Minute No. 289
Report – Executive Policy Committee – March 16, 2022

Item No. 6 Subdivision and Rezoning – 745 Bonner Avenue (North Kildonan Ward) File DASZ 51/2021 [c/r DAV 247611/2021D]

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 51/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated February 10, 2022, 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 February 7, 2022, 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 giving first reading to the by-law, attached as Appendix "A" to this report, that rezones 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 February 10, 2022, and included within Schedule "A", subject to the following condition:

Report – Executive Policy Committee – March 16, 2022

COUNCIL DECISION (continued):

A. That the foregoing amendment to The Winnipeg Zoning By-law No. 200/2006 be brought into conformity with any changes recommended by the Administrative Coordinating Group in their report dated February 7, 2022, attached as Schedule "B".

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 51/2021, as determined by the City's Director of Planning, Property and Development.

4. That the Public Service be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 4 of this Report, and all associated ancilliary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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 7 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.

Report – Executive Policy Committee – March 16, 2022

COUNCIL DECISION (continued):

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 21-247611D 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 51/2021.

Report – Executive Policy Committee – March 16, 2022

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 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 February 25, 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

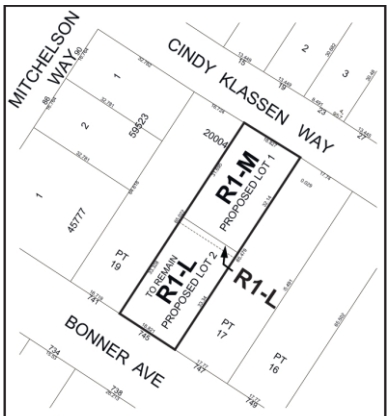
File: DASZ 51/2021

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

Public Hearing: February 25, 2022
Council Building, 510 Main Street

Applicant: McGowan Russell Group Inc. (Susan Russell)

Subject:



APPLICANT : McGowan Russell Group Inc. (Susan Russell)
FILE : DASZ 51/2021
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 two (2) residential building lots. **For information, phone Mr. G. Doney, Planner at 204-986-2688.**

Premises Affected: 745 Bonner Avenue

For submission to: Executive Policy Committee

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

Report date: February 25, 2022

Community Committee Recommendation:

On February 25, 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 51/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated February 10, 2022, 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 February 7, 2022, 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 giving first reading to the by-law, attached as Appendix "A" to this report, that rezones 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 February 10, 2022, and included within Schedule "A", subject to the following condition:

    A. That the foregoing amendment to The Winnipeg Zoning By-law No. 200/2006 be brought into conformity with any changes recommended by the Administrative Coordinating Group in their report dated February 7, 2022, attached as Schedule "B".

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 51/2021, as determined by the City's Director of Planning, Property and Development.

4. That the Public Service be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 4 of this Report, and all associated ancilliary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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 7 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 21-247611D 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 51/2021.

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

1. This is a neat infill development of a portion of land between Bonner and the Arrowwood Headmaster development, it's the extension of Cindy Klassen Way. Lot of different people participating with severing their rear lots to make this happen. This is important for connectivity and for the legal roadway to be created. I'd like to thank the applicant for working with the residents and developers in such as to make this particular logical conclusion of this area complete.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 0

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

Exhibits Filed:

1. Application dated December 23, 2021
2. Notification of Public Hearing dated January 20, 2022
3. Manitoba Status of Title 3112665/1
4. Letter of authorization dated June 2, 2021 from Kris Sidhu, on behalf of Andre Trudeau, Sandra Poitras, Rod Klinck, Rob Gigiel, Bruce Adams, Roger Labossiere, Michael Shupenia, Corey Wozny and 6678867 MB Inc. to McGowan Russell Group Inc.
5. Surveyor's Building Location Certificate and sketch dated December 16, 2020
6. The Queen's Bench Winnipeg Centre Order File No. CI 20-01-26956, between Khushwant Sidhu and Corey Wozny
7. Plans (2 pages)
8. Report from the Urban Planning Division dated February 10, 2022
9. Communication dated January 25, 2022, from Kris Sidhu in support of the application
10. Inspection Report
11. Presentation dated February 24, 2022, in support of the application submitted by the Applicant
12. Recording of Representations

REPRESENTATIONS:

In Support:

Melissa Neirinck
Kris Sidhu

In Opposition:

Nil

For Information:

Nil

For the City:

D. Chyz-Lund, Planner, Planning, Property and Development, Department
D. Trenchard, Land Development Engineer, Planning, Property and Development, Department

Exhibit "8" referred to in File DASZ 51/2021

ADMINISTRATIVE REPORT

Title: DASZ 51/2021 – 745 Bonner Avenue

Issue: For consideration at the public hearing for a Subdivision and Rezoning to create two lots, one zoned "R1-M" Residential Single-Family (Medium) to enable the future development of a new single-family dwelling, and one zoned "R1-L" Residential Single-Family (Large), to enable the maintenance of an existing single-family dwelling.

