Minute No. 42
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 10, 2021

Item No. 8 **Subdivision and Rezoning – North Point Boulevard between Atlas Crescent and Ferrier Street**
(Old Kildonan Ward)
File DASZ 32/2021 [c/r DAV 179419/2021D]

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the subdivision under Development Application No. DASZ 32/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 1, 2021, 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 a Development Agreement 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 October 13, 2021 and attached as Schedule "B" to this report, with the following amendment:

        i. In Section I – Plan Considerations:

            a. Delete Condition 6) in its entirety.

    B. That the City enter into, execute and deliver with the developer a Development Agreement 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 Development Agreement, 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.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 10, 2021

COUNCIL DECISION (continued):

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District; "R1-M" Residential Single-Family (Medium) District; "R2" Residential Two-Family District; "RMF-S" Residential Multi-Family (Small) District; and "PR-1" Parks and Recreation District as shown on the map dated November 1, 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 the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for preparation of 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 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 – November 10, 2021

STANDING COMMITTEE RECOMMENDATION (continued):

10. That the variance order for File No. DAV 21-179419/D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 32/2021.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 10, 2021

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 17, 2021, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development, with the following amendment:

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

  ", with the following amendment:

  i. In Section I – Plan Considerations:

  a. Delete Condition 6) in its entirety."

and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 10, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development did not concur in the recommendation of the Lord Selkirk-West Kildonan Community Committee, concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 10, 2021

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On November 1, 2021, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

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

  ", with the following amendment:

  i. In Section I – Plan Considerations:

  a. Delete Condition 6) in its entirety."

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

PUBLIC HEARING SUMMARY

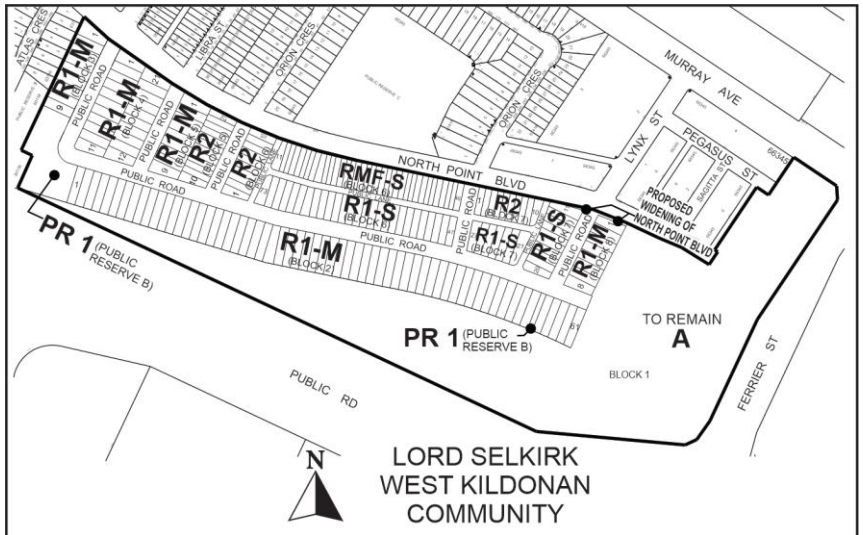
File: DASZ 32/2021

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

Public Hearing: November 1, 2021
Council Building, 510 Main Street

Applicant: Landmark Planning & Design Inc. (Brendan Salakoh)

Subject:



APPLICANT : Landmark Planning & Design Inc. (Brendan Salakoh)
FILE : DASZ 32/2021
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 "A" AGRICULTURAL DISTRICT to "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT, an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Aurora at North Point Neighbourhood with the establishment of buildable lots, Public Reserve and Public Rights-of-Way. **For information, phone Mr. R. Hayer, Planner at 204-986-7168.**

Premises Affected: North Point Boulevard

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

Prepared by: P. Prinsloo, Senior Committee Clerk

Lord Selkirk-West Kildonan Community Committee

Report date: November 2, 2021

Community Committee Recommendation:

On November 1, 2021, 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 subdivision under Development Application No. DASZ 32/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 1, 2021, 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 a Development Agreement 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 October 13, 2021 and attached as Schedule "B" to this report***, with the following amendment:***

        i. In Section I – Plan Considerations:

            a. Delete Condition 6) in its entirety.

    B. That the City enter into, execute and deliver with the developer a Development Agreement 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 Development Agreement, 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 an "R1-S" Residential Single-Family (Small) District; "R1-M" Residential Single-Family (Medium) District; "R2" Residential Two-Family District; "RMF-S" Residential Multi-Family (Small) District; and "PR-1" Parks and Recreation District as shown on the map dated November 1, 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 the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for

preparation of 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 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.

10. That the variance order for File No. DAV 21-179419/D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 32/2021.

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 reasons for its recommendation:

1. This is a wonderful development, wonderful community, Aurora North Pointe, if you haven't gone through there, it would be my pleasure to take you through, and sidewalks on every side of the street, Mr. Chair, as you know. They have worked diligently with Tacada and Sunrex over the last several years. This is really a continuation of what they have always planned for this Precinct and we are fully aware this Committee, they have

come here many times with their various applications so it is my pleasure to move that forward today.

2. Families are attracted to this community and they will be looking forward the variety of housing stock that will becoming available starting next year as we heard from Ross Yaremko, very exciting what their plans are, so I look forward to them starting on that next year.

Exhibits Filed:

1. Application dated July 27, 2021
2. Notification of Public Hearing dated September 22, 2021
3. Manitoba Status of Title 3047478/1
4. Letter of authorization dated June 11, 2021 from 1910588 Alberta Ltd. to Landmark Planning & Design Inc.
5. Caveats 5151900/1, 5151902/1, and 5151904/1
6. "Aurora at North Point" Site Plan
7. Plans (6 pages)
8. Report from the Urban Planning Division dated October, 18, 2021
9. Inspection Report
10. Recording of Representations

REPRESENTATIONS:

In Support:

Brendan Salakoh
Ross Yaremko

In Opposition:

Nil

For Information:

Nil

For the City:

R. Hayer, Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department
S. Whitehouse, Park Planner, Planning, Property and Development Department

Exhibit "8" referred to in File DASZ 32/2021

ADMINISTRATIVE REPORT

Title: DASZ 32/2021 –North Point Boulevard between Atlas Crescent and Ferrier Street.

Issue: For consideration at the Public Hearing to Subdivide and Rezone approximately 48 acres of land in Precinct 'G'.

Critical Path: Lord Selkirk - West Kildonan 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
R. Hayer, RPP, MCIP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 32/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated November 1, 2021, 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 a Development Agreement 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 October 13, 2021 and attached as Schedule "B" to this report.
    B. That the City enter into, execute and deliver with the developer a Development Agreement 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 Development Agreement, 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. 200/06 be amended by rezoning the subject land to an "R1-S" Residential Single-Family (Small) District; "R1-M" Residential Single-Family (Medium) District; "R2" Residential Two-Family District; "RMF-S" Residential Multi-Family (Small) District; and "PR-1" Parks and Recreation District as shown on the map dated November 1, 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 the plan of subdivision (the "Plan") as prepared by the Manitoba Land Surveyor in accordance with Recommendation 1 is not submitted to the City for preparation of 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 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.
10. That the variance order for File No. DAV 21-179419/D shall not come into force and effect until the coming into force and effect of the zoning by-law for the subject land under File DASZ 32/2021.

REASON FOR THE REPORT

- The applicant intends to subdivide and rezone approximately 48.6 acres of land in Precinct 'G' in order to establish 220 residential lots, 1.22 acres of Public Reserve, and open public right-of-ways.
- The proposed subdivision and rezoning would represent the tenth phase of the "Aurora at North Point" community, which is generally bound by Ferrier Street (east); McPhillips

Street (west); Murray Avenue (north); and the future Chief Peguis Trail extension (south).

- Rezoning applications require a Public Hearing as per the Development Procedures By-law and The City of Winnipeg Charter.
- The Report is being submitted for the Committee's consideration of the development application at the Public Hearing.

OURWINNIPEG POLICY ALIGNMENT

01-1a OurWinnipeg Approach to City Building: Promote compact urban form and manage the extension of municipal services for new growth. Support new developments that are contiguous with existing developments to minimize the spatial use of land and the extension of services.

01-1c Key Directions for Specific Areas –Areas of Stability: Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density.

SUBMITTED BY

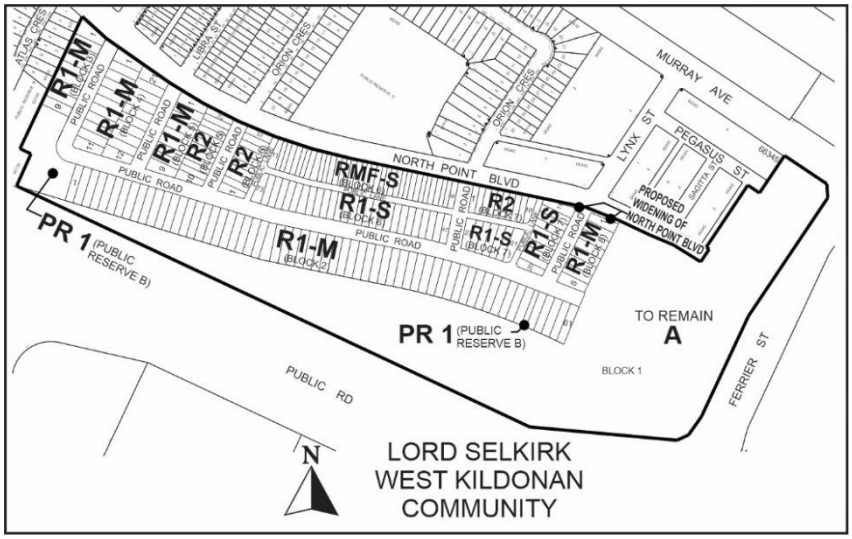
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	R. Hayer, RPP, MCIP
Date:	October, 18, 2021
File No.	DASZ 32/2021

List of Schedules and Attachments

- Appendix "A," Planning Discussion.
- Schedule "A," of File 32/2021**,** Lord Selkirk - West Kildonan Community Committee, dated November 1, 2021**.**
- Schedule "B," Report of the Administrative Co-ordinating group, RE: Proposed Subdivision and Rezoning of Land Located South of North Point Boulevard between Atlas Crescent and Ferrier Street (Aurora at North Point Phase 10) dated October 13, 2021.

APPENDIX 'A'

DATE:	October 20, 2021
FILE:	**DASZ 32/2021**
RELATED FILES:	DAV 21-179419\D
COMMUNITY:	Lord Selkirk-West Kildonan Community
NEIGHBOURHOOD #:	3.327 (West Kildonan Industrial)
SUBJECT:	To subdivide and rezone approximately 48 acres of land in Precinct 'G'.
LOCATION:	North Point Boulevard between Atlas Crescent and Ferrier Street.
LEGAL DESCRIPTION:	BLOCK 12 PLAN 66345 25/26 K



APPLICANT:	Brendan Salakoh (Landmark Planning & Design Inc.) 298 Waterfront Dr Winnipeg, MB R3B 0G5
OWNERS:	1910588 ALBERTA LTD. 11504 170 St NW Edmonton, AB T5S 1J7
RECOMMENDATION:	Approval with conditions.

DISCUSSION

SITE DESCRIPTION

- The subject site is located on the south side of North Point Boulevard between Atlas Crescent (west) and Ferrier Street (east), in the West Kildonan Industrial Neighbourhood and the Old Kildonan Ward.
- The subject site is +/- 48-acres in lot area and zoned “A” Agricultural District.
- The lands being considered for subdivision and rezoning under the subject application represent an area of approximately +/- 26 acres out of the +/- 48-acre property.
- Under *OurWinnipeg* and *Complete Communities*, the property is within the “Transformative Areas – New Communities” policy area and located in Precinct ‘G’.
- Under the *Precinct ‘G’ Secondary Plan By-law*, the property is within the “Medium Density Residential”; “Low Density Residential”; and “Limited Development” policy areas.



Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2018).*

SITE CONTEX SURROUNDING LAND USE AND ZONING (See Figure 2)

North: North Point Boulevard; then residential and park uses.

South: Future extension of Chief Peguis Trail.

East: Ferrier Street; then vacant land zoned “A” Agricultural District.

West: Precinct “F” Neighbourhood including residential and park uses.

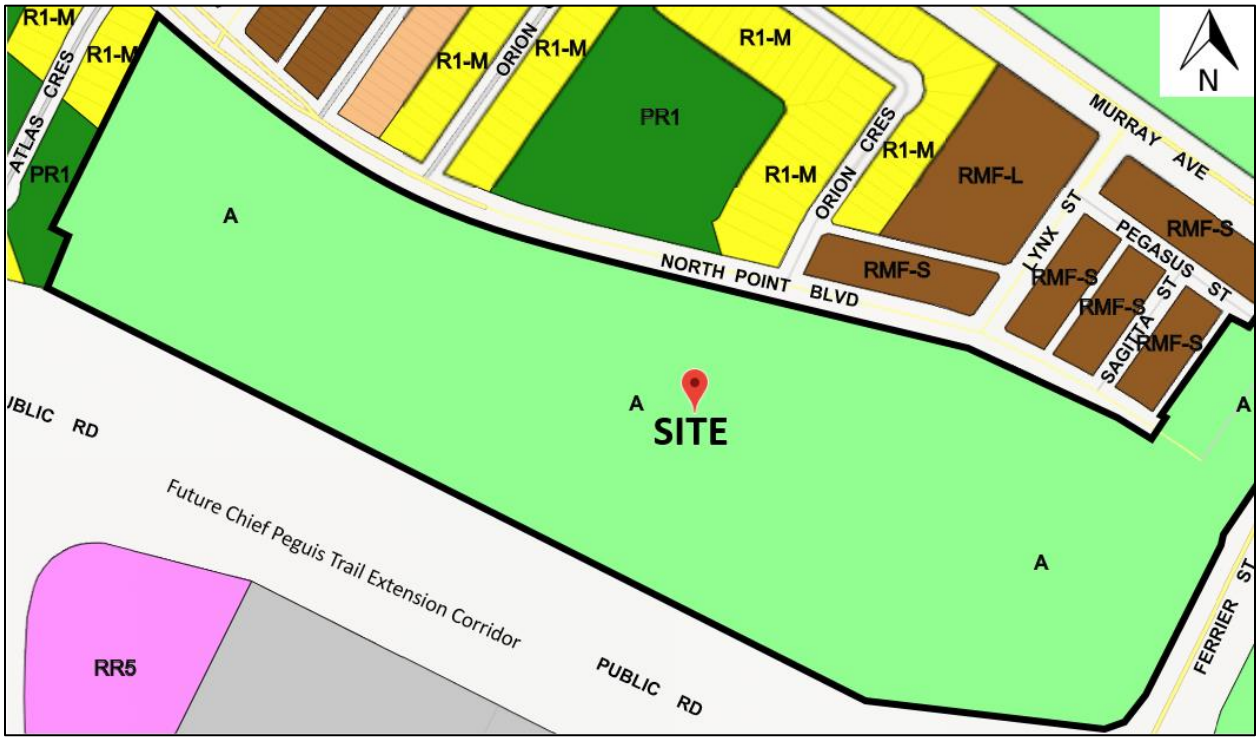


Figure 2: Zoning of the Site and Surrounding Area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone approximately +/- 26 acres of land out of the +/- 48-acre property.
- The intent is to establish 220 residential lots for future development.
- The proposed development concept includes a mix of townhouses, two-family homes, single-family homes, and parks.
- The proposed subdivision includes a range of low to medium density residential zoning districts (R1-M, R1-S, R2, and RMF-S) as well as parks and recreation (PR-1).
- A 22-acres portion of the subject property would remain zoned “A” Agricultural District.
- The application also results in the opening of several public right-of-ways including streets and public lanes. Sidewalks are proposed along one side of every street.
- In addition to the proposed subdivision and rezoning, Variances are also required to accommodate aspects of the proposed development. A Variance application has been

submitted under file DAV 21-179419\D. Please refer to the Planner's report for analysis on the proposed variances.

Proposed Subdivision and Rezoning (Figure 3):

As noted, a total of 220 lots are proposed under the subject application. All lots fronting on North Point Boulevard would have access to a back lane. The proposed plan of subdivision and rezoning is described in more detail as follows:

- Block 1 would be 22.0 acres and remain zoned "A" Agricultural District. A portion of this block will be required to accommodate the future Chief Peguis Trail extension.
- Block would be subdivided into 61 lots and zoned "R1-M" Residential Single-Family (Medium). These lots would be backing onto the future Chief Peguis Trail extension. Future development would include front access driveways.
- Block 3 would be subdivided into 9 lots and zoned "R1-M" Residential Single-Family (Medium). This would be the westerly most block in the planned area. Future development would include front access driveways.
- Block 4 would be subdivided into 21 lots and zoned "R1-M" Residential Single-Family (Medium). Future development would include front access driveways.
- Block 5 would be subdivided into 9 lots and zoned "R1-M" Residential Single-Family (Medium); and 12 lots zoned "R2" Residential Two-Family. Future development would include front access driveways.
- Block 6 would be subdivided into 27 lots and zoned "R1-S" Residential Single-Family (Small); 10 lots zoned "R2" Residential Two-Family; and 36 lots zoned "RMF-S" Residential Multi-Family (Small). These lots would all have access to back lanes.
- Block 7 would be subdivided into 17 lots and zoned "R1-S" Residential Single-Family (Small); and 10 lots zoned "R2" Residential Two-Family. These lots would all have access to back lanes.
- Block 8 would be subdivided into 8 lots and zoned "R1-M" Residential Single-Family (Medium). This would be the easterly most block under the planned area. Future development would include front access driveways.
- A 1.15-acre Public Reserve near the south west limit of the planned area is proposed as land dedication and to be zoned "PR1-1" Parks and Recreation 1 (Neighbourhood). The proposed PR would be contiguous with an existing Public Reserve in Precinct 'F'.
- The proposed 1.15-acre Public Reserve under this application, as well as most of the existing abutting Public Reserve parcel to the west (in Precinct 'F'), is anticipated to be taken over with ramping to access a future active transportation bridge over the Chief Peguis Trail extension.

Figure 4 on the following page shows the proposed plan of subdivision and rezoning in context of existing developments to the west, future developments to the east, as well as the future Chief Peguis Trail extension to the south.

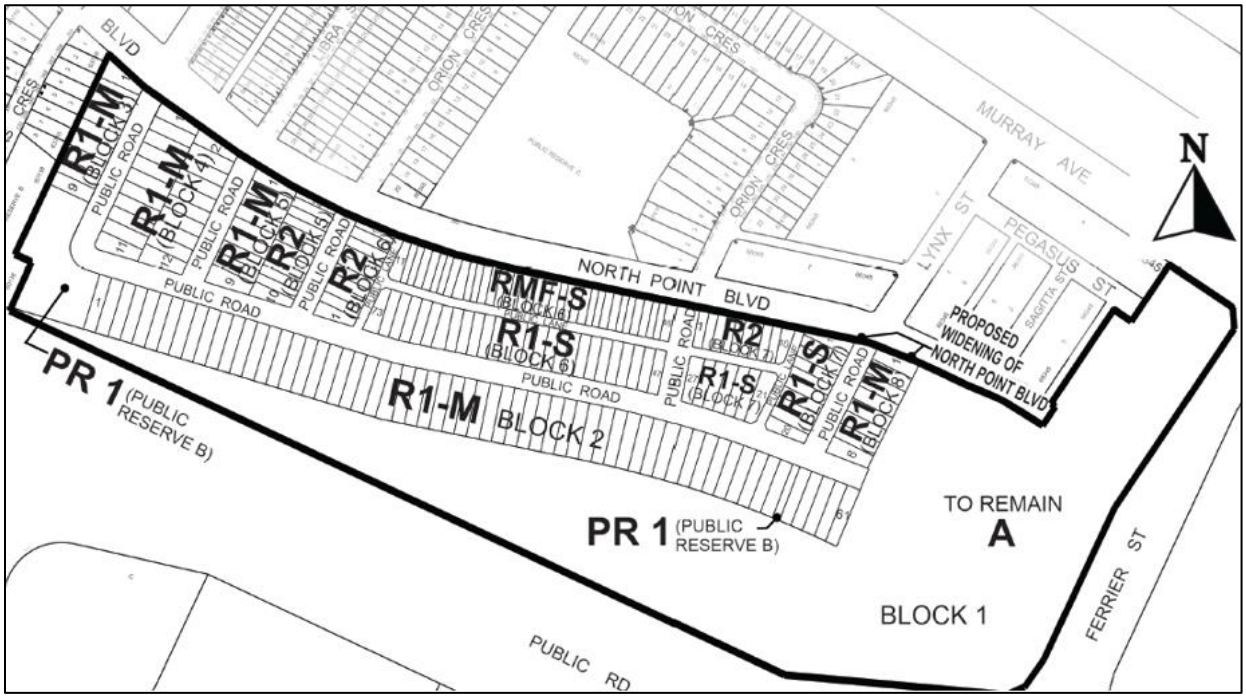


Figure 3: Proposed plan of subdivision and rezoning.

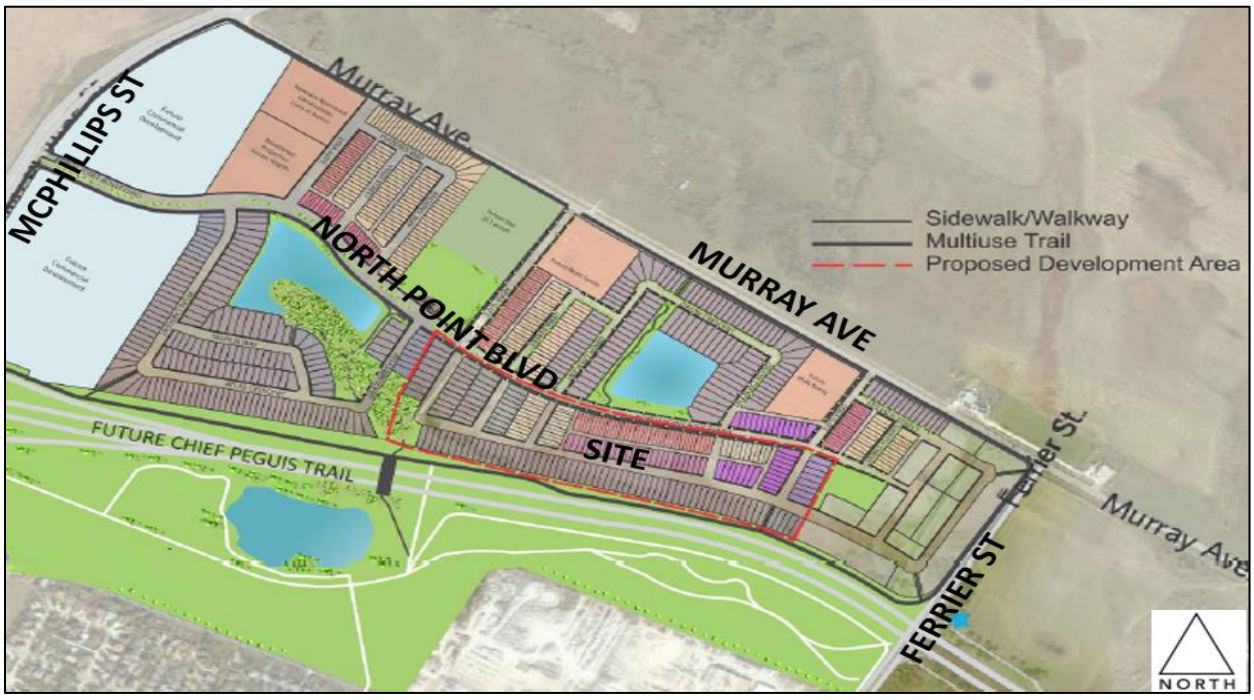


Figure 4: Conceptual drawing showing proposed plan of subdivision and rezoning in context of future and existing developments.

