**Minute No. 154**
**Report – Executive Policy Committee – January 19, 2022**

**Item No. 7 Subdivision and Rezoning – West of 757 Bonner Avenue (North Kildonan Ward) File DASZ 39/2021 [c/r DAV 199839/2021D]**

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 39/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 17, 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 an Addendum to Development Agreement AG 19/14 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 December 6, 2021, and attached as Schedule "B" to this report.

    B. That the City enter into, execute and deliver with the developer an Addendum to Development Agreement AG 19/14 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 AG 19/14, 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 an "R1-M" Residential Single-Family (Medium) District and an "R1-L" Residential Single-Family (Large) District as shown on the map dated December 17, 2021, and attached as Schedule "A" to this report.

**Report – Executive Policy Committee – January 19, 2022**

COUNCIL DECISION (continued):

3. That in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 39/2021, as determined by the City's Director of Planning, Property and Development.

4. 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.

5. 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.

6. That the subdivision section of the By-law will come into force when the Addendum to Development Agreement AG 19/14 is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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

8. 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 6 unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

9. 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.

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

**Report – Executive Policy Committee – January 19, 2022**

COUNCIL DECISION (continued):

11. That Variance Order DAV 21-199839D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 39/2021.

**Report – Executive Policy Committee – January 19, 2022**

DECISION MAKING HSTORY:

Moved by His Worship Mayor Bowman,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 19, 2022, the Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 4, 2022, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

## PUBLIC HEARING SUMMARY

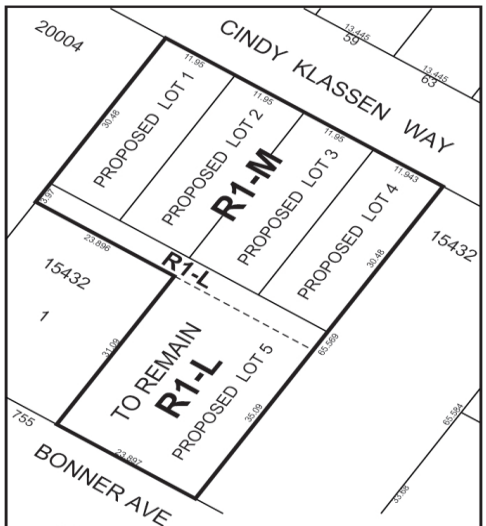
**File:** DASZ 39/2021

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

**Public Hearing:** January 4, 2022
Council Building, 510 Main Street

**Applicant:** McGowan Russell Group Inc. (Terri Bucci)

**Subject:**




**APPLICANT : McGowan Russell Group Inc. (Susan Russell)**
**FILE : DASZ 39/2021**
**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 "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (LARGE) DISTRICT to facilitate the continuation of single family lot development on the south side of Cindy Klassen Way by the establishment of residential building lots for future development. **For information, phone Mr. G. Doney, Planner at 204-986-2688.**

**Premises Affected:** West of 757 Bonner Avenue
**For submission to:** Executive Policy Committee

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

**Report date:** January 4, 2022

**Community Committee Recommendation:**

On January 4, 2022, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 39/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 17, 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 an Addendum to Development Agreement AG 19/14 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 December 6, 2021, and attached as Schedule "B" to this report.

    B. That the City enter into, execute and deliver with the Developer an Addendum to Development Agreement AG 19/14 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 AG 19/14, 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 an "R1-M" Residential Single-Family (Medium) District and an "R1-L" Residential Single-Family (Large) District as shown on the map dated December 17, 2021, and attached as Schedule "A" to this report.

3. That in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application

No. DASZ 39/2021, as determined by the City's Director of Planning, Property and Development.

4. 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.

5. 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.

6. That the subdivision section of the By-law will come into force when the Addendum to Development Agreement AG 19/14 is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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

8. 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 6 unless the Developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

9. 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.

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

11. That Variance Order DAV 21-199839D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 39/2021.

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

1. This is quite a creative infill development that's being done by the residents of Bonner Avenue. Not the way these things are normally completed. Again, I don't love the fact that they are leaving a little bit of an "L" shaped lot at the moment, but again to make this

development happen, its been quite interesting and a challenge because of the diverse and spread out property ownership. As Councillor Schreyer was mentioning earlier, this does seem like we were dealing with this a month ago and we were, but again it was for everything except for this particular piece. It has been phased and different people were ready at different times so that is the only thing that is remaining here.

2. Again, this is an orderly development off the North Kildonan neighbourhood. It will be fully urbanized with water, land drainage and all that good stuff and I am certainly supportive.

