: | June 18, 2021 |
| File No. | DASZ 19/2020 |

Attachments

- **Appendix “A,” Planning Discussion**
- **Schedule “A,” of File DASZ 19/2020, East Kildonan – Transcona Community Committee, dated**
  June 15, 2020
- Schedule “B,” Report of the Administrative Coordinating Group, June 7, 2021
- Schedule “C,” Sidewalks and Paths, June 20, 2021

APPENDIX “A,” PLANNING DISCUSSION

**DATE:** June 18, 2021

**FILE:** **DASZ 19/2020**

**COMMUNITY:** East Kildonan – Transcona

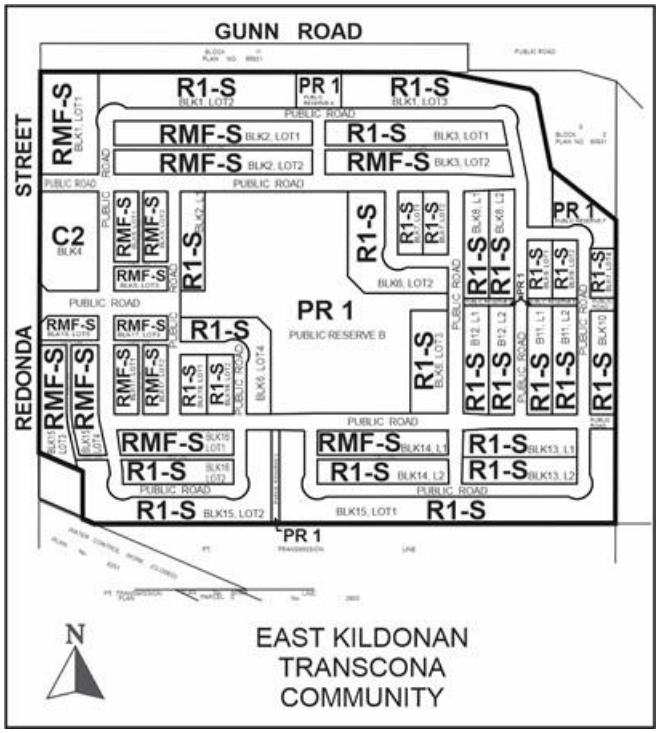
**NEIGHBOURHOOD #:** 435 (Transcona North)

**SUBJECT:** Proposed Plan of Subdivision and Rezoning that would

- create public streets, public lanes, six public reserves, 41 lots and 18 blocks,
- zone the public reserves “PR1” Parks and Recreation 1, zone one of the blocks “C2” Commercial Community, zone some of the lots and blocks “RMF-S” Residential Multi-Family (Small), and zone some of the lots and blocks “R1-S” Residential Single-Family (Small).

**LOCATION:** Southeast of Gunn and Redonda

**LEGAL DESCRIPTION:** Part of Plan 65931 WLTO




**APPLICANT:** Genstar Titleco Ltd., Brock Fenstra
1371 Kenaston Blvd.
Winnipeg, MB
R3P 2T5

**OWNERS:** Genstar Titleco Ltd. & City of Winnipeg

**RECOMMENDATION:** Approval Subject to Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2:

- is southeast of Redonda and Gunn;
- is in the Transcona North Neighbourhood and the Transcona Ward;
- is 148.7 acres;
- consists of several lots, blocks and public reserves zoned “C2” Commercial Community, “R1-M” Residential Single-Family (Medium), “R1-S” Residential Single-Family (Small) and “PR1” Parks and Recreation 1, several public streets and two public lanes;
- is in the planning area of the *Transcona North Precinct Plan*;
- is in a New Communities Policy Area of *OurWinnipeg* and *Complete Communities*; and
- is subject to a zoning agreement, which is based on Council’s approval of DASZ 18/2014.

The zoning agreement that was entered into is based on Council’s approval of DASZ 18/2014, which was on March 25, 2015:

*A. That the applicant enter into 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 the development of any building, and/or accessory parking area and/or signage within the lands zoned “C2” Community Commercial, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the East Kildonan - Transcona Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.*

*ii. The Developer shall, at no expense to the City, construct along the rear yards of all one and two family lots abutting Gunn Road and the perimeter, a uniform noise attenuation feature, at the apex of the berm within the rear property line, of no less than 4.00m in height, consisting of no less than a 1.52m in height landscaped berm and no less than a 1.8m in height solid noise attenuation fence, to the satisfaction of the East Kildonan-Transcona Community Committee and 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 Gunn Road requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the East Kildonan-Transcona Community Committee and the Director of Public Works. The berm is to be constructed as per Figure 5 of the Transcona North Precinct Plan, Schedule 1 of the By-law 1-2014 as approved by the Director of Public Works.*

*iii. The Developer shall, at no expense to the City, provide continuous chain link or other approved type of fencing along all properties abutting public reserve land. The Developer is to permit the City to file a caveat against the title of each of these proposed lots requiring the owner(s) to maintain and/or repair or replace the fence as originally constructed, to the satisfaction of the East Kildonan-Transcona Community Committee and the Director of Public Works.*

*iv. Where single and two family residential lots back onto Gunn Road, the said lots are to be established with a minimum rear yard setback of 70.48m from the south limit of the existing Gunn Road right-of-way.*

*v. There shall be no billboard signs and mobile signs on the entire C2 zoned site.*




***Figure 1: 2018 Aerial Photography, Existing Lot Lines and Satellite Imagery***
*(satellite imagery from Google Maps)*

↑ N

**SURROUNDING LAND USE AND ZONING**

The area in which the site is located is shown on Figures 1 and 2:

**North:** undeveloped land zoned “A” Agricultural, then Gunn Road then the RM of Springfield.

**East:** one single-family dwelling (at 477 Hewitson Road) and undeveloped land, some zoned “A” Agricultural and some zoned “R1-M” Residential Single-Family (Medium), then the Perimeter Highway, then the RM of Springfield and the Floodway.