COLLABORATIVE PLANNING

In 2020, the applicant submitted a Pre-Application that included two (2) different options for development of the subject lands.

Following the pre-application process, the applicant engaged in a number of discussions with the Winnipeg Public Service. The applicant also discussed the proposed plan with the Parks Planner in the period following the submission of the subject application.

The proposed plan of subdivision was revised in order to consider land requirements for the Chief Peguis Trail extension.

ANALYSIS AND ISSUES

OURWINNIPEG AND THE COMPLETE COMMUNITIES DIRECTION STRATEGY

- Under *OurWinnipeg* and *Complete Communities* the proposed development is within the "New Communities" Policy Area (Precinct 'G') where the following policy applies:
    - *The development of New Communities will be supported by a planning process and organized within planning precincts.*
- A Planning Process has occurred and the *Precinct 'G' Secondary Plan By-law* has been adopted by Council as By-law 5/2018.

PRECINCT 'G' SECONDARY PLAN BY-LAW

- The land use concept under the Precinct Plan consists of a series of policy areas that define the future land use pattern of Precinct 'G'.
- Key policies that are relevant to the subject application include the following:
    - *3.1 Low Density Residential Policy Areas:*
        - *Single-family dwellings, two-family dwellings, and ground-oriented townhouses shall be the predominant use of land.*
        - *The minimum net density should be 7 units per acre over the entirety of the Low-Density Residential Policy Areas.*
        - *Parks and open spaces may be provided in Low Density Residential Policy Areas and sized to meet active and passive recreational needs of residents and visitors.*
    - *3.2 Medium Density Residential Policy Areas:*
        - *Multi-family and two-family residential developments shall be the predominant use of land.*
        - *Medium Density Neighbourhood Policy Areas shall achieve a minimum net density of 15 units per acre.*
        - *Single-Family housing is discouraged but may be accommodated when it has been demonstrated that a net density of 15 units per acre can be achieved.*
    - *3.4 Limited Development policy Area:*

- *No neighbourhood development shall be permitted in the Limited Development Policy Area portion of sub-area 4a until the alignment of the future Chief Peguis Trail extension has been determined and approved by Council.*
- *The boundary of the Limited Development Policy Area in sub-area 4a will be consistent with that of the future Chief Peguis Trail right-of-way once the alignment of Chief Peguis Trail has been approved by Council. Once the Chief Peguis Trail right-of-way alignment has been approved by Council, lands previously designated as Limited Development shall be designated as Low Density Residential.*

o *3.5 Parks and Open Space:*

- *Parks and Open Space areas are appropriate in any land use policy area.*
- *The location, size, and configuration of the parks and open spaces will be determined at the Development Application stage in accordance with the following:*
  - *A minimum of one neighbourhood-scale small park (0.50-acre minimum) should be provided per sub-area and a minimum of one large (15 or more acres) or two smaller (7 or more acres) community-scale park(s) shall be provided for organized sports.*
  - *Size, orientation, configuration and location of parks shall be appropriate for the intended use.*
  - *Parks should be distributed to achieve a 400 metre walking distance to most residences.*
  - *Community-scale parks should generally be located on a collector street.*
  - *Neighbourhood parks should generally be located on local streets.*
- *To balance the provision of parks and open space, a minimum of 30% of the park area shall be allocated to active use and a minimum 30% of the park area shall be allocated to passive use.*
- *Subdivision designs within the Precinct should integrate and capitalize on park placement as a network itself and as part of the continuous and integrated walking and cycling network to enhance connectivity between key features (including but not limited to schools, commercial areas, existing walking and cycling paths) within and beyond the precinct.*

- The proposed subdivision and rezoning would achieve the Precinct Plan policy requirements for net density targets for each policy area.
- Although a portion of the planned area is within the Limited Development Policy Area, the Chief Peguis Trail extension alignment was approved in a Council endorsed report on June 20, 2019; therefore, the “Low Density Residential” policies apply, which allow for single-family, two-family dwellings, and ground-oriented dwellings as the predominant use of land.

- The Precinct 'G' land-use policy map is shown on Figure 5.

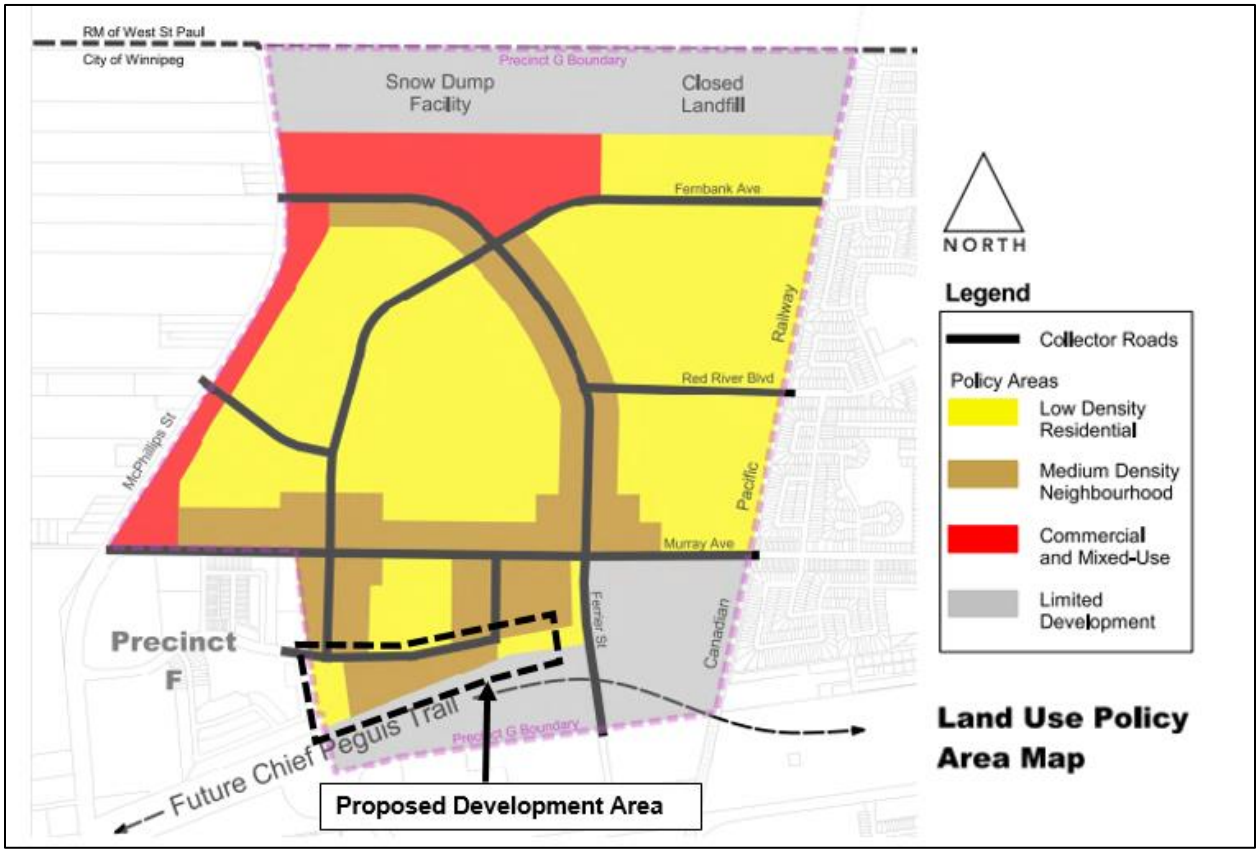


Figure 5: Precinct 'G' Land Use Policy Area Map with proposed development site shown.

CITY OF WINNIPEG ZONING BY-LAW 200/2006

The applicant is proposing to subdivide the subject site and rezone lands to the following zoning districts:

- The "R1-S" and "R1-M Residential Single-Family Districts are intended to accommodate primarily single-family residential development in lower-density neighbourhoods.
- The "R2" Residential Two-Family District is intended to accommodate the development of single and two-family, limited multi-family units in lower density neighbourhoods units.
- The "RMF-S" Residential Multi-Family (Small) District is intended to accommodate the development of multi-family units in neighbourhoods of various densities.
- The "PR1" Parks and Recreation 1 (Neighbourhood) District is intended for sites that are generally passive neighbourhood and community parks and facilities with predominantly pedestrian and cyclist access.

Collectively, the above zoning districts provide a wide range of housing types that are important to help meet the lifecycle needs of Winnipeg residents. The zoning districts will accommodate single family homes, duplexes, row houses and apartments. The proposed zoning districts also

enable the development within the precinct to meet the residential density targets identified in the Precinct Plan.

COMPATIBILITY WITH THE SURROUNDING AREA

The proposed subdivision and rezoning would represent the tenth phase of the "Aurora at North Point" community, which is generally bound by Ferrier Street (east); McPhillips Street (west); Murray Avenue (north); and the future Chief Peguis Trail extension (south).

In terms of compatibility with the area surrounding the proposed development area:

- Lands to the north of the subject planned area are within the Precinct 'G' Plan and have been approved for development of residential uses in accordance with the Precinct G Plan (DASZ 10/2019).
- Lands to the south of the subject planned area are earmarked for the future Chief Peguis Trail extension and related works.
- Lands to the west of the subject planned area are within the Precinct "F" Plan and contain residential and park uses.
- Lands to the east of the subject planned area are also within Precinct 'G' and future development will be evaluated under the relevant policies of the Precinct Plan.

Compatibility with Future Phases:

As shown on Figure 6, the applicant has provided a potential shadow plan that is conceptual only showing future development on the lands to the east. The shadow plan is provided in order to illustrate how these lands could be accessed, serviced, and developed upon the re-alignment of Ferrier Street. The concept illustrates a continuation of the modified grid pattern and completing streets that currently dead-end at their eastern boundaries. Also shown is a potential future greenspace.



Figure 6: Potential shadow-plan for a conceptual Phase 11, highlighted in blue, included in the letter of intent.

PARKS CONSIDERATIONS:

Proposed Public Reserve:

The Public Service accepts as Public Reserve (PR) dedication the proposed 1.15 acres of land at the southwest limit of the development, as proposed under the subject application (Public Reserve B as shown on Schedule "A" for File DASZ 32/2021), with the acknowledgement that the proposed PR land, along with most of the existing abutting PR parcel to the west, is anticipated to be taken over with ramping to access a future active transportation bridge over the Chief Peguis Trail extension.

While this type of active transportation infrastructure parcel would not typically be considered eligible for dedication credit, a concession is being made here based on circumstances that ultimately provide the City with a larger park area, albeit outside of this neighbourhood.

Active Transportation (AT) infrastructure typically forms part of the lands required for transportation networks, however consideration is being given to the developer's willingness to collaborate on the realignment of Chief Peguis in a manner that impacts their developable area, but serves to preserve a large area of natural habitat and forest as future park that otherwise would have been lost. With this future park, the City would obtain land, however it would just not be directly serving the neighbourhood parks needs of residents in the subject community. The provision of neighbourhood parks should be contained within – not extend beyond – regional and arterial streets.

The City acknowledges that, in the short term, this 1.15 Public Reserve dedication will serve as a passive neighbourhood park preserving some existing the forest and natural area, and in the future will be almost entirely utilized for bridge infrastructure.

Recommended Additional Public Reserve:

In order to meet with park provisioning requirements for future residents and to ensure immediate opportunities for park access in this phase of development – meaning a neighbourhood-scale park within 400-metre walking distance of the residents (as required under the *Precinct 'G' Secondary Plan By-law*) it is recommended that additional park space be dedicated as Public Reserve in the east limits of this phase of development (see Schedule B Report of the Administrative Co-ordinating group).