Exhibits Filed:

1. Application dated October 21, 2021
2. Notification of Public Hearing dated December 7, 2021
3. Manitoba Status of Title 3112692/1
4. Letter of authorization dated January 18, 2021 from Henry Kotyk and Peter Kotyk to Kris Sidhu
5. Letter of authorization dated June 8, 2021 from Kris Sidhu to McGowan Russell Group Inc.
6. Surveyor's Building Location Certificate and sketch dated December 16, 2020
7. Plans (2 pages)
8. Report from the Urban Planning Division dated December 17, 2021
9. Inspection Report
10. Presentation titled Cindy Klassen Way – Phase Three, from Melissa Neirinck in support of the application
11. Communication dated December 21, 2021, from Mahipaul Sidhu in support of the application
12. Communication dated December 21, 2021, from Abhijeet Sidhu in support of the application
13. Recording of Representations

REPRESENTATIONS:

In Support:

Melissa Neirinck
Susan Russell
Abhijeet Sidhu
Kris Sidhu
Mahipaul Sidhu

In Opposition:

Nil

For Information:

Peter Kotyk

For the City:

G. Doney, Senior Planner, Planning, Property and Development, Department

Exhibit "8" referred to in File DASZ 39/2021

# ADMINISTRATIVE REPORT

**Title:** DASZ 39/2021 – West of 757 Bonner Avenue

**Issue**: For consideration at the public hearing for a Subdivision and Rezoning to create four lots zoned "R1-M" Residential Single-Family (Medium), and one lot zoned "R1-L" Residential Single-Family (Large). A single-family dwelling would be built on each proposed lot.

**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 39/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated December 17, 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 an Addendum to Development Agreement AG 19/14 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 December 6, 2021, and attached as Schedule "B" to this report.

   B. That the City enter into, execute and deliver with the developer an Addendum to Development Agreement AG 19/14 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 AG 19/14, 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. 200/06 be amended by rezoning the subject land to an “R1-M” Residential Single-Family (Medium) District and an “R1-L” Residential Single-Family (Large) District as shown on the map dated December 17, 2021, and attached as Schedule “A” to this report.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 39/2021, as determined by the City’s Director of Planning, Property and Development.

4. 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.

5. 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.

6. That the subdivision section of the By-law will come into force when the Addendum to Development Agreement AG 19/14 is fully executed and the Plan is registered in the Winnipeg Land Titles Office.

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

8. 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 6 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension.

9. 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.

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

11. That Variance Order DAV 21-199839D shall come into force and effect upon the coming into force and effect of the zoning by-law for the subject land under File DASZ 39/2021.

## 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.

## HISTORY

On December 16, 2021, Council approved DASZ 34/2021. Figure 1 shows that this proposal would create several "R1-M" Residential Single-Family (Medium) lots and some "R1-L" Residential Single-Family (Large) lots (once the plan of subdivision and rezoning process is completed).

The first five of the "R1-M" lots that would be east of the site would have a site area and a site width of 3,923 square feet and 37.5 feet.