**South:** Hydro corridor zoned “A” Agricultural, then a school zoned “PR2” Parks and Recreation 2, and single-family dwellings, some zoned “RMF-S” Residential Single-Family (Small) and some zoned “R1-M” Residential Single-Family (Medium).

**West:** Redonda Street, then land zoned “R1-M” Residential Single-Family (Medium) on which single-family dwellings are being built.




*Figure 2: Existing Zoning, City of Winnipeg*

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The subject of this report is the proposed plan of subdivision and rezoning, shown on Schedule "A" to this report. Schedule "A" shows that this proposal would:

- create public streets, public lanes, six public reserves, 41 lots and 18 blocks,
- zone the public reserves "PR1" Parks and Recreation 1, zone one of the blocks "C2" Commercial Community, zone some of the lots and blocks "RMF-S" Residential Multi-Family (Small), and zone some of the lots and blocks "R1-S" Residential Single-Family (Small).

The amount of public reserve land being proposed is the same amount that currently exists on the site. Only the locations and extents would change.

In addition, the attached Schedule "B" specifies the developer's infrastructure obligations and Schedule "C" shows where the paths and sidewalks must be built.

Also of note is that the proposed plan of subdivision and rezoning cannot proceed without the *Transcona North Precinct Plan* being amended. Application File SPA 4/2020 proposed to amend this precinct plan. An administrative report on this application has been submitted. It describes the proposed amendments and recommends approval of all of them.

In addition, the administrative report dated November 27, 2020, which recommends Council to give first read to the by-law that would amend the precinct plan, describes the proposed amendments, in the executive summary, as follows:

> *The changes being proposed are as follows:*
>
> - *revisions to the Land Use Concept Map and Municipal Trunk Services Map;*
> - *consolidation of several maps into one map;*
> - *removal of highway sign images that are consistent with the layout of the existing land use plan; and*
> - *text amendments to reflect the land use changes and various house-keeping items.*
>
> *The land use changes and text amendments do not significantly alter the general intent of the Plan.*

Once the *Transcona North Precinct Plan* has been amended and the proposed plan of subdivision and rezoning comes into effect, the site is to be developed into a residential neighbourhood that would include one commercial property, parks and residential uses.

Also of note is that Schedule "A" shows that one proposed public street is to terminate at the western limit of 477 Hewitson Road and another is to terminate at the western limit of the property immediately north of 477 Hewitson Road.

**ANALYSIS AND ISSUES**

OURWINNIPEG AND COMPLETE COMMUNITIES

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

The Key Direction of *OurWinnipeg* that applies to the New Communities Policy Area states:

> *New Communities will continue to play an important role in accommodating the city's projected population growth. These New Communities will be planned as complete from the outset and will continue to achieve a high standard of sustainability in planning, design, construction and management.*

Also of note are the following Directions of *Complete Communities*:

> *Direction 1 New Communities will be developed in a sustainable manner.*
>
> *Direction 2 New Communities will be established through a planning process.*
>
> *Direction 3 New Communities will increase opportunities to live, work, learn and play in the same neighbourhood.*

The proposed plan of subdivision and rezoning comply with the aforementioned Directions because:

- Application File SPA 4/2020 would modify the *Transcona North Precinct Plan* in a manner that would not significantly alter the general intent of the Plan;
- the proposed rezoning would accommodate a higher residential density than the current zoning allows; and

- the proposed plan of subdivision would create public street right-of-ways for collector roads, on which public transit service can be established.

TRANSCONA NORTH PRECINCT PLAN

The policies quoted below are not subject to the amendments proposed under File SPA 4/2020.

The *Transcona North Precinct Plan* states, in Subsection 5.1.3:

*1. Composition of the Residential Area*

*a. Single-family housing will be the predominant use of land within the Residential Area.*

*b. Secondary suites will be allowed within the Residential Area subject to the necessary zoning and building plan approvals.*

*c. Multi-family housing is allowed within the Residential Area as determined through the development application process.*

*3. Transit Service to the Residential Area*

*a. The Residential Area will be designed with streets that can accommodate future public transit.*

The *Transcona North Precinct Plan* states, in Subsection 5.3.3:

*1. Composition of the Commercial Area*

*a. Small-scale retail and service commercial uses compatible with residential land use in close proximity will be permitted to locate within the Commercial Area.*

*b. Institutional, office, and public uses that contribute to community livability shall be allowed in the Commercial Area.*

*c. Multi-family development shall be allowed in the Commercial Area.*

The *Transcona North Precinct Plan* states, in Subsection 5.4.3:

*b. Park space allocation for residents of this community and adjacent areas will be guided by the following:*

*i. provide residents with active recreation facilities like playgrounds and sports fields;*

*ii. provide residents with spaces for passive recreation and leisure activities like quiet contemplation, nature enjoyment, gardening and picnicking;*

*iii. provide linear park space for walking, running, cycling and cross country skiing;*

*v. should be located such that at least 95% of dwellings are within approximately 400 metres (1,312 feet) from a park or open space;*

*ix. plan parks to maximize passive surveillance through site configuration, placement of access points, street visibility and sight lines;*