The Public Service understand that the applicant is instead proposing that all the additional park space requirements to serve the east area of Aurora be deferred to the next and final phase of development. While the City has the ability to accrue dedication to subsequent phases, the Public Service typically only support accrual so when basic park provisioning requirements have been met.

In this case, the Public Serve have supported an under dedication in a previous phase (DASZ 10-19) in anticipation of this development coming forward. As a result, the existing residents at the east limit of the "Aurora at North Point" community are already under served.

As it is unknown when the final phase of development will occur, the Public Service recommends a small PR parcel (0.35 - 0.5 acres) be dedicated in the phase of development, ideally in a manner that can be expanded to a larger overall park in the next phase, to meet the dedication requirements (see Figure 7).

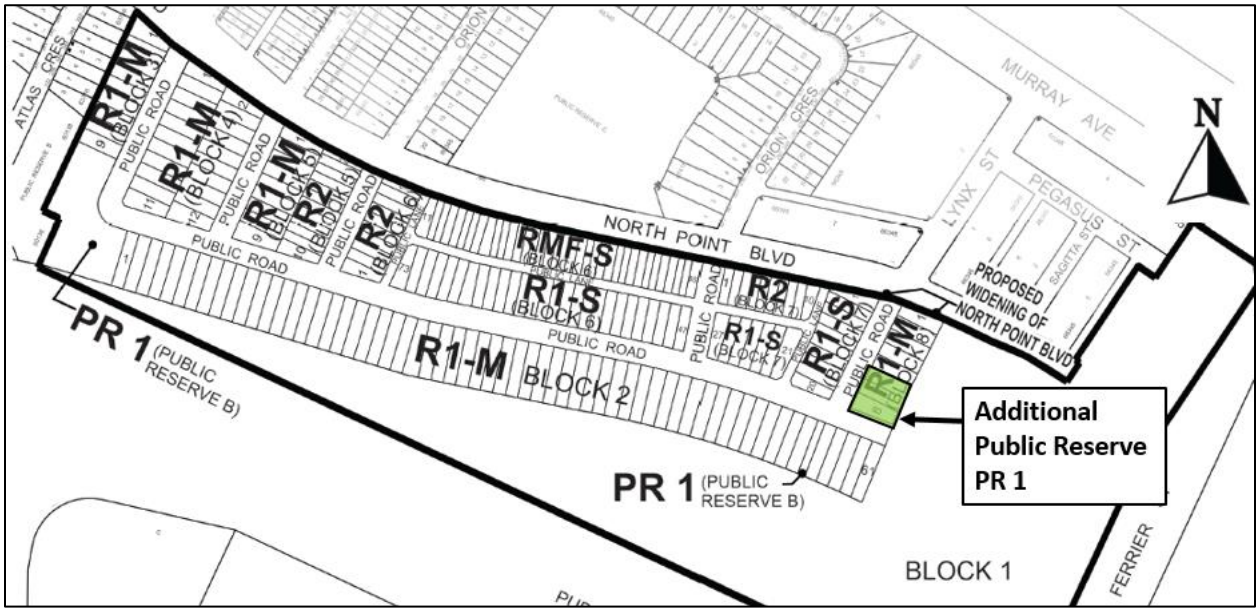


Figure 7: Recommended additional Public Reserve.

RECOMMENDATION

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

- The subdivision and rezoning application would generally comply with the *Complete Communities Direction Strategy,* and with the *Precinct 'G' Secondary Plan By-law,* subject to conditions of approval, and would be compatible with the surrounding area.

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

Report Prepared by: R. Hayer, RPP, MCIP
PPD File #: DASZ 32/2021

Schedule "A" for File DASZ 32/2021, Lord Selkirk West Kildonan Community Committee, dated November 1, 2021

By-Law No. _____

File No. **DASZ 32/2021**

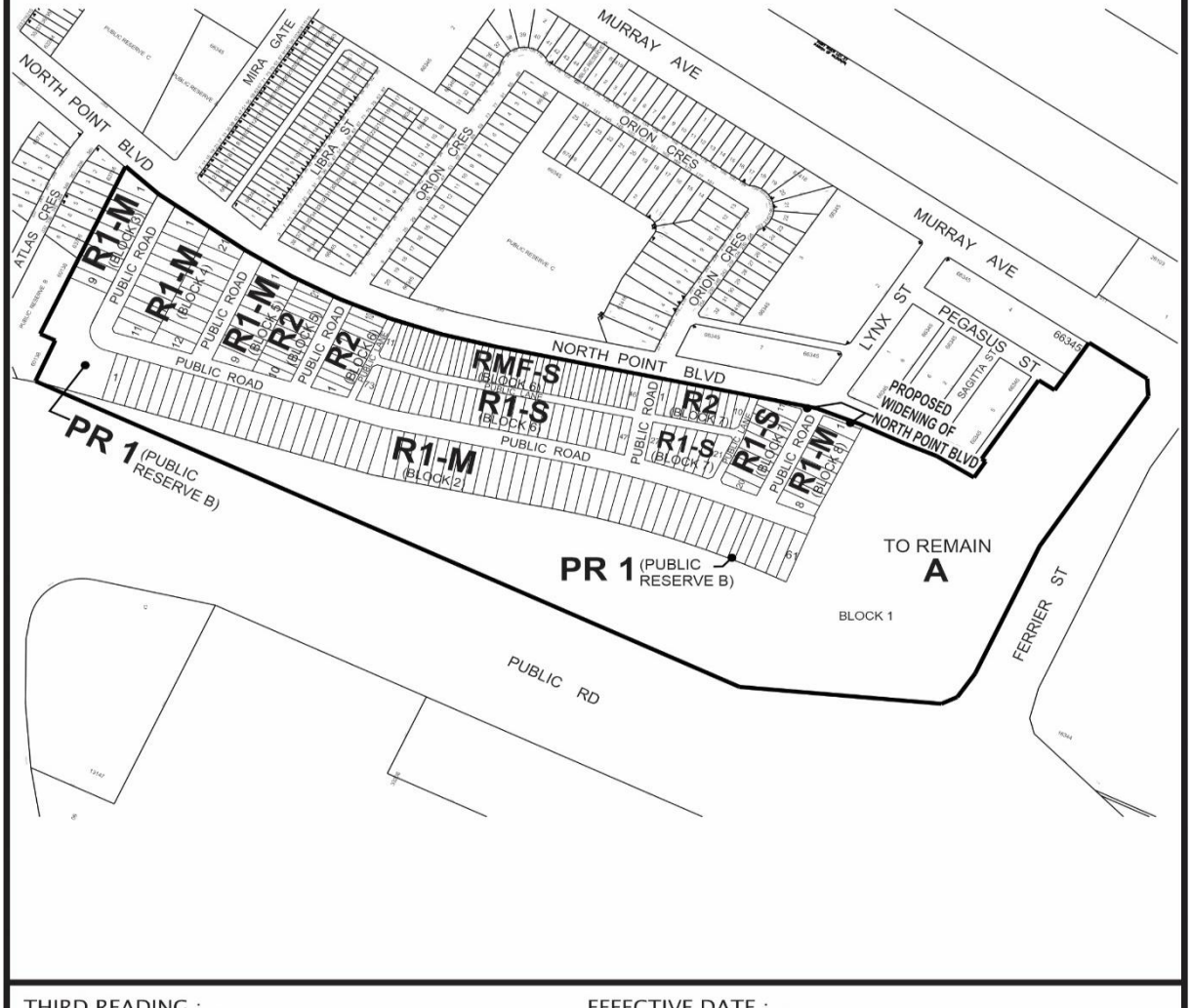
Atlas Sheet No. **R25**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of North Point Boulevard between Atlas Crescent and Ferrier Street from an "A" AGRICULTURAL DISTRICT to "R1-S" and "R1-M" RESIDENTIAL SINGLE-FAMILY DISTRICTS, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT, an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Aurora at North Point Neighbourhood with the establishment of buildable lots, Public Reserve and Public Rights-of-Way.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED SOUTH OF NORTH POINT BOULEVARD BETWEEN ATLAS CRESCENT AND FERRIER STREET (AURORA AT NORTH POINT PHASE 10)

It is recommended that approval of DASZ 32/2021, if granted, be subject to the applicant entering into a Development Agreement containing the following conditions:

Section I – Plan Considerations

1) 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.

2) The Developer shall, at no expense to the City, legally open property required for 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.

3) 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.

4) The Developer shall dedicate and legally open property for right-of-way corner cuts measuring 2.0m x 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 x 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.

5) The Developer shall ensure that all single family and two-family residential lots backing onto the future Chief Peguis Trail are of sufficient depth to provide a minimum rear-yard setback which, together with other sound attenuation measures such as a berm and/or noise attenuation fence achieve the City's *Motor Vehicle Noise Policies and Guidelines* sound level limit of 65dBA in the typical outdoor recreation area of those lots; the Zoning Agreement covering those lots shall stipulate this minimum rear yard.

6) The Developer shall, at no expense to the City, establish a Public Reserve in the southern portion of Block 8, the area of which shall be a minimum of 0.35 acres and not larger than 0.5 acres, with a configuration that allows for an expansion of the Public Reserve in the development of the residual lands to the west of Block 8, as determined by and to the satisfaction of the Director of Public Works.

7) The 6.0m Public Reserve on the east side of Block 2 (Public Reserve "B") shall be reconfigured as Public Walkway, to the satisfaction of the Director of Public Works, and will not be credited as Public Reserve dedication.

Section II – Engineering Studies

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

2) 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.

3) 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.

Section III - Servicing Conditions

1) Water Mains

The Developer shall, at no expense to the City, construct and install all water mains required to serve the Planned Area and adjacent lands as indicated by the servicing report, to the satisfaction of the Director of Water and Waste.

2) Wastewater Sewers

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

3) Land Drainage Sewers

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

b) The Developer shall pay to the City, in cash, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of land drainage lateral sewer oversizing (if applicable), as determined by and to the satisfaction of the Director of Water and Waste.

c) The Developer shall pay to the City, in cash, prior to release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of the regional land drainage system, as determined by and to the satisfaction of the Director of Water and Waste.

4) Lot Line Connections

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

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

c) The Developer shall replace or repair, to the satisfaction of the Director of Water and Waste, any water service pipe or private sewer service pipe determined by the Director of Water and Waste to be defective within one year following the date the water to the lot serviced by that water service pipe or private sewer service pipe is turned on by the City for domestic use, and shall pay to the City any and all costs incurred by the City associated with any such defect.

5) Lot Grading

a) The Developer shall, at no expense to the City and prior to the issuance of any building permit in respect of the Planned Area, provide a lot grading plan, prepared by a municipal engineer, for the Planned Area, and construct all drainage works necessitated by the lot grading plan of record to the satisfaction of the Director of Water and Waste.

b) Prior to the issuance of any building permits in respect of the Planned Area, the Developer shall, at no expense to the City, construct all swales, catchbasins and leads required to provide lot drainage within the Planned Area.

c) Upon registration of the approved subdivision mylars in the Land Titles Office, the Developer shall, at no expense to the City, grant to the City and register easements in respect of all swales, catchbasins and leads for lot drainage within the Planned Area.

6) Pavements

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

b) The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 5.0m wide by 150mm thick, in the proposed Public Lanes within the Planned Area serving single or two-family residential development, and all related works, as determined by and to the satisfaction of the Director of Public Works.

c) The Developer shall, at no expense to the City, construct Portland cement concrete pavements, 6.0m wide by 150mm thick,, in the proposed Public Lanes within the Planned Area serving multi-family residential and commercial development, and all related works, as determined by and to the satisfaction of the Director of Public Works.