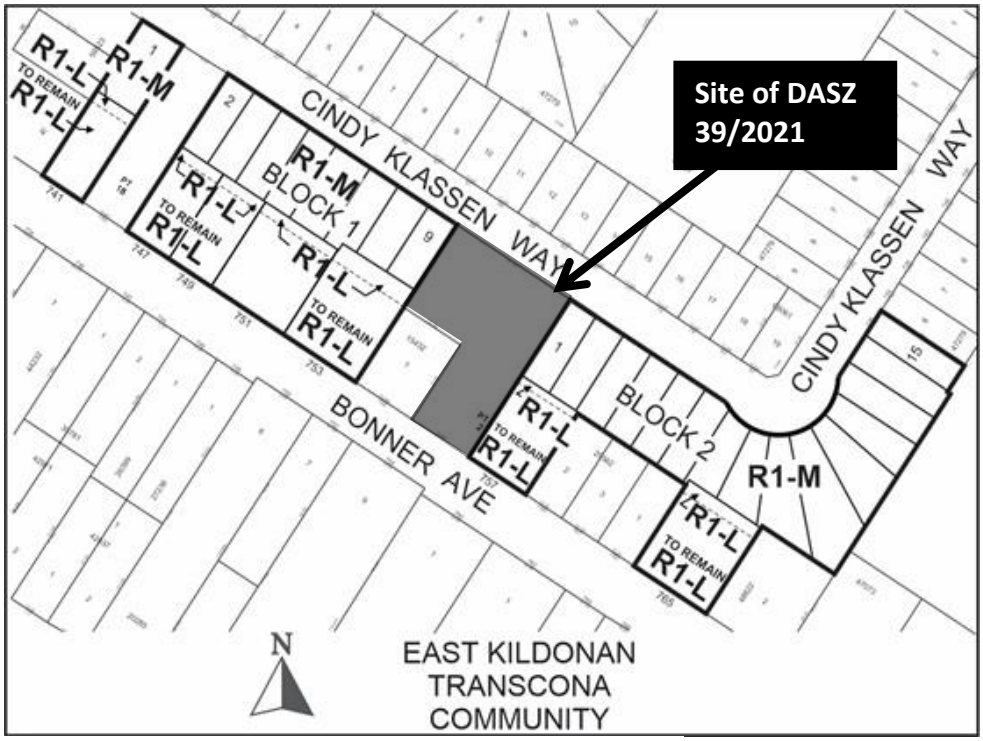



***Figure 1: DASZ 34/2021 & Site of DASZ 39/2021***

## CONSULTATION

The Land Development Branch was consulted in the preparation of this report.

## OURWINNIPEG POLICY ALIGNMENT

The Key Direction of *OurWinnipeg* that applies to the subject site states:

> *Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.*

The proposed plan of subdivision and rezoning application aligns with this Key Direction and with *OurWinnipeg* in general because it would facilitate a development that would increase the supply of new single-family dwellings in a location that is transforming from a rural residential area to an urban/suburban area with the full range of municipal infrastructure and public transit service.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4 of the *Winnipeg Climate Action Plan* states: "*Facilitate compact, complete development and increase density*."

The proposed plan of subdivision and rezoning application aligns with this Key Direction and with *the Winnipeg Climate Action Plan* in general because, as stated above, it would facilitate a development that would increase the supply of new single-family dwellings in a location that is transforming from a rural residential area to an urban/suburban area with the full range of municipal infrastructure and public transit service.

## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Urban Planning and Design |
| Prepared by: | Glen Doney, RPP, MCIP |
| Date: | December 17, 2021 |
| File No. | DASZ 39/2021 |

Attachments

- Appendix "A," Planning Discussion
- Schedule "A," of File DASZ 39/2021, East Kildonan – Transcona Community Committee, dated December 13, 2021
- Schedule "B" Report of the Administrative Coordinating Group, dated December 6, 2021

## APPENDIX "A," PLANNING DISCUSSION

**DATE:** December 13, 2021

**FILE:** **DASZ 39/2021**

**RELATED FILE:** DAV 21-199839D

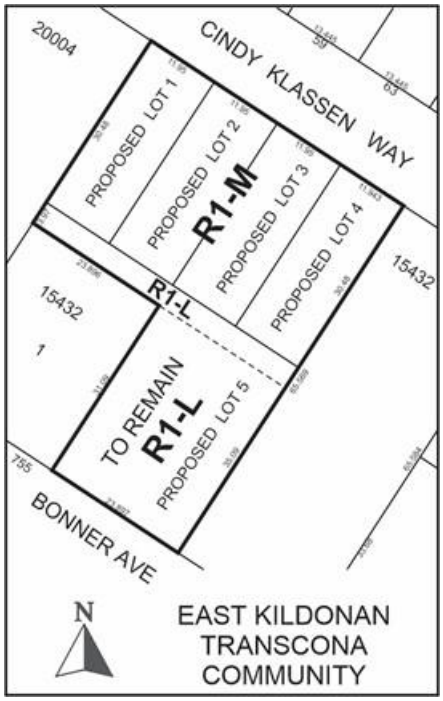
**COMMUNITY:** East Kildonan – Transcona

**NEIGHBOURHOOD #:** 419 (Springfield North)

**SUBJECT:** For consideration at the public hearing for a Subdivision and Rezoning to

**LOCATION:** West of 757 Bonner Avenue

**LEGAL DESCRIPTION:** Part of Lot 2, Plan 15432




**APPLICANT:** McGowan Russell Group, Susan Russell
825 St. Joseph St.
Winnipeg, MB
R2H 3A8

**OWNERS:** Henry and Peter Kotyk

**RECOMMENDATION:** Approval Subject to Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1, 2 and 3:

- Consists of part of one lot;
- Is immediately west of 757 Bonner Avenue;
- Is in the North Kildonan Ward;
- Is approximately 25,900 square feet;
- Contains no significant structures;
- Is partly zoned “R1-L” Residential Single-Family (Large) and partly zoned “RR5” Rural Residential 5; and
- Is in a Recent Communities Policy Area of *OurWinnipeg* and *Complete Communities*.