*2. Active Parks*

*The planning of active parks shall be guided by the following:*

*a. sized to accommodate sport fields and related amenities and space for proper site drainage facilities;*

*b. associated with the linear park network, and/or accessible by pedestrian and cycling path, public transit and sidewalks;*

*c. located on, or having direct access to, a collector street;*

*d. active parks shall amount to a minimum of 25% of the gross area required for park dedication, and;*

*3. Passive Parks*

*The planning of passive parks shall be guided by the following:*

*a. comprise a minimum of 30% of the gross area required for park*

*dedication which amount shall include linear parks,*

*b. contain a minimum of 0.4 hectares (1.0 acre) in area as a stand-alonefacility or a minimum of 0.2 hectares (0.5 acre) if integrated into a linear park system or used as a window or node.*

*4. Linear Park Network*

*The planning of the linear park network shall be guided by the following:*

*a. connect key community features or destinations where feasible;*

*b. create or form part of a looped pedestrian network through the neighbourhood;*

*c. routed to minimize the number of street crossings;*

*d. connect to or integrate with existing pedestrian and cycling networks, where the park space becomes either an entry point to a system, a node or activity area along the system, or part of the system itself;*

*e. where associated with a retention pond, include public access and pathways along one side while maintaining the operational integrity of the land drainage facility,*

The subject application complies with Subsection 5.1.3 because:

- the proposed residential zones (“R1-S” Residential Single-Family (Small) and “RMF-S” Residential Multi-Family (Small)) accommodate the uses allowed in the Residential Policy Area; and
- a collector road network is proposed in the Residential Policy Area.

The subject application complies with Subsection 5.3.3 because:

- the proposed commercial zone (“C2” Commercial Community) accommodate the uses allowed in the Commercial Policy Area.

The subject application complies with Subsection 5.43 because:

- the proposed public reserves are generally appropriately sized and located;
- the proposed park zone (“PR1” Parks and Recrreation 1) accommodates the uses expected to be in the Parks and Open Space Policy Area;
- the proposed path and sidewalk network shown on the attached Schedule “C” provides for routes that loop through the subject site.

- the ACG Report specifies certain changes that will improve the proposed park system.

REASONS FOR THE RECOMMENDATIONS

The Urban Planning and Design Division recommends approval of Schedule “A” to this report because:

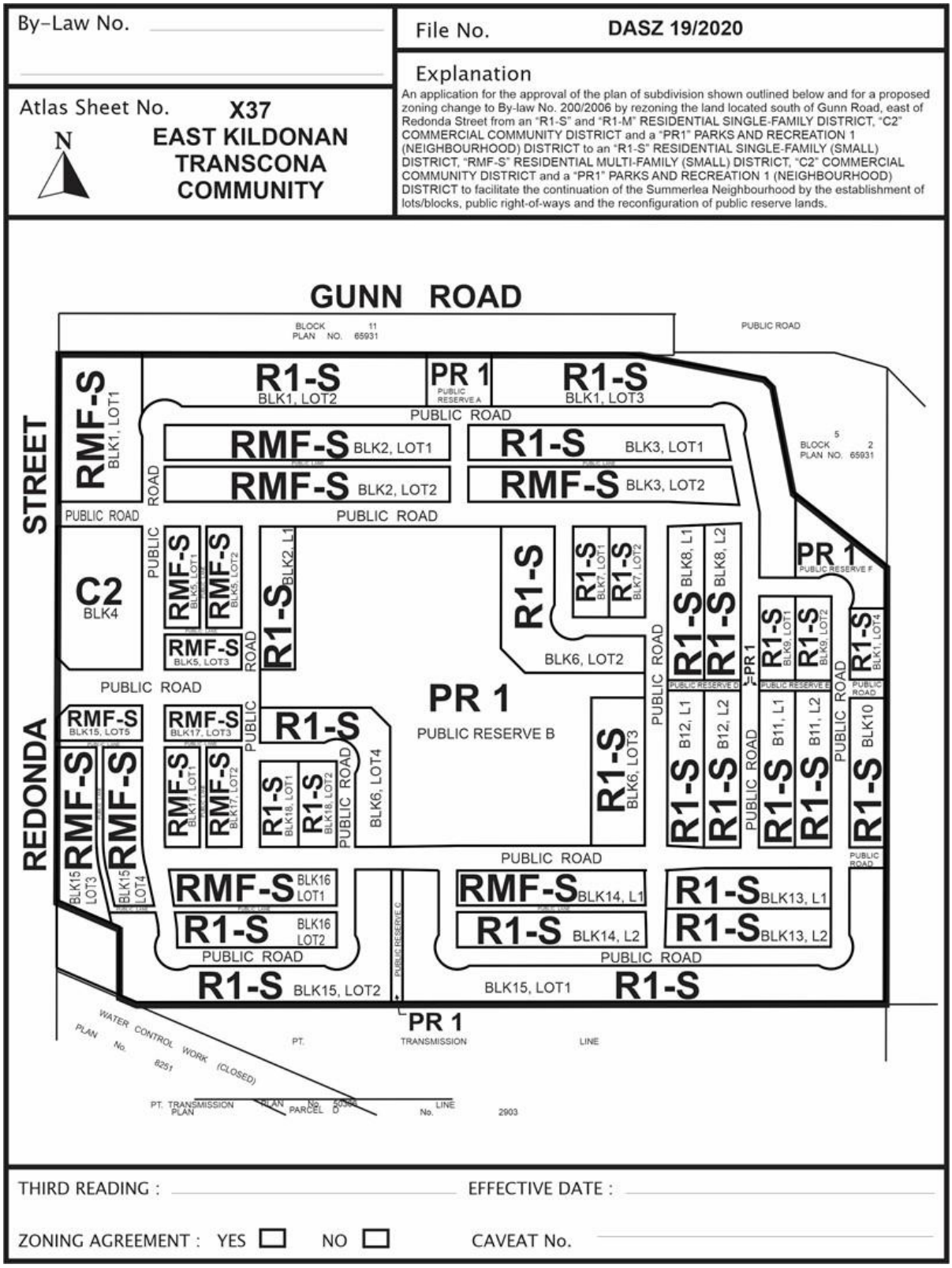
- the proposed plan of subdivision and rezoning comply with *OurWinnipeg*, *Complete Communities* and the *Transcona North Precinct Plan*; and

- the existing zoning agreement is to continue to apply to the subject site.