7) Sidewalks/Multi-use Pathways

a) The Developer shall, at no expense to the City construct a 1.5m wide by 100mm thick Portland cement concrete sidewalks and/or a multi-use pathway on the standard alignment, 0.3m from the property line, along both sides of all streets within the Planned area with rights-of-way measuring 22.0m in width, as determined by and to the satisfaction of the Director of Public Works;

b) The Developer shall, at no expense to the City, construct 1.5m and/or 1.8m wide by 100mm thick Portland cement concrete sidewalks 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, conceptually as shown on the attached Schedule C, all as determined by and to the satisfaction of the Director of Public Works.

c) The Developer shall grant to the City, at no expense whatsoever 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.

d) The Developer shall construct sidewalks concurrently with the pavements with which they share the right-of-way, as determined by and to the satisfaction of the Director of Public Works.

8) Public Walks

a) The Developer shall, at no expense to the City, construct 1.5m wide by 100mm thick Portland cement concrete sidewalks within the Public Walkway(s), and landscape the remainder to include:

i) sodding on both sides of the sidewalk;

ii) fencing within private property, along the flanking property lines; and,

iii) bollards, with appropriate sidewalk openings at both streets 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 Walk requiring the owners to maintain and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

9) Traffic Calming and Traffic/Pedestrian Control Devices

a) The Developer shall, at no expense to the City, construct traffic calming devices, and all related works, on the most southern east-west local Public Road within the Planned Area, 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, the costs of the appropriate traffic control device/pedestrian crossing control, and all related works within the Planned Area and on North Point Boulevard, as determined by and to the satisfaction of the Director of Public Works.

10) Recoveries for AG 40/15

The Developer shall pay to the City, in cash, on demand, their share of the works previously completed or to be completed as part of AG 40/15, including the works associated with McPhillips Street intersection improvements, McPhillips Street and Murray Avenue intersection improvements, traffic control signals at the intersection of McPhillips Street and North Point Boulevard and traffic control signals at the intersection of McPhillips Street and Murray Avenue, all as determined by and to the satisfaction of the Director of Public Works.

11) Ferrier Street and Murray Avenue Intersection

a) The Developer shall pay to the City, in cash, on demand, their share 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 Ferrier Street and Murray Avenue, 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, their share of the costs of intersection improvements at the intersection of Ferrier Street and Murray Avenue, as determined by and to the satisfaction of the Director of Public Works.

12) Fencing

a) The Developer shall, at no expense to the City, construct within the rear yards of all one and two-family lots abutting the future Chief Peguis Trail, a 2.0m high noise attenuation fence, as determined by and to the satisfaction of, the Director of Public Works.

b) The Developer shall permit the City to file a caveat against the title of each such lot, requiring the owner(s) to maintain and/or repair/replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

13) Private Approaches

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

b) Private approaches serving R2 and RMF-S lots without a public lane shall be joint use and there shall be 6.1 metres between the edge of the private approach flares between lots, measured at the curb, as determined by and to the satisfaction of the Director of Public Works.

14) Temporary Dead-End Streets

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

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

15) Two Means of Vehicle Access

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

16) Boulevards

a) The Developer shall, at no expense to the City, sod and plant trees on all boulevards within and fronting on the Planned Area, all in accordance with City specifications and guidelines and, where required, with concept plans prepared by the Developer and submitted to, and approved by, the Director of Public Works.

b) The Developer shall, at no expense to the City, maintain the sod for a period of one year and the trees for a period of two years, in accordance with specifications approved by the Director of Public Works.

17) Signage

The Developer shall, at no expense to the City:

i) obtain approval of and install, prior to construction, and subsequently maintain, at the entrances to the Planned Area, development information signs, containing no advertising, and showing the Planned Area, zoning information, a north directional arrow, proposed sidewalks, walkways, active transportation facilities, community mail boxes, parks, land drainage retention facilities, natural tree stands, multiple family sites, commercial sites, collector and arterial streets, McPhillips Street, Murray Avenue, Ferrier Street, and the future Chief Peguis Trail, all with the approval of, and to the satisfaction of, the Director of Planning, Property and Development; and,

i) supply and install trail network signage and trail related traffic signage, on pathways and Active Transportation corridors, consistent with standards and specifications applied to similar citywide networks, or an alternative standard proposed by the Developer, as determined by, and to the satisfaction of, the Directors of Public Works and Planning, Property, and Development.

18) Street Name Signs

The Developer shall, at no expense to the City, cause to be installed standard reflectorized permanent street name signs to be installed at all new street intersections being created as a result of the subdivision.

19) Construction Traffic

a) The Developer shall ensure that construction traffic uses access routes as determined by the Director of Public Works.

b) 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.

20) Utilities

a) The Developer shall, at no expense to the City, cause underground electrical and telephone services to be installed to serve the Planned Area and will pay the full cost to convert any existing overhead services within the Planned Area 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.

21) 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.

22) Survey Monuments

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

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

23) Public Reserve

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 Director of Public Works and the Director of Planning, Property and Development. The Developer shall provide land in dedication of parks for PR required and accrued from under-dedication in previous phases of the Aurora at North Point development. If the City and the Developer mutually agree to under-dedication, the Developer shall dedicate an amount of land satisfactory to the Directors of Public Works and Planning, Property, and 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 Reserve(s), amenities which may include (but are not limited to) the provision of playgrounds, trees and site furnishings, all as determined by and to the satisfaction of 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, irrigation and pathways.

c) The Developer shall, at no expense to the City, construct, and/or pay their share of the cost to construct, all pathways required to service the Public Reserve(s), as determined by and to the satisfaction of the Director of Public Works;

   i) pathways within the Public Reserve(s) that include forested area(s) may be narrowed at the discretion of the City Naturalist.

   ii) the specific location of the paths shall be as determined through the park plan approval process, with the width consistent with the path established by the development phase(s) to the west and north of the Planned Area.

iii) if the City determines that it is preferable to have any or all of the path construction deferred to a later date, the Developer shall pay to the City, in cash, on demand, the cost of construction of the deferred pathway(s), as determined by and to the satisfaction of the Director of Public Works.

d) If the City deems that the provision of irrigation or water service to the Public Reserve is not required, the Developer shall provide compensation in the form of site amenities of predetermined equivalent value.

e) The Developer shall, at no expense to the City, protect and preserve the existing natural areas within the Public Reserve in the southwest portion of the Planned Area, in accordance with the following:

i) proposed improvements, noted in clauses b) & b) above, including but not limited to the provision of pathways, shall be determined in consultation with the City Naturalist and the Public Works Department;

ii) protective fencing shall be installed for the duration of construction. Said fencing shall be located approx. 3 m beyond the limits of the intended natural area to be preserved, to ensure protection of root zone and to prevent accidental encroachment into the natural area;

iii) any regrading of land, or changes in drainage patterns due to development, must ensure there is a neutral effect on the moisture regime of the natural area; there should be no run-off directed into the natural area, nor drainage directed out of natural areas; and,

iv) if only nominal or no improvements are required within the preserved natural area, the value of the Development Agreement Parameter governed site improvements that would have normally been necessary shall be tabulated and paid by the Developer to the City, in cash, on demand, or applied to other improvements within the Planned Area,

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

f) Both parties hereby acknowledge that the City will not compensate the Developer for the provision of excess serviced frontage beyond what the Developer is required to provide.

g) The Developer shall, at no expense to the City, provide continuous fencing for properties abutting the Public Reserve land(s), as determined by and to the satisfaction of the Director of Public Works.

i) The Developer shall permit the City to file a caveat against the title of each such lot, requiring the property owner(s) to maintain and/or repair/replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

h) Public Reserve development 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.

i) 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.

j) 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.

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

Section IV – 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.

c) The Developer shall pay to the City, in cash, prior to the release of subdivision mylars for registration in the Winnipeg Land Titles Office, their share of the cost of consulting fees for the preparation of the Precinct G Local Area Plan, as determined by and to the satisfaction of the Director of Planning, Property and Development.

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 32/2021
October 13, 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

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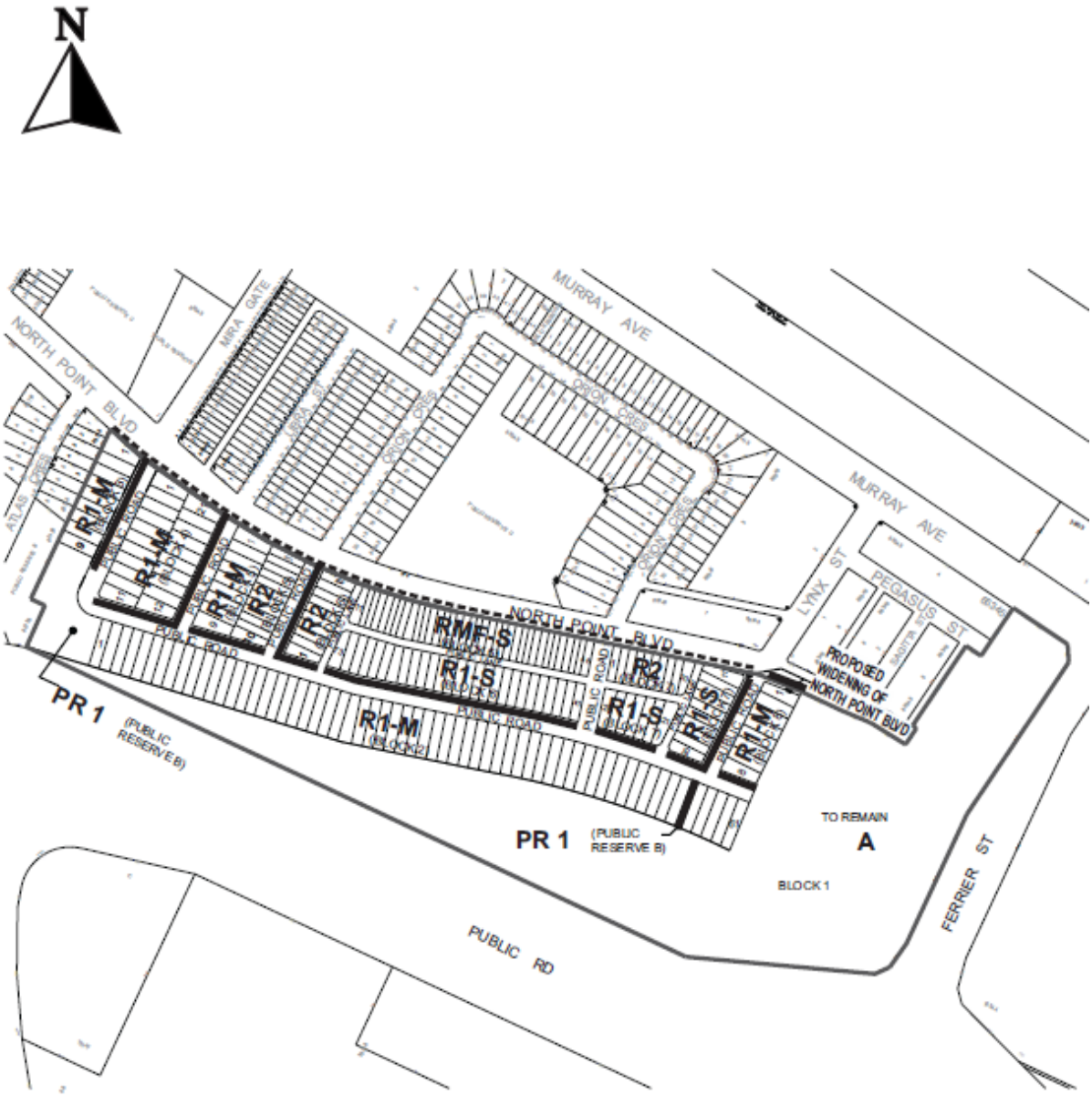
Urban Planning and Design Division
Planning, Property and Development Department