***Figure 2: 2021 Aerial Photography & Assessment Parcels*** **North↑**

**SURROUNDING LAND USE AND ZONING**

The area in which the site is located is shown on Figures 1, 2 and 3:

**North:** Cindy Klassen Way then lots zoned "R1-M" Residential Single-Family (Medium). Most of these lots are 4,411 square feet and 44.1 feet wide.

**East:** Land approved to be subdivided and rezoned into one "R1-L" Residential Single-Family (Large) Lot and several "R1-M" Residential Single-Family (Medium) Lots (as per DASZ 34/2021). As previously stated, the first five of the approved "R1-M" Lots that would be east of the site would have a site area of 3,923 square feet and a site width of 37.5 feet.

**South:** Bonner Avenue then lots partly zoned "R1-L" Residential Single-Family (Large) and partly zoned "RR5" Rural Residential 5 and lots entirely zoned "R1-L" Residential Single-Family (Large),

**West:** Land approved to be subdivided and rezoned into an "R1-L" Residential Single-Family (Large) Lot and several "R1-M" Residential Single-Family (Medium) Lots (as per DASZ 34/2021). Also to the west, at 755 Bonner Avenue, is a lot zoned "R1-L" Residential Single-Family (Large).

Also of note:

- The site is in an area transitioning, in a way that is consistent with *OurWinnipeg* and *Complete Communities*, from rural residential to urban and suburban residential densities with the full range of municipal infrastructure.
- Public transit service is on Headmaster Row, which is north of the site.

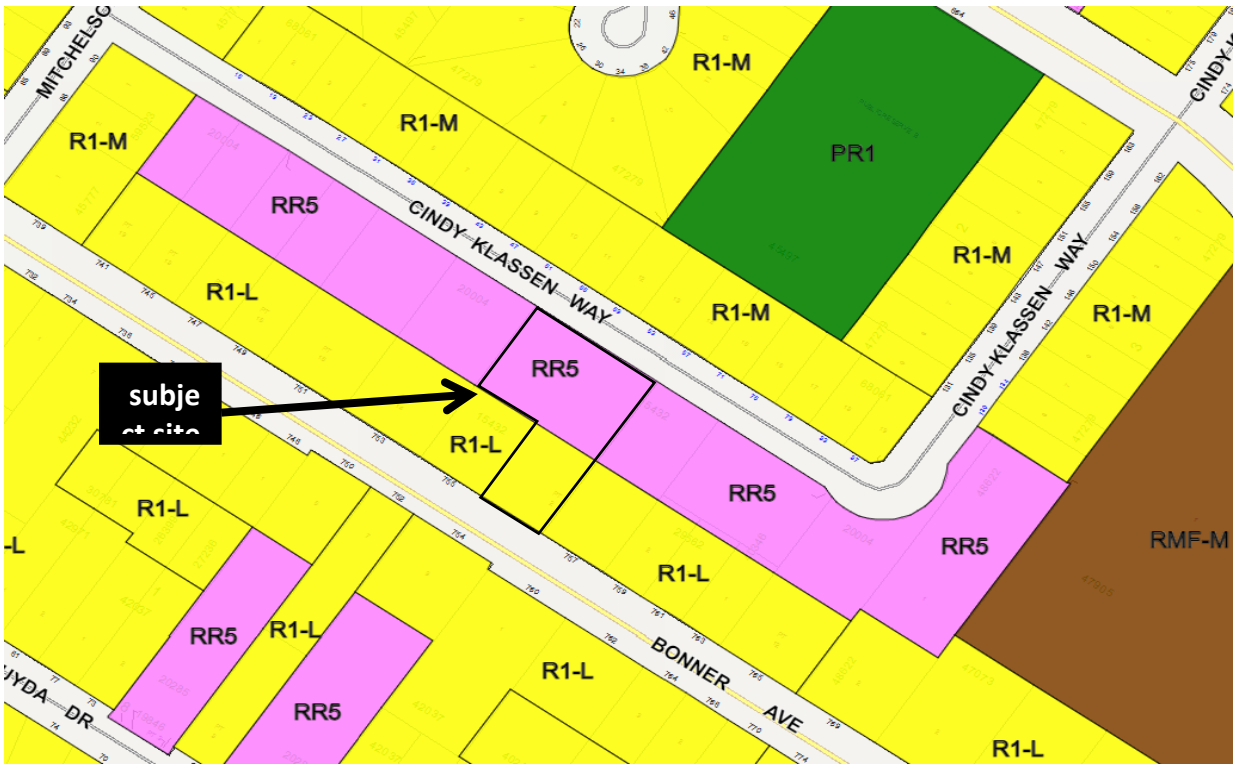



***Figure 3: Existing Zoning*** **North↑**

**DESCRIPTION OF THE PROPOSED DEVELOPMENT**

The proposed plan of subdivision and rezoning would create:

- Lots 1 to 4, zoned "R1-M" Residential Single-Family (Medium), three of which would be 39.21 feet wide and 3921 square feet, and one of which would be 39.19 feet wide and 3919 square feet; and
- Lot 5, which would be an "L" shaped lot zoned "R1-L" Residential Single-Family (Large), 78.4 feet wide and 108,221 square feet.

A single-family dwelling would be built on each lot. In a future phase, proposed Lot 5 would be split into two. The portion that would be immediately north of 755 Bonner Avenue is to be consolidated with this property. The other portion would become a separate lot, still zoned "R1-L."

Variances are needed to accommodate the proposed plan of subdivision. An application (DAV 21-199839D) and an administrative report recommending approval have been submitted.

**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* and *Complete Communities* that applies to the Recent Communities Policy Area is in the Areas of Stability sections of these plans. It states:

> *Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population.*

Certain policies under Direction 1 of the Areas of Stability section of *Complete Communities* apply to the proposal. They state:

- *Support low to moderate change in low-density neighbourhoods through development and redevelopment that is complementary to the existing scale, character and built form.*
- *Promote the form of buildings and spaces that are sensitive to the community context and address the transition between new and existing developments.*
- *Focus housing growth to areas that have municipal service capacity to support intensification, in addition to commercial and recreational amenities.*
- *Support Complete Communities by ensuring diverse and high quality housing stock.*
- *In order to meet the full life-cycle of housing needs within the community, promote a mix of housing type and tenure, such as duplexes, low rise apartments, secondary suites, semi-detached homes, townhouses.*

The plan of subdivision and rezoning application complies with the aforementioned Key Direction and policies for the following reasons:

- The site is in an area transitioning, in a way that is consistent with *OurWinnipeg* and *Complete Communities*, from rural residential to urban and suburban residential densities with the full range of municipal infrastructure.
- Public Transit service is near the site, on Headmaster Row.
- The proposed development will add five new single-family dwellings to the area.
- The size, width and zoning of each proposed lot are consistent with many of the existing, and all of the approved, lots abutting or near the site, particularly with the existing "R1-L" lots and with the first five of the approved "R1-M" Lots that would be east of the site (as per DASZ 34/2021), which would each be 37.5 feet wide and 3,923 square feet.