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

Report Prepared by: Glen Doney, RPP, MCIP
PPD File #: DASZ 19/2020

**SCHEDULE "A" OF FILE DASZ 19/2020, East Kildonan – Transcona Community Committee, dated June 15, 2020**



**SCHEDULE "B," REPORT OF THE ADMINISTRATIVE COORDINATING GROUP – June 7, 2021**

**RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED WITHIN THE SUMMERLEA NEIGHBOURHOOD (SOUTH OF GUNN ROAD, EAST OF REDONDA STREET)**

The above noted application was reviewed by ACG and determined to be within the Planned Area of the Summerlea Neighbourhood lands under development (DASZ 18/2014). Therefore, this application is subject to the terms and conditions as outlined under Development Agreement AG 18/14.

It is recommended that approval of DASZ 19/2020, if granted, be subject to the applicant entering into an Addendum to Development Agreement AG 18/14 containing the following conditions:

## Section I – General Comments

1) The Water and Waste Department wishes to advise that a lot grading plan should be submitted as soon as possible in order to determine if easements are required. Easement requirements must be determined prior to the release of mylars in the Winnipeg Land Titles Office.

## Section II – Plan Considerations

1) The Developer shall legally open, property required for a 35.0m right-of-way width for the Redonda Street right-of-way along the full length of Redonda Street abutting the Planned Area, including corner cuts where Redonda Street intersects with proposed Public Streets, as required, as determined by and to the satisfaction of the Director of Public Works.

2) The Developer shall, at no expense to the City, legally open property required for corner cuts at the intersection of Redonda Street and Gunn Road, if required, as determined by and to the satisfaction of the Director of Public Works.

3) Public Lanes serving single- or two-family residential development are to be accommodated with a right-of-way width of 6.25m; Public Lanes serving multi-family residential and commercial development are to be accommodated with a right-of-way width of 7.25m, to the satisfaction of the Director of Public Works.

4) The Developer shall, at no expense to the City, legally open property required for a 3.0m x 3.0m corner cuts where two Public Lanes intersect serving single and two-family residential and 5.0m x 5.0m corner cuts where two Public Lanes intersect serving multi-family residential or commercial development, to the satisfaction of the Director of Public Works.

5) The Developer shall, at no expense to the City, legally open property required for corner cuts at the intersection of Redonda Street and the proposed Public Road south of Gunn Road, as determined by and to the satisfaction of the Director of Public Works.

6) The proposed collector road within the Planned Area, in its entirety, shall be constructed as a residential collector street, including sidewalks/multi-use paths on both sides and no private approaches serving single or two-family residential development, to the satisfaction of the Director of Public Works.

7) The Developer shall 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.

8) 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.

9) The Developer shall ensure that, where two local residential streets intersect with a residential collector street on opposite sides of the collector, the centerlines of the local streets either coincide with one another at their intersection with the collector, or are offset by a minimum of 45.0m along the collector.

10) The Developer shall ensure that where any local residential street is aligned to curve within 20.0m of its intersection with a residential collector street, that curve have a minimum centerline radius of 60.0m.

11) The Developer shall, at no expense to the City, grant a 6.0m wide easement, centered on the temporary 150mm water main located in Block 15, Lots 2 and 3, as determined by and to the satisfaction of the Director of Water and Waste.

12) Public Reserve “A” shall be reconfigured such that the park pathway is located on the west or east side of the Public Reserve and such that the pathway aligns in a direct and linear manner with the multi-use pathway south of the Public Reserve, in order to prevent the pathway from bisecting the Public Reserve lands, to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development.

13) Public Reserves “D” and “E” shall be identified as Public Walkway, and will not be accrued as Public Reserve dedication.

14) The Developer shall create as Public Reserve an equivalent land area to the Public Reserve lands outlined under DASZ 18/2014, as determined by and to the satisfaction of the Director of Planning, Property and Development.

15) The Legal Plan shall be reviewed by the Public Works Department prior to registration at Land Titles Office.

## Section III – Engineering Studies

1) The Developer shall provide a comprehensive servicing report, prepared by a qualified municipal engineer, which shall outline the provision of underground services required for the Planned Area and adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

2) The Developer shall submit Servicing Criteria Sheets for water, wastewater and land drainage facilities, including plans showing the current and ultimate service areas, as determined by and to the satisfaction of the Director of Water and Waste.

3) The Developer shall, at no expense to the City, conduct geotechnical investigations in accordance with the City's "Guidelines for Site Investigation Requirements for Public Works Street Projects" and develop pavement designs, all to the satisfaction of the Director of Public Works.

## Section IV - Servicing Conditions

1) Wastewater Sewers

The City shall endeavour to reimburse the Developer for any oversized wastewater sewers, including interest calculated in accordance with the Development Agreement Parameters, as determined by and to the satisfaction of the Director of Water and Waste.