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

SCHEDULE C



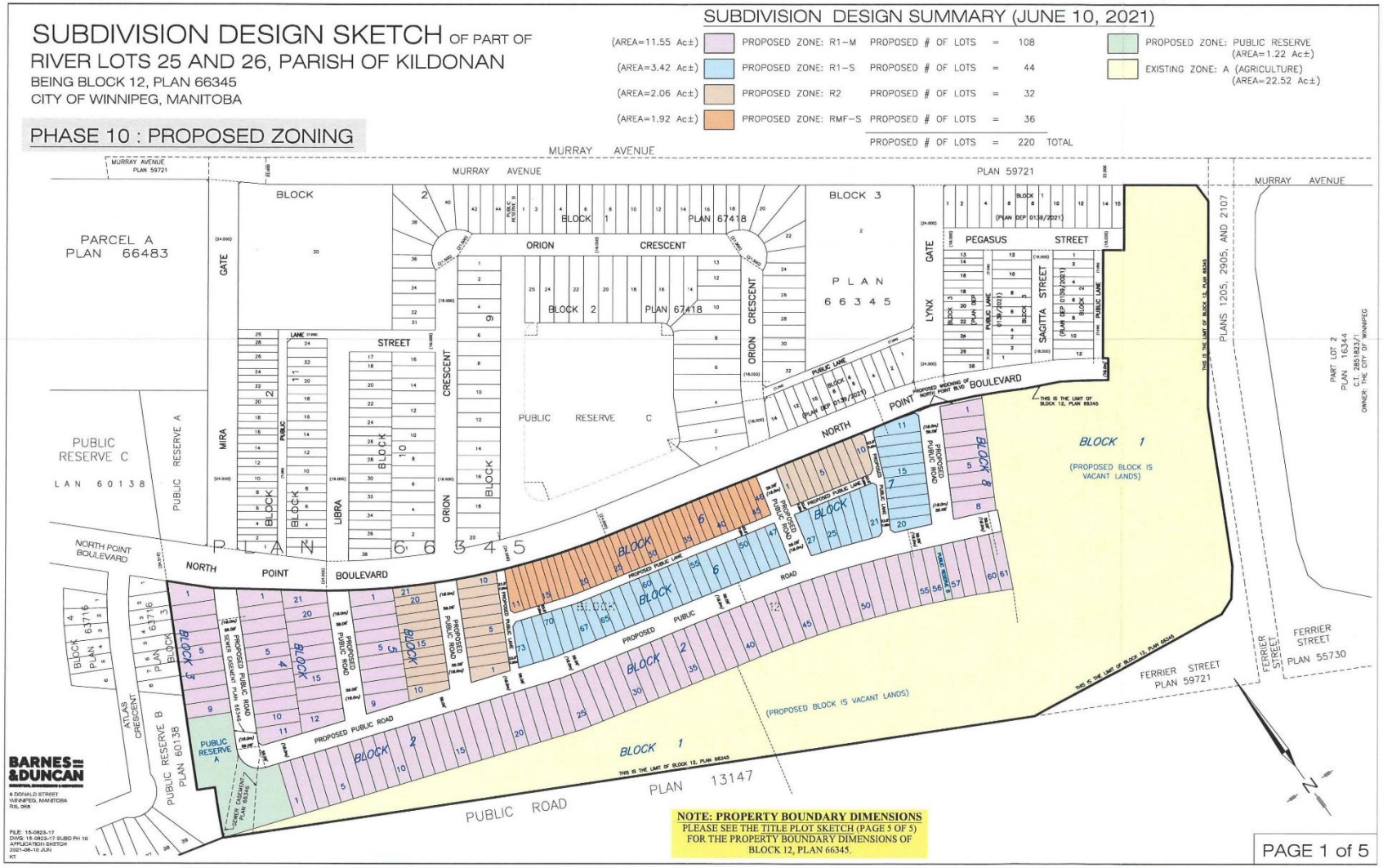
LEGEND

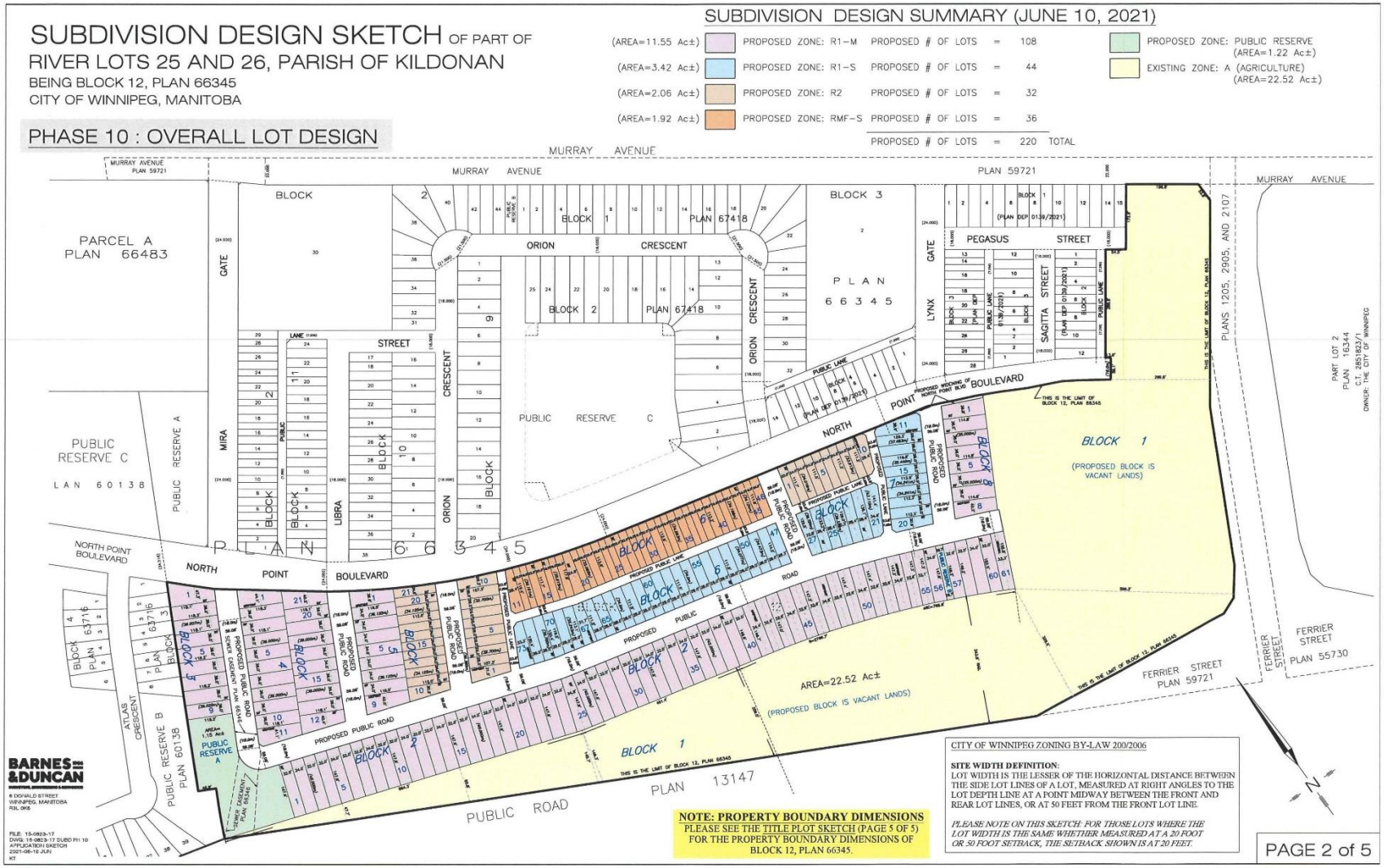
SIDEWALK