**REASONS FOR THE RECOMMENDATIONS**

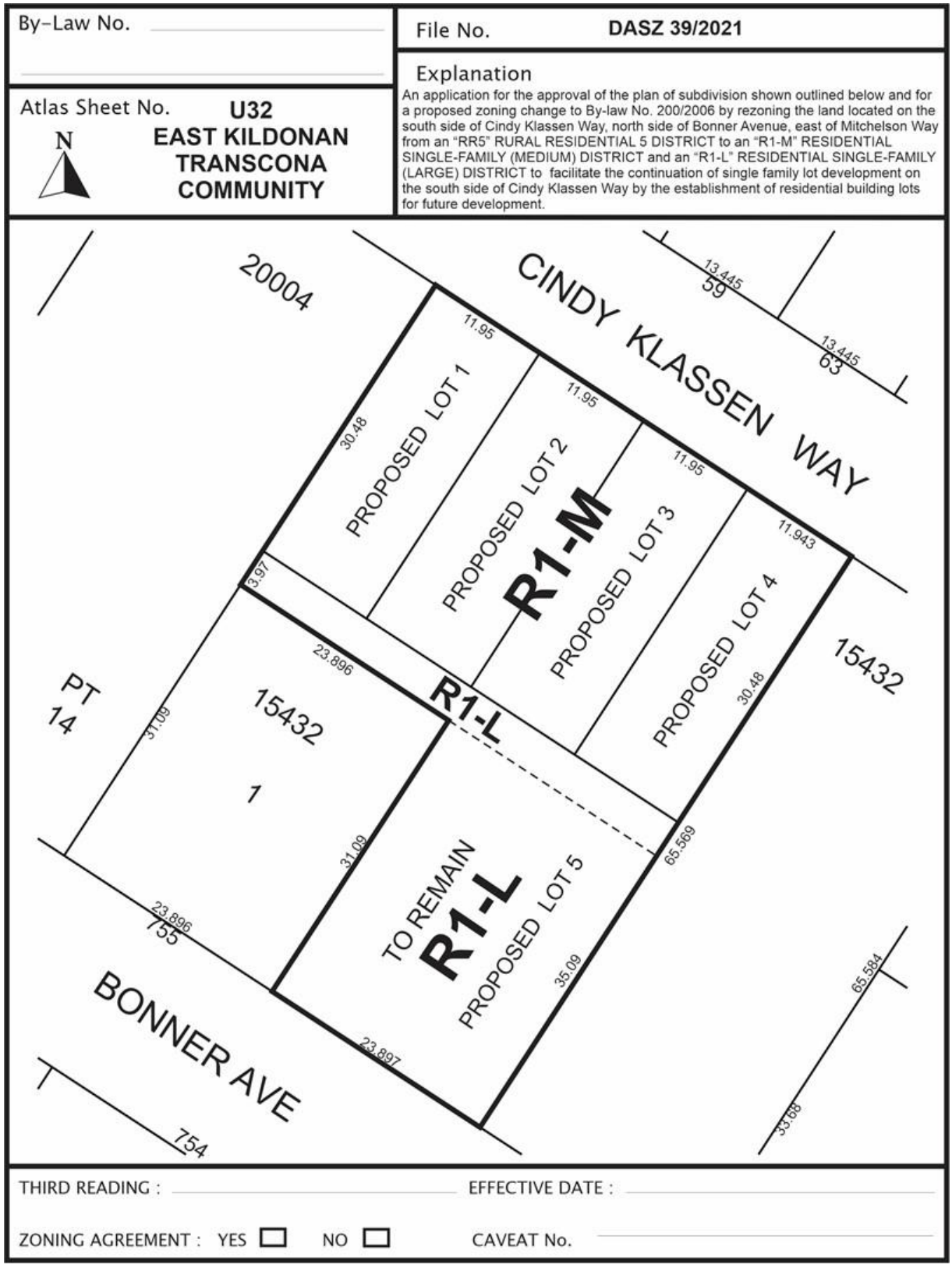
The Urban Planning and Design Division recommends approval of Schedule "A" to this report because:

- The proposed plan of subdivision and rezoning, and the associated development, comply with *OurWinnipeg* and *Complete Communities*.

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

Report Prepared by: Glen Doney, RPP, MCIP
PPD File #: DASZ 39/2021

**SCHEDULE "A" OF FILE DASZ 39/2021, East Kildonan – Transcona Community Committee, dated December 17, 2021**



## SCHEDULE B

## REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

**RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE SOUTH SIDE OF CINDY KLASSEN WAY, NORTH SIDE OF BONNER AVENUE AND EAST OF MITCHELSON WAY**

The above noted application was reviewed by ACG and determined to be within the Planned Area of the Cindy Klassen Way extension lands under development (DASZ 19/2014). Therefore, this application is subject to the terms and conditions as outlined under Development Agreement AG 19/14 and all addendums thereto.

It is recommended that approval of DASZ 39/2021, if granted, be subject to the applicant entering into an Addendum to Development Agreement AG 19/14 containing the following conditions:

### Section I - Servicing Conditions

1) Land Drainage Trunk Charges

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 Regional Land Drainage Service Charge (TSR), as determined by and to the satisfaction of the Director of Water and Waste.

2) Regional Transportation Infrastructure

a) 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 improvements previously installed by others at or in the vicinity of the intersection of Headmaster Row and Lagimodiere Boulevard, as determined by and to the satisfaction of the Director of Public Works.

b) 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 the oversized pavement previously installed by others in Headmaster Row, as determined by and to the satisfaction of the Director of Public Works.