2) Land Drainage Sewers

The City shall endeavour to reimburse the Developer for any oversized land drainage sewers, including interest calculated in accordance with the Development Agreement Parameters, as determined by and to the satisfaction of the Director of Water and Waste.

3) Sidewalks/Pathways

Clause 8 of Schedule "C" under AG 18/14 shall be deleted and replaced with the following:

a) The Developer shall, at no expense to the City, construct 1.5m and/or 1.8m wide by 100mm thick Portland cement concrete sidewalks, or multi-use pathways and all related works, on the standard alignment, 0.3m from the property line, and/or on an alignment as determined by the Public Works Department, to the satisfaction of the Director Public Works, at the locations shown on the attached Schedule "C"

b) The Developer shall grant to the City, at no expense to the City, any snow storage easements as may be necessitated by the sidewalk alignment, as determined by and to the satisfaction of the Director of Public Works.

c) The Developer shall construct all sidewalks concurrently with the pavements with which they share the right-of-way.

4) Redonda Street

Clause 9 of Schedule "C" under AG 18/14 shall be deleted and replaced with the following:

The Developer shall, at no expense to the City, construct the following and all related works, in Redonda Street from Gunn Road to the existing terminus of the urban cross-section:

a) 2 – 8.0m wide by 200mm thick reinforced Portland cement concrete lanes of pavement complete with land drainage sewers and a median with landscaping and splash strip, and all related works in Redonda Street from Gunn Road to Public Road 13/Public Road 14 to a 10m wide by 200mm thick reinforced Portland cement concrete complete with land drainage sewer to the existing terminus of the urban cross-section;

b) a 1.5m wide by 100mm thick Portland cement concrete sidewalk on one side and a 3.5m asphalt multi-use path on the other side, on the standard alignment, 0.3m from the property line from Gunn Road and the existing terminus of the sidewalks;

c) ornamental street lighting on both sides;

d) boulevard landscaping (sod and trees) on both sides;

e) pay the full cost to convert and existing overhead services along Redonda Street, abutting the Planned Area to underground;

f) pay all costs associated with the relocation of street lights and other utilities along Redonda Street, abutting the Planned Area; and

g) all intersection works, including but not limited to left turn lanes, right turn cut-off and all related works where Redonda Street intersects with Gunn Road and the proposed Public Roads.

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

5) Traffic Control Signals

Clause 10 of Schedule “C” under AG 18/14 shall be deleted and replaced with the following:

a) The Developer shall pay to the City, on demand, 100% of the costs of 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 Redonda Street and Gunn Road, when and as determined by the Director of Public Works.

b) The Developer shall pay to the City, on demand, 25% of the costs of 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 and road modifications at the intersection of Plessis Road and Gunn Road, as determined by to the satisfaction of the Director of Public Works.

c) The Developer shall pay to the City, on demand, 50% of the costs of the installation of traffic-control signals at the intersection of Day Street and Gunn Road, as determined by and to the satisfaction of the Director of Public Works.

d) The Developer shall pay to the City, in cash, on demand, all costs of the installation of the appropriate traffic/pedestrian control where Redonda Street intersects with the proposed Public Road south of Gunn Road, as determined by and to the satisfaction of the Director of Public Works.

6) Pedestrian Crossing Control

Clause 11 of Schedule “C” under AG 18/14 shall be deleted and replaced with the following:

a) The Developer shall pay to the City, in cash, on demand, 50% of the costs of the installation of the appropriate pedestrian crossing control and all related works where Redonda Street intersects with the Transcona Trail, as determined by and to the satisfaction of the Director of Public Works.

b) The Developer shall pay to the City, in cash, on demand, all costs to install marked pedestrian crossings within the Planned Area, as determined by and to the satisfaction of the Director of Public Works.

7) Berm/Fencing

Clause 21 of Schedule “C” under AG 18/14 shall be deleted and replaced with the following:

a) The Developer shall, at no expense to the City, construct within the rear yards of all residential lots abutting Gunn Road, a uniform wooden fence of no less than 1.8m in height, complete with a berm of no less than 1.52m in height, the location of which is to be determined by the Public Works Department, all as determined by and to the satisfaction of the Director of Public Works.

    i. The Developer is to permit the City to file a caveat against the title of each of these proposed lots abutting Gunn Road 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) The Developer shall, at no expense to the City, provide continuous chain link or other approved type of fencing along all properties abutting Public Reserve land.

    i. The Developer is to permit the City to file a caveat against the title of each of these proposed lots 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.

c) The Developer shall, at no expense to the City and prior to the development of the light industrial park and the Nature Reserve open space area, construct a fence that would restrict access to Griffin Wheel Property as a location and to the satisfaction of the Director of Public Works. The City shall endeavor to obtain payback to the Developer of all benefitting property owners through future Development Agreements.