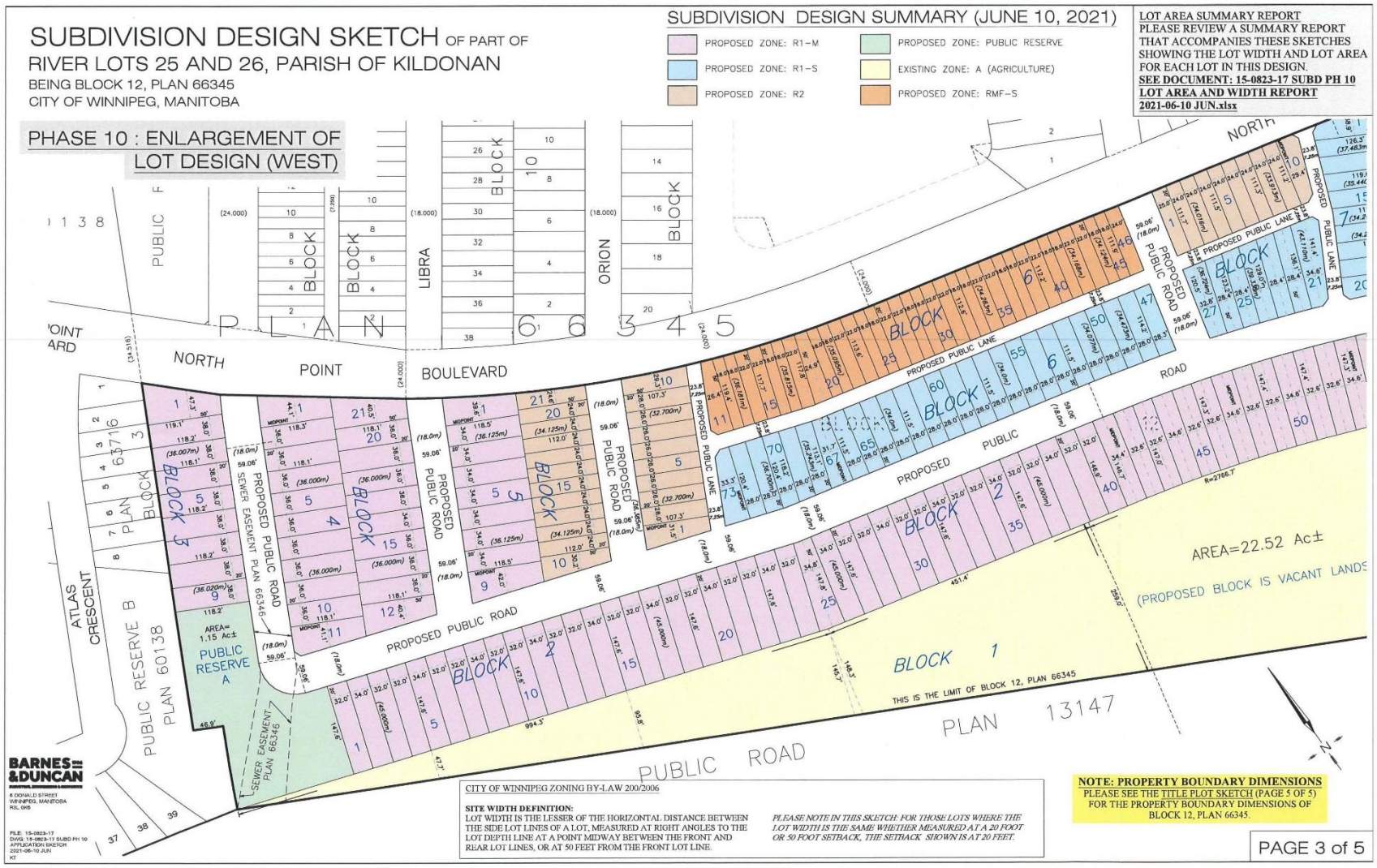
MULTI-USE PATH

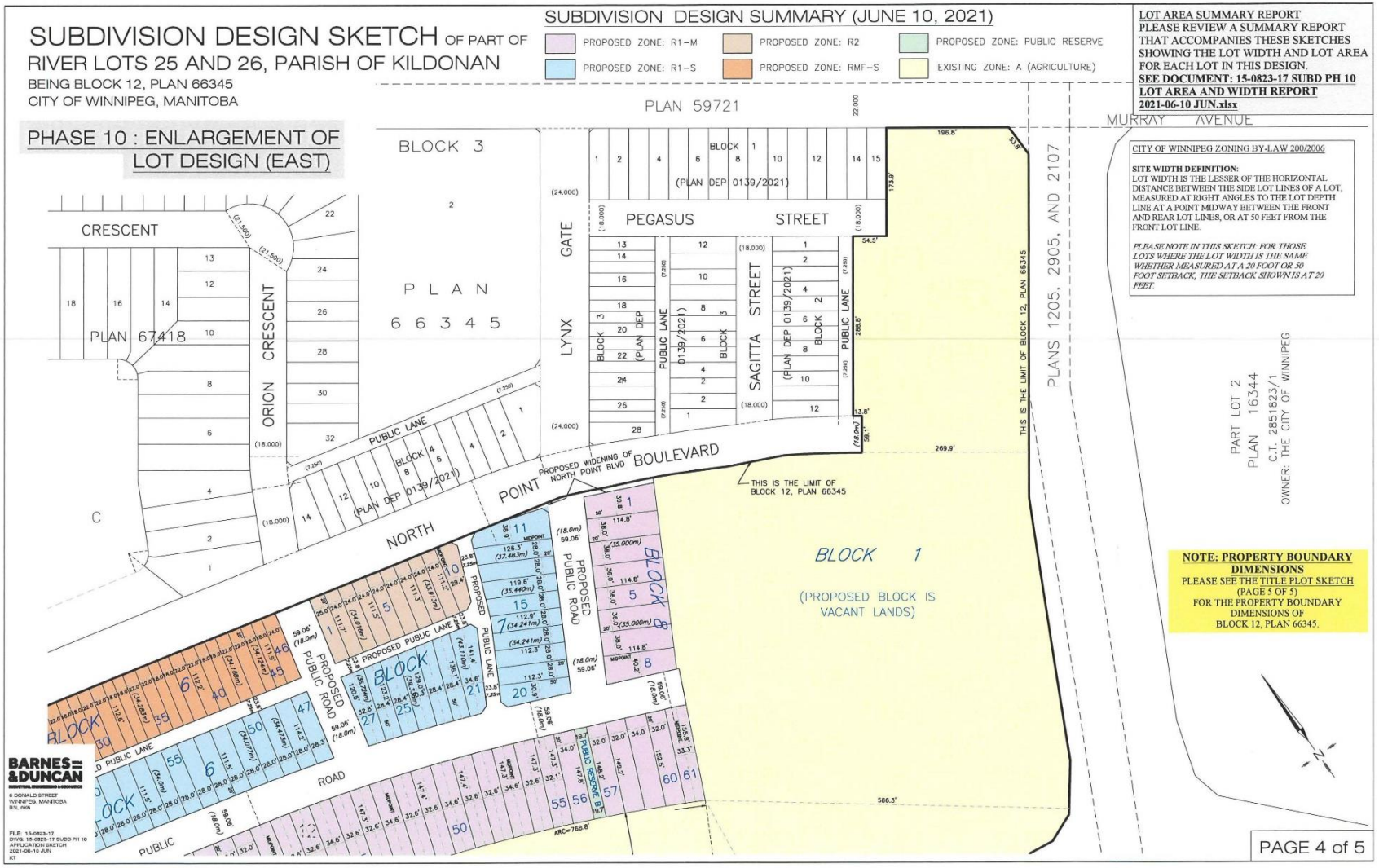
DASZ 32/2021

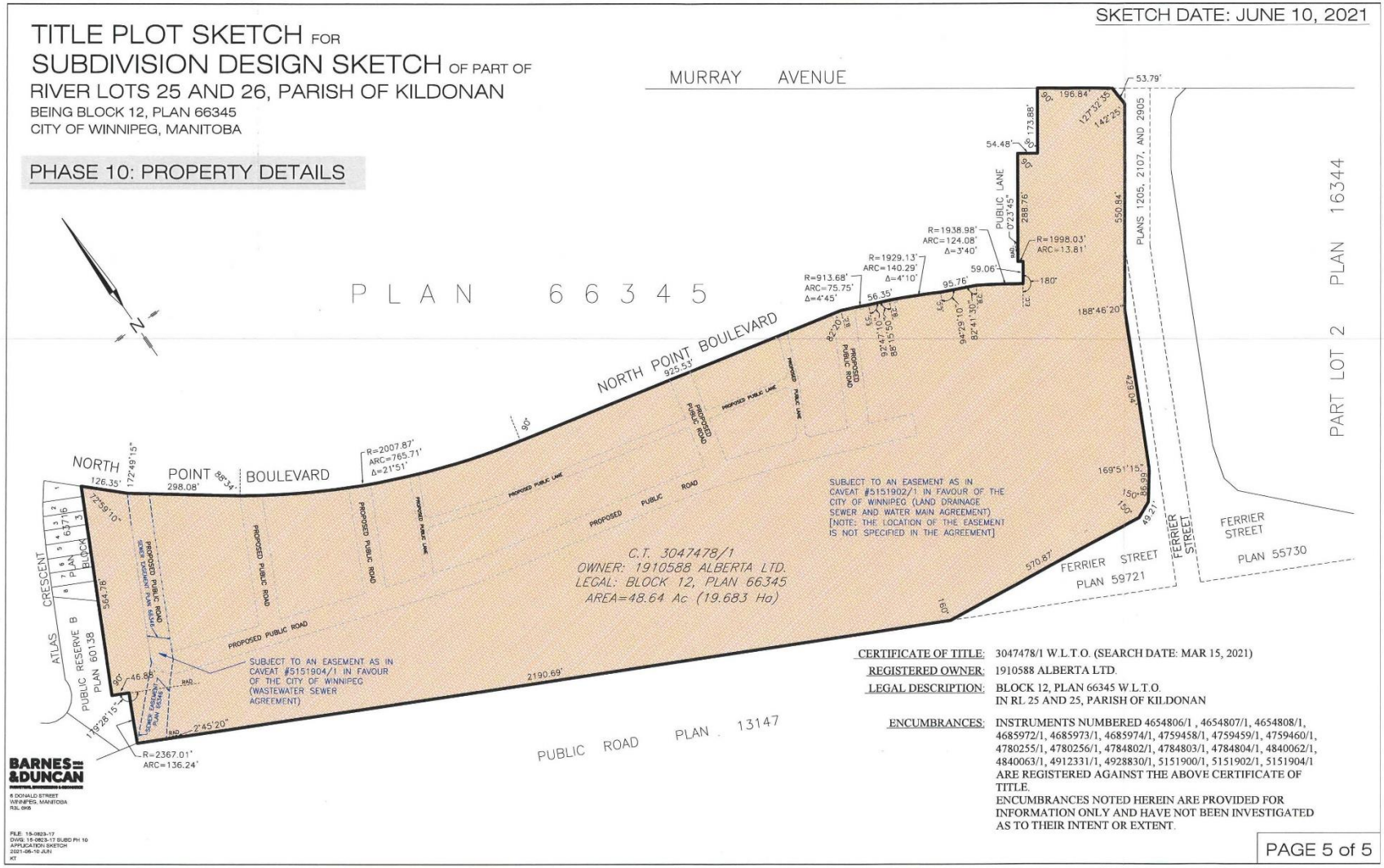
Exhibit "7" referred to in File DASZ 32/2021