## Section II – Costs and Fees

1) By-laws and Approvals

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

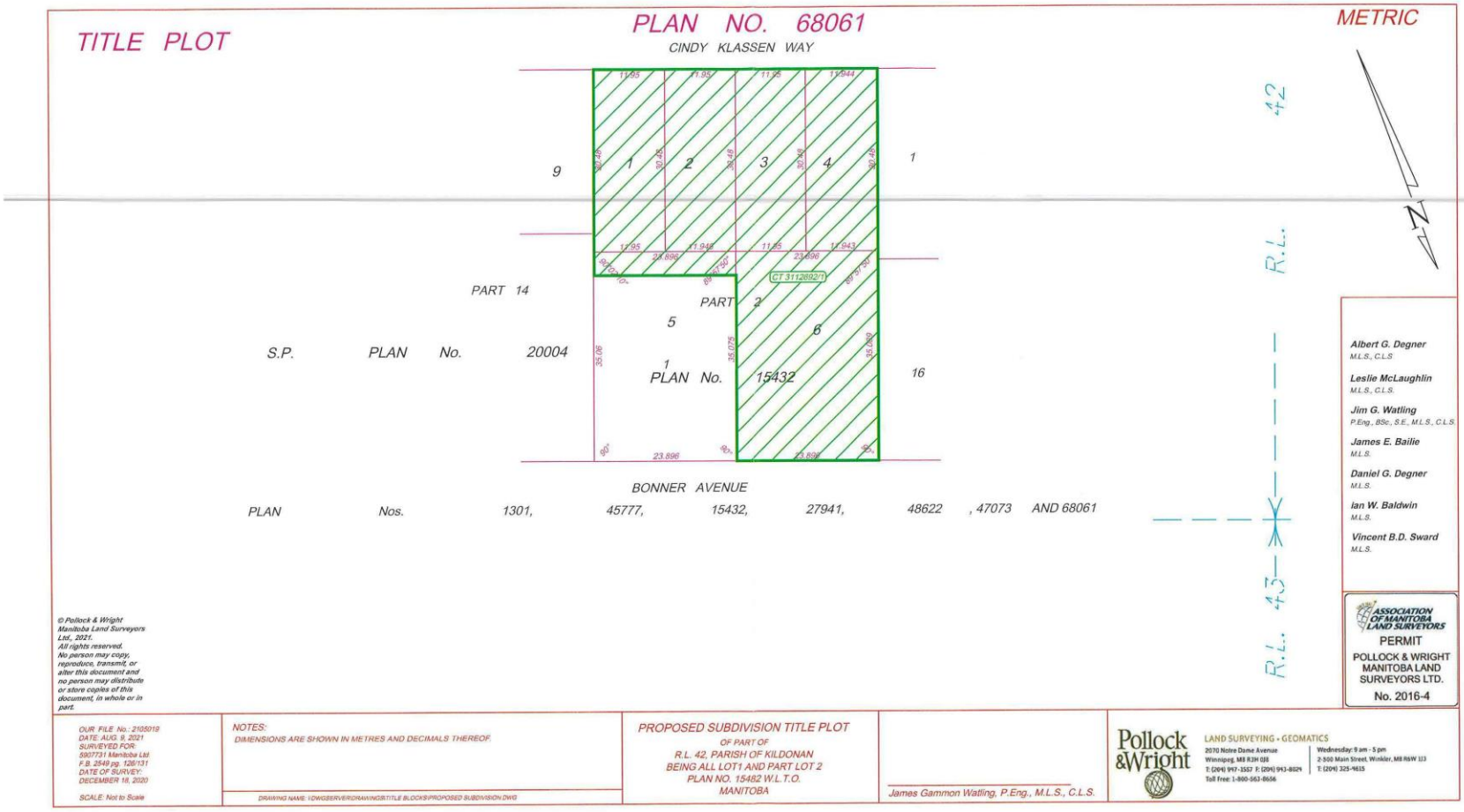
Administrative Co-ordinating Group
File No. DASZ 39/2021
December 6, 2021