8) Public Reserve

Clause 23 of Schedule “C” under AG 18/14 shall be deleted and replaced with the following:

a) The Developer shall dedicate as Public Reserve at least 8% of the land contained within the overall development area 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 East Kildonan-Transcona Community Committee and 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) 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, and irrigation in accordance with the Development Agreement Parameters. If the City deems the provision of irrigation is not required, the Developer shall provide compensation in the form of site amenities of a predetermined equivalent value.

c) The Developer shall, at no expense to the City, size, grade and sod the Public Reserve area west of the northernmost retention pond, east of Block 2, Lot 1, as determined by and to the Satisfaction of the Director of Public Works.

d) The Developer shall provide, at no expense to the City, pathways through the development and at walkway connections to provide pedestrian and/or bicycle connectivity, as determined and approved by the Director of Public Works.

e) In circumstances where a path is intended to cross over a berm the Developer shall ensure the grading is designed to accommodate the pathway and still comply with Universal Design requirements.

f) Public Reserve improvements should be undertaken by the time the build out has reached 80% and completed before reaching 100%, unless an extension of time has been previously approved, in writing, by the Director of Public Works.

g) 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.

h) 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.

i) Securities for Public Reserve improvements shall 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 certificate for parks has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

9) Public Walkways

a) The Developer shall, at no expense to the City, construct a 3.5m wide asphalt multi-use pathway within all Public Walks, and landscape the remainder to include:

i. sodding on both sides of the pathway;

ii. fencing within private property, along the adjacent property lines; and

iii. bollards with appropriate sidewalk opening at both street ends of the Public Walkway

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

b) The Developer is to permit the City to file a caveat against the Title of each of these proposed lots abutting the Public Walkway requiring the owners to maintain and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

## Section V – 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 this 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, parklands, parkways 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 pay to the City, prior to the release of the subdivision mylars for registration in the Land Titles Office, an administration fee plus applicable GST to help defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group, File No. DASZ 19/2020
June 7, 2021

"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Engineering Division
Water and Waste Department

"*Original Signed by D. Beaton"*
D. Beaton, M.L. Arch.
Urban Planning and Design Division
Planning, Property and Development Department

"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

**SCHEDULE "C," SIDEWALKS AND PATHS, June 20, 2021**

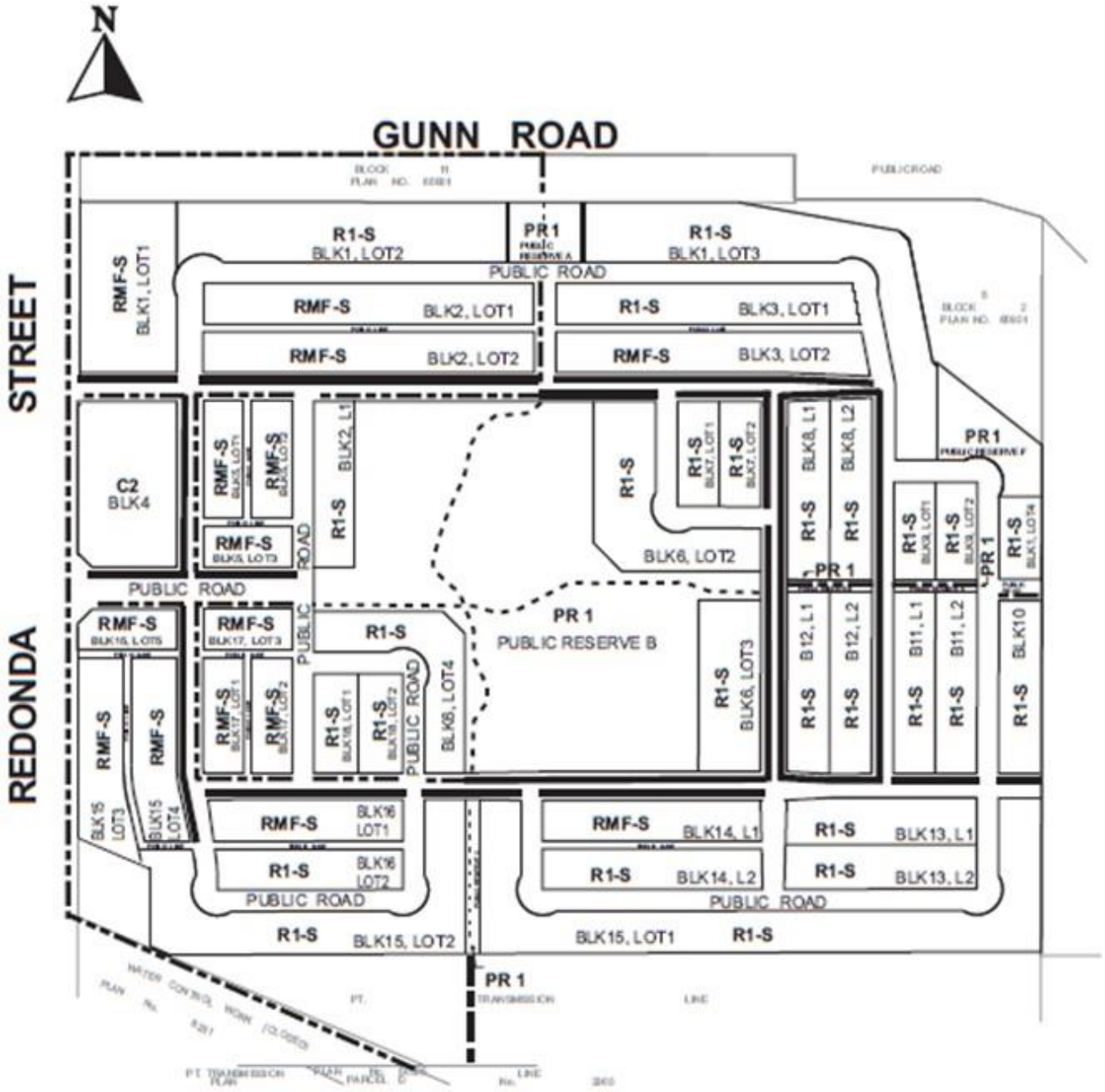
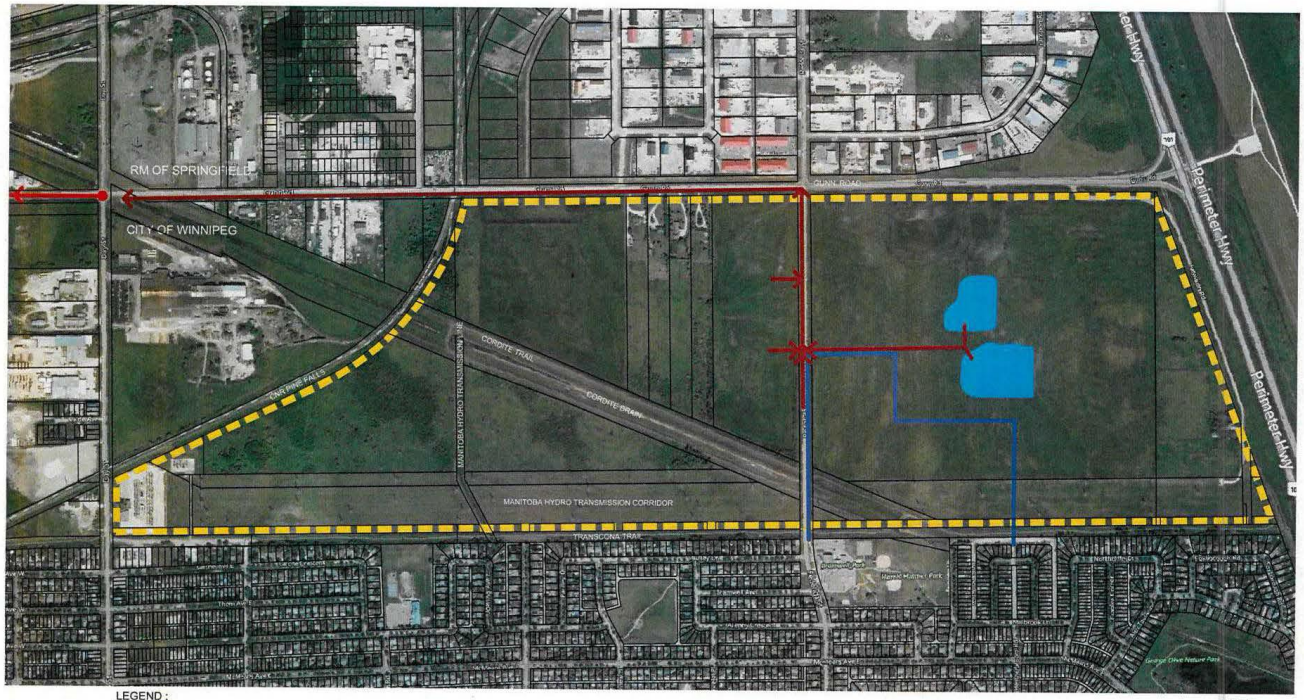