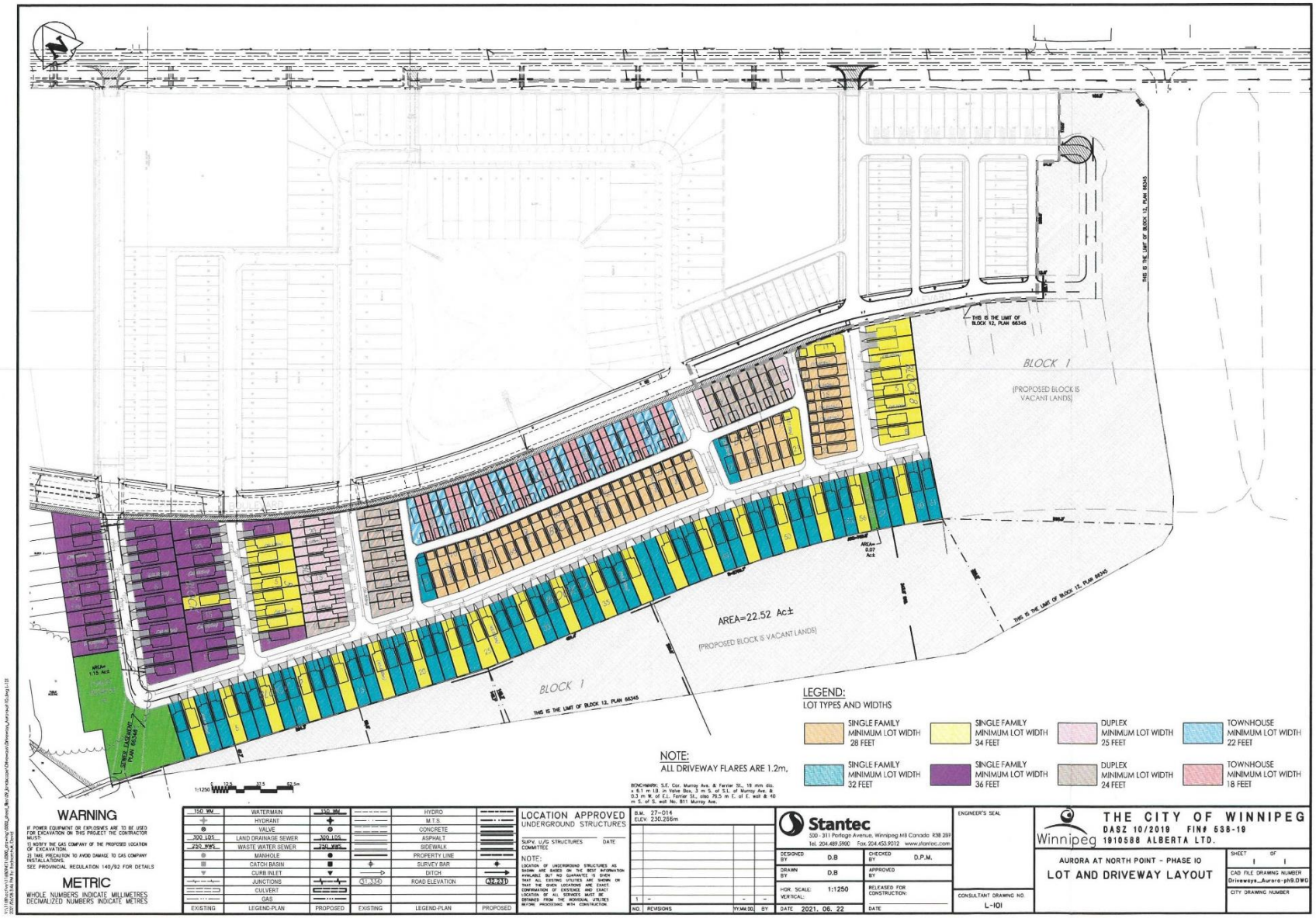



SUBDIVISION DESIGN SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 12, PLAN 66345
CITY OF WINNIPEG, MANITOBA
PHASE 10 : OVERALL LOT DESIGN
SUBDIVISION DESIGN SUMMARY (JUNE 10, 2021)
(AREA=11.55 Ac±) PROPOSED ZONE: R1-M PROPOSED # OF LOTS = 108
(AREA=3.42 Ac±) PROPOSED ZONE: R1-S PROPOSED # OF LOTS = 44
(AREA=2.06 Ac±) PROPOSED ZONE: R2 PROPOSED # OF LOTS = 32
(AREA=1.92 Ac±) PROPOSED ZONE: RMF-S PROPOSED # OF LOTS = 36
PROPOSED # OF LOTS = 220 TOTAL
PROPOSED ZONE: PUBLIC RESERVE (AREA=1.22 Ac±)
EXISTING ZONE: A (AGRICULTURE) (AREA=22.52 Ac±)
MURRAY AVENUE
PARCEL A PLAN 66483
PUBLIC RESERVE C LAN 60138
PUBLIC RESERVE A
PLAN 66345
BLOCK 1 PLAN 67418
BLOCK 2 PLAN 67418
BLOCK 3 PLAN 66345
ORION CRESCENT
PEGASUS STREET
LYNX GATE
SAGITTA STREET
MIRA GATE
LIBRA STREET
NORTH POINT BOULEVARD
PROPOSED PUBLIC ROAD
PROPOSED PUBLIC LANE
BLOCK 1 (PROPOSED BLOCK IS VACANT LANDS)
AREA=22.52 Ac±
(PROPOSED BLOCK IS VACANT LANDS)
PUBLIC RESERVE A 1.15 Ac±
PUBLIC RESERVE B PLAN 60138
ATLAS CRESCENT
PUBLIC ROAD PLAN 13147
PLANS 1205, 2905, AND 2107
PART LOT 2 PLAN 16344 C.T. 2851823/1 OWNER: THE CITY OF WINNIPEG
FERRIER STREET PLAN 59721
FERRIER STREET PLAN 55730
BARNES & DUNCAN
6 DONALD STREET WINNIPEG, MANITOBA R3L 0K6
CITY OF WINNIPEG ZONING BY-LAW 200/2006
SITE WIDTH DEFINITION:
LOT WIDTH IS THE LESSER OF THE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES OF A LOT, MEASURED AT RIGHT ANGLES TO THE LOT DEPTH LINE AT A POINT MIDWAY BETWEEN THE FRONT AND REAR LOT LINES, OR AT 50 FEET FROM THE FRONT LOT LINE.
PLEASE NOTE ON THIS SKETCH: FOR THOSE LOTS WHERE THE LOT WIDTH IS THE SAME WHETHER MEASURED AT A 20 FOOT OR 30 FOOT SETBACK, THE SETBACK SHOWN IS AT 20 FEET.
NOTE: PROPERTY BOUNDARY DIMENSIONS
PLEASE SEE THE TITLE PLOT SKETCH (PAGE 5 OF 5) FOR THE PROPERTY BOUNDARY DIMENSIONS OF BLOCK 12, PLAN 66345.
PAGE 2 of 5


SUBDIVISION DESIGN SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 12, PLAN 66345
CITY OF WINNIPEG, MANITOBA
PHASE 10 : ENLARGEMENT OF LOT DESIGN (WEST)
SUBDIVISION DESIGN SUMMARY (JUNE 10, 2021)
PROPOSED ZONE: R1-M
PROPOSED ZONE: R1-S
PROPOSED ZONE: R2
PROPOSED ZONE: PUBLIC RESERVE
EXISTING ZONE: A (AGRICULTURE)
PROPOSED ZONE: RMF-S
LOT AREA SUMMARY REPORT
PLEASE REVIEW A SUMMARY REPORT THAT ACCOMPANIES THESE SKETCHES SHOWING THE LOT WIDTH AND LOT AREA FOR EACH LOT IN THIS DESIGN.
SEE DOCUMENT: 15-0823-17 SUBD PH 10 LOT AREA AND WIDTH REPORT 2021-06-10 JUN.xlsx
NORTH POINT BOULEVARD
PROPOSED PUBLIC ROAD
PROPOSED PUBLIC LANE
PROPOSED PUBLIC ROAD
SEWER EASEMENT PLAN 66346
PUBLIC RESERVE A
AREA= 1.15 Ac±
PUBLIC RESERVE B PLAN 60138
ATLAS CRESCENT
LIBRA
ORION
PLAN 66345
AREA=22.52 Ac±
(PROPOSED BLOCK IS VACANT LANDS
BLOCK 1
THIS IS THE LIMIT OF BLOCK 12, PLAN 66345
PLAN 13147
PUBLIC ROAD
BARNES & DUNCAN
CITY OF WINNIPEG ZONING BY-LAW 200/2006
SITE WIDTH DEFINITION:
LOT WIDTH IS THE LESSER OF THE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES OF A LOT, MEASURED AT RIGHT ANGLES TO THE LOT DEPTH LINE AT A POINT MIDWAY BETWEEN THE FRONT AND REAR LOT LINES, OR AT 50 FEET FROM THE FRONT LOT LINE.
PLEASE NOTE IN THIS SKETCH: FOR THOSE LOTS WHERE THE LOT WIDTH IS THE SAME WHETHER MEASURED AT A 20 FOOT OR 50 FOOT SETBACK, THE SETBACK SHOWN IS AT 20 FEET.
NOTE: PROPERTY BOUNDARY DIMENSIONS
PLEASE SEE THE TITLE PLOT SKETCH (PAGE 5 OF 5) FOR THE PROPERTY BOUNDARY DIMENSIONS OF BLOCK 12, PLAN 66345.
PAGE 3 of 5


SUBDIVISION DESIGN SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 12, PLAN 66345
CITY OF WINNIPEG, MANITOBA
PHASE 10 : ENLARGEMENT OF LOT DESIGN (EAST)
SUBDIVISION DESIGN SUMMARY (JUNE 10, 2021)
PROPOSED ZONE: R1-M
PROPOSED ZONE: R1-S
PROPOSED ZONE: R2
PROPOSED ZONE: RMF-S
PROPOSED ZONE: PUBLIC RESERVE
EXISTING ZONE: A (AGRICULTURE)
LOT AREA SUMMARY REPORT
PLEASE REVIEW A SUMMARY REPORT THAT ACCOMPANIES THESE SKETCHES SHOWING THE LOT WIDTH AND LOT AREA FOR EACH LOT IN THIS DESIGN.
SEE DOCUMENT: 15-0823-17 SUBD PH 10 LOT AREA AND WIDTH REPORT 2021-06-10 JUN.xlsx
CITY OF WINNIPEG ZONING BY-LAW 200/2006
SITE WIDTH DEFINITION:
LOT WIDTH IS THE LESSER OF THE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES OF A LOT, MEASURED AT RIGHT ANGLES TO THE LOT DEPTH LINE AT A POINT MIDWAY BETWEEN THE FRONT AND REAR LOT LINES, OR AT 50 FEET FROM THE FRONT LOT LINE.
PLEASE NOTE IN THIS SKETCH: FOR THOSE LOTS WHERE THE LOT WIDTH IS THE SAME WHETHER MEASURED AT A 20 FOOT OR 50 FOOT SETBACK, THE SETBACK SHOWN IS AT 20 FEET.
NOTE: PROPERTY BOUNDARY DIMENSIONS
PLEASE SEE THE TITLE PLOT SKETCH (PAGE 5 OF 5) FOR THE PROPERTY BOUNDARY DIMENSIONS OF BLOCK 12, PLAN 66345.
PLAN 59721
MURRAY AVENUE
BLOCK 3
PLAN 66345
PLAN 67418
CRESCENT
ORION CRESCENT
LYNX GATE
PEGASUS STREET
SAGITTA STREET
PUBLIC LANE
NORTH POINT BOULEVARD
PROPOSED WIDENING OF NORTH POINT BLVD
THIS IS THE LIMIT OF BLOCK 12, PLAN 66345
PLANS 1205, 2905, AND 2107
PART LOT 2 PLAN 16344 C.T. 2851823/1 OWNER: THE CITY OF WINNIPEG
BLOCK 1
(PROPOSED BLOCK IS VACANT LANDS)
PROPOSED PUBLIC ROAD
PUBLIC ROAD
BARNES & DUNCAN
PAGE 4 of 5


SKETCH DATE: JUNE 10, 2021
TITLE PLOT SKETCH FOR
SUBDIVISION DESIGN SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 12, PLAN 66345
CITY OF WINNIPEG, MANITOBA
PHASE 10: PROPERTY DETAILS
MURRAY AVENUE
PLAN 66345
NORTH POINT BOULEVARD
NORTH POINT BOULEVARD
PUBLIC LANE
PLANS 1205, 2107, AND 2905
PART LOT 2 PLAN 16344
FERRIER STREET
PLAN 59721
FERRIER STREET
PLAN 55730
PUBLIC ROAD PLAN 13147
ATLAS CRESCENT
PUBLIC RESERVE B PLAN 60138
PROPOSED PUBLIC ROAD
PROPOSED PUBLIC LANE
C.T. 3047478/1
OWNER: 1910588 ALBERTA LTD.
LEGAL: BLOCK 12, PLAN 66345
AREA=48.64 Ac (19.683 Ha)
SUBJECT TO AN EASEMENT AS IN CAVEAT #5151902/1 IN FAVOUR OF THE CITY OF WINNIPEG (LAND DRAINAGE SEWER AND WATER MAIN AGREEMENT) [NOTE: THE LOCATION OF THE EASEMENT IS NOT SPECIFIED IN THE AGREEMENT]
SUBJECT TO AN EASEMENT AS IN CAVEAT #5151904/1 IN FAVOUR OF THE CITY OF WINNIPEG (WASTEWATER SEWER AGREEMENT)
R=2007.87' ARC=765.71' Δ=21°51'
R=1938.98' ARC=124.08' Δ=3°40'
R=1929.13' ARC=140.29' Δ=4°10'
R=913.68' ARC=75.75' Δ=4°45'
R=1998.03' ARC=13.81'
R=2367.01' ARC=136.24'
CERTIFICATE OF TITLE: 3047478/1 W.L.T.O. (SEARCH DATE: MAR 15, 2021)
REGISTERED OWNER: 1910588 ALBERTA LTD.
LEGAL DESCRIPTION: BLOCK 12, PLAN 66345 W.L.T.O. IN RL 25 AND 25, PARISH OF KILDONAN
ENCUMBRANCES: INSTRUMENTS NUMBERED 4654806/1 , 4654807/1, 4654808/1, 4685972/1, 4685973/1, 4685974/1, 4759458/1, 4759459/1, 4759460/1, 4780255/1, 4780256/1, 4784802/1, 4784803/1, 4784804/1, 4840062/1, 4840063/1, 4912331/1, 4928830/1, 5151900/1, 5151902/1, 5151904/1 ARE REGISTERED AGAINST THE ABOVE CERTIFICATE OF TITLE.
ENCUMBRANCES NOTED HEREIN ARE PROVIDED FOR INFORMATION ONLY AND HAVE NOT BEEN INVESTIGATED AS TO THEIR INTENT OR EXTENT.
BARNES & DUNCAN
PAGE 5 of 5


BLOCK 1
(PROPOSED BLOCK IS VACANT LANDS)
AREA=22.52 Ac±
(PROPOSED BLOCK IS VACANT LANDS)
BLOCK 1
THIS IS THE LIMIT OF BLOCK 12, PLAN 66345
LEGEND:
LOT TYPES AND WIDTHS
SINGLE FAMILY MINIMUM LOT WIDTH 28 FEET
SINGLE FAMILY MINIMUM LOT WIDTH 34 FEET
DUPLEX MINIMUM LOT WIDTH 25 FEET
TOWNHOUSE MINIMUM LOT WIDTH 22 FEET
SINGLE FAMILY MINIMUM LOT WIDTH 32 FEET
SINGLE FAMILY MINIMUM LOT WIDTH 36 FEET
DUPLEX MINIMUM LOT WIDTH 24 FEET
TOWNHOUSE MINIMUM LOT WIDTH 18 FEET
NOTE:
ALL DRIVEWAY FLARES ARE 1.2m,
WARNING
METRIC
LOCATION APPROVED
UNDERGROUND STRUCTURES
Stantec
THE CITY OF WINNIPEG
DASZ 10/2019 FIN# 638-19
1910588 ALBERTA LTD.
AURORA AT NORTH POINT - PHASE 10
LOT AND DRIVEWAY LAYOUT
L-101