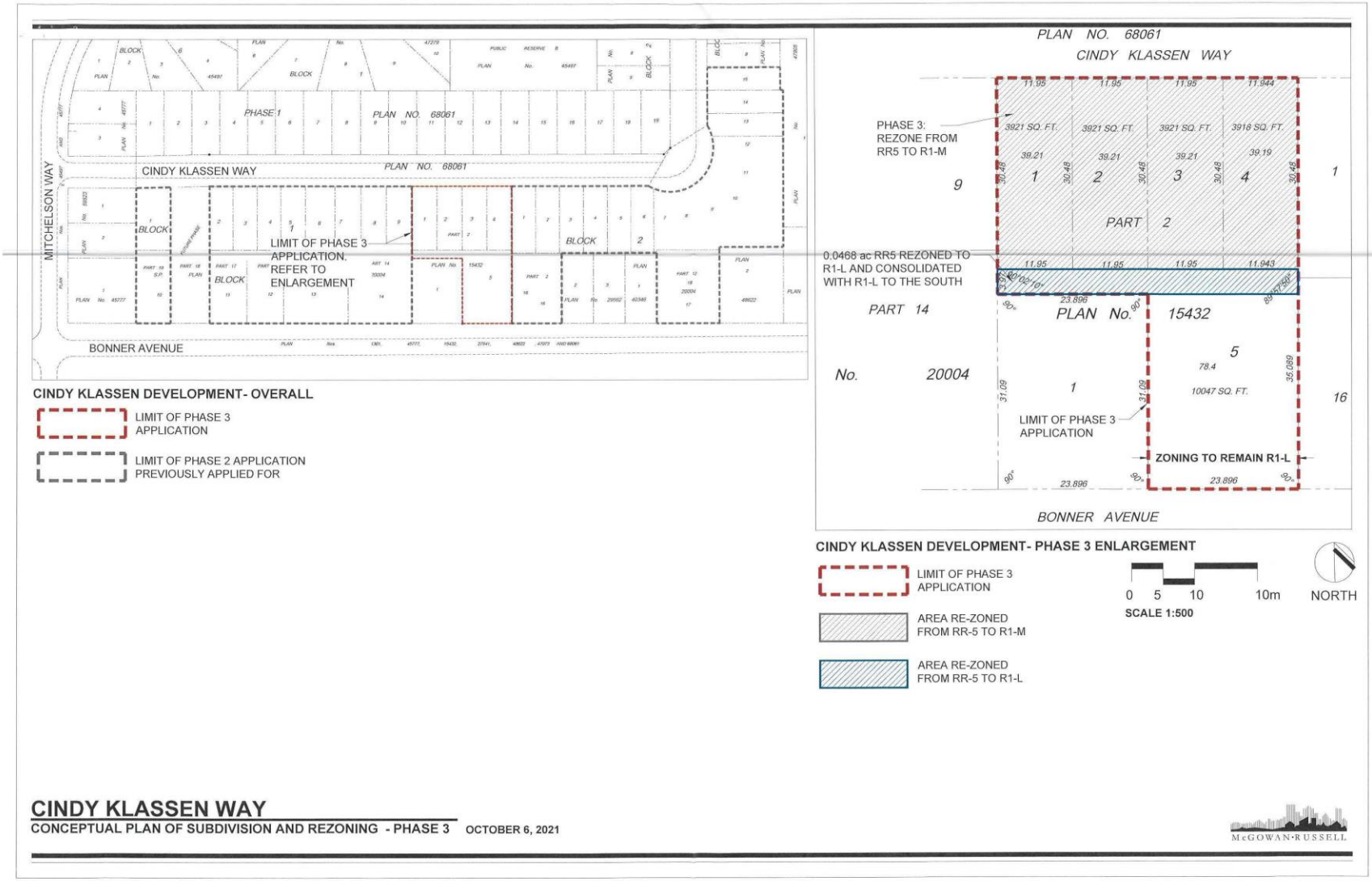
"*Original Signed by D. Trenchard"*
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"*Original Signed by M. Gajda"*
M.Gajda, P. Eng.
Engineering Division
Water and Waste Department

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

Exhibit "7" referred to in File DASZ 39/2021




PHASE 1
PLAN NO. 68061
CINDY KLASSEN WAY
MITCHELSON WAY
BONNER AVENUE
LIMIT OF PHASE 3 APPLICATION. REFER TO ENLARGEMENT
BLOCK
CINDY KLASSEN DEVELOPMENT- OVERALL
LIMIT OF PHASE 3 APPLICATION
LIMIT OF PHASE 2 APPLICATION PREVIOUSLY APPLIED FOR
PLAN NO. 68061
CINDY KLASSEN WAY
PHASE 3: REZONE FROM RR5 TO R1-M
0.0468 ac RR5 REZONED TO R1-L AND CONSOLIDATED WITH R1-L TO THE SOUTH
PART 2
PART 14
PLAN No. 15432
No. 20004
3921 SQ. FT.
3918 SQ. FT.
10047 SQ. FT.
ZONING TO REMAIN R1-L
BONNER AVENUE
CINDY KLASSEN DEVELOPMENT- PHASE 3 ENLARGEMENT
LIMIT OF PHASE 3 APPLICATION
AREA RE-ZONED FROM RR-5 TO R1-M
AREA RE-ZONED FROM RR-5 TO R1-L
0 5 10 10m
SCALE 1:500
NORTH
CINDY KLASSEN WAY
CONCEPTUAL PLAN OF SUBDIVISION AND REZONING - PHASE 3
OCTOBER 6, 2021
McGOWAN·RUSSELL