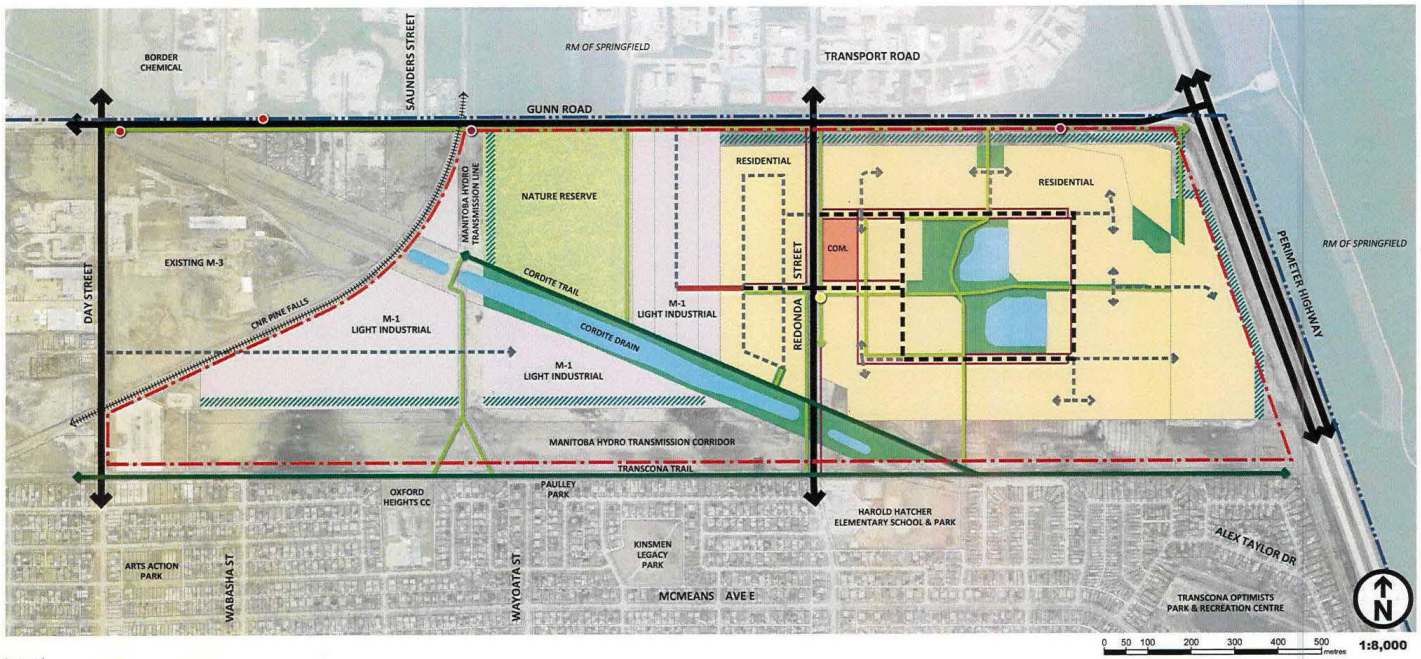
Exhibit “9” referred to in File DASZ 19/2020




Municipal Trunk Services

Revised May 13, 2021

Exhibit “8” referred to in File DASZ 19/2020




Legend

- Precinct Boundary
- City of Winnipeg Boundary
- CNR Pine Falls
- Proposed Residential
- Proposed Commercial
- Proposed Light Industrial
- Proposed Landscape Buffer
- Proposed Park
- Proposed Nature Reserve
- Proposed Stormwater Management Facility
- Existing Road
- Proposed Major Vehicular Route
- Proposed Local Vehicular Route
- Proposed Emergency / Bus Only Access
- Existing Recreation Path
- Proposed Recreation Path
- Proposed Sidewalk
- Northwood Sign Including Adjacent Industrial
- Future Chief Peguis Trail Expressway Sign
- Highway Truck Entrance Sign for Border Chemical

Apr 19, 2021 - 4:49pm W:\C2181 Northwoods - Concept Plan Review\5.0 Technical\5.1 Technical Production\5.1.1 AutoCAD\C2181-LUC-2021APR19.dwg

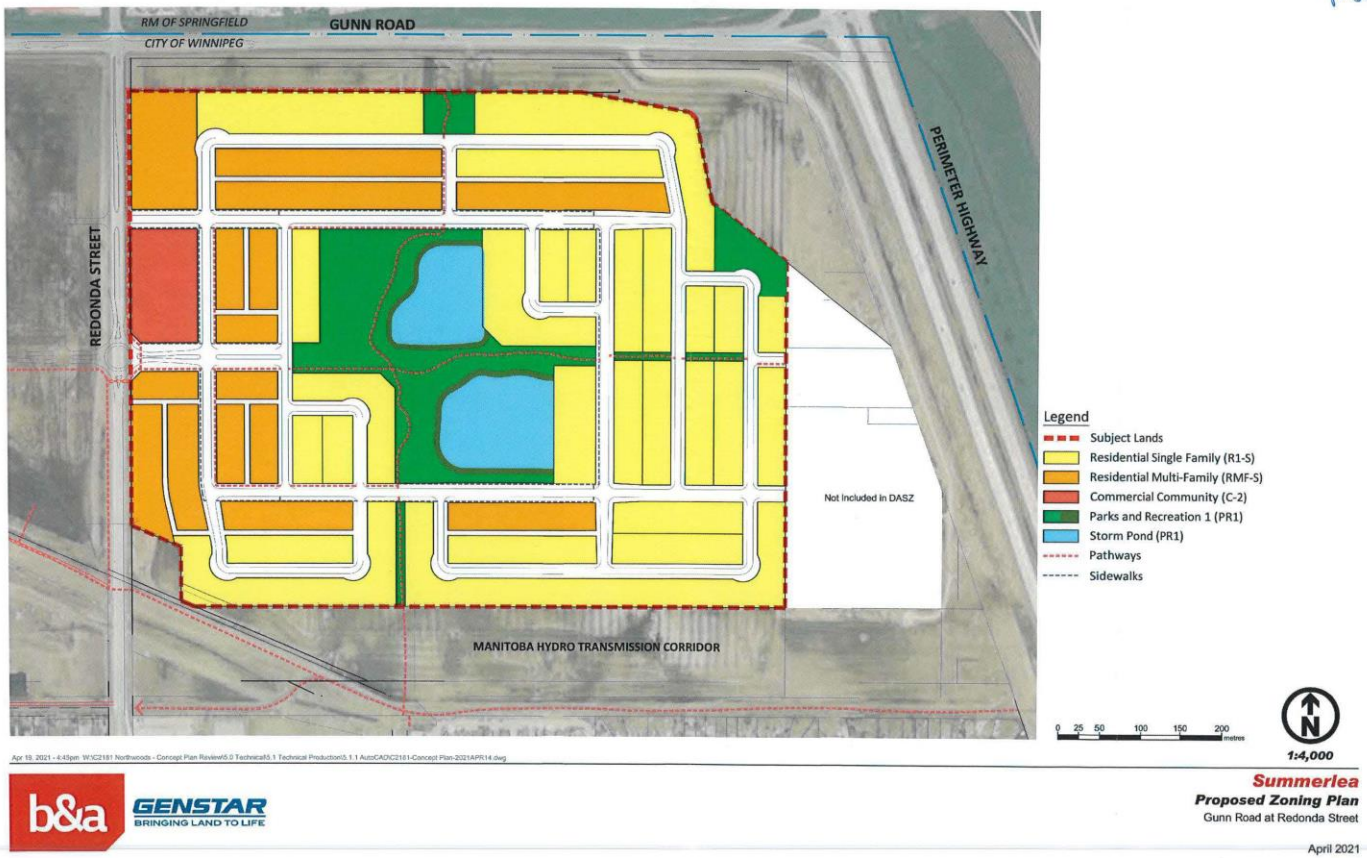
b&a GENSTAR BRINGING LAND TO LIFE

**Transcona North Precinct**
**Land Use Concept**

Revised May 13, 2021

April 2021

Exhibit “7” referred to in File DASZ 19/2020



Revised
May 13, 2021