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
Dylan Chyz-Lund, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 51/2021 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated February 10, 2022, 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 February 7, 2022, 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 giving first reading to the by-law, attached as Appendix "A" to this report, that rezones 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 February 10, 2022, and included within Schedule "A", subject to the following condition:

    A. That the foregoing amendment to The Winnipeg Zoning By-law No. 200/06 be brought into conformity with any changes recommended by the Administrative Coordinating Group in their report dated February 7, 2022, attached as Schedule "B".

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 51/2021, as determined by the City's Director of Planning, Property and Development.

4. That the Public Service be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of subdivision (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 4 of this Report, and all associated ancilliary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

5. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

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.

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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 21-247611D 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 51/2021.

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).

Of these already approved lots, Lots 1, 2, 10, and 11 are abutting the subject property, and include the following width and area:

- Lot 1 width is 54.8 feet and lot area is 5351 square feet
- Lot 2 width is 36.6 feet and lot area is 3656 square feet
- Lot 10 width is 54.8 feet and lot area is 5993 square feet
- Lot 11 width is 58.3 feet and lot area is 6694 square feet

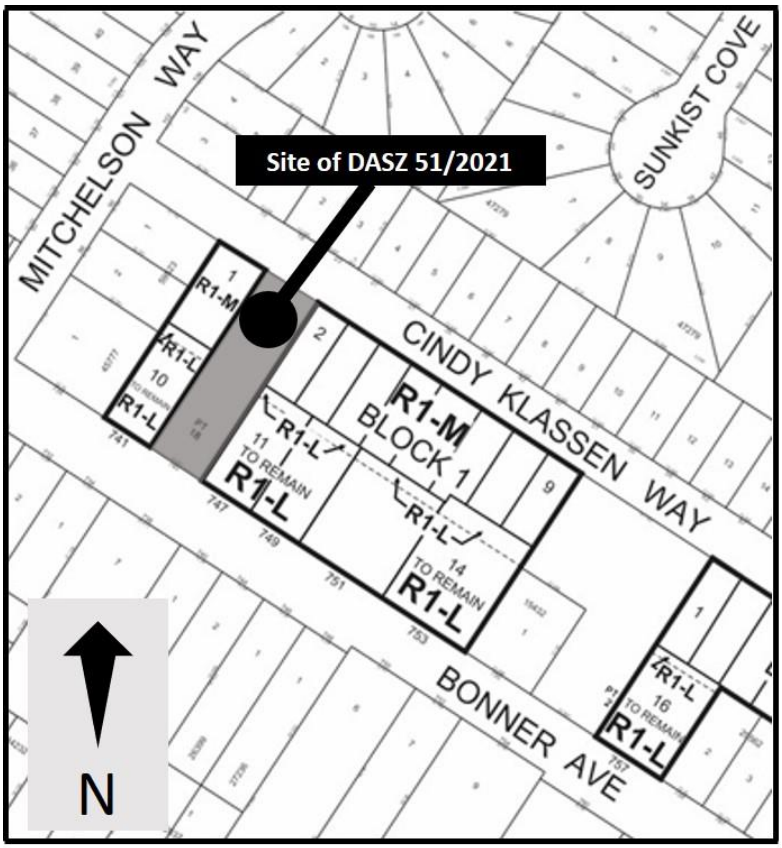


Figure 1: Part of DASZ 34/2021 and Site of DASZ 51/2021

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:	Dylan Chyz-Lund, MCP
Date:	February 10, 2022
File No.	DASZ 51/2021

Attachments

- **Appendix "A," Planning Discussion**
- **Schedule "A," of File DASZ 51/2021, East Kildonan – Transcona Community Committee, dated**
  February 10, 2022
- **Schedule "B" Report of the Administrative Coordinating Group, dated February 7, 2022**

APPENDIX "A," PLANNING DISCUSSION

DATE: February 10, 2022

FILE: DASZ 51/2021

RELATED FILE: 21-247611/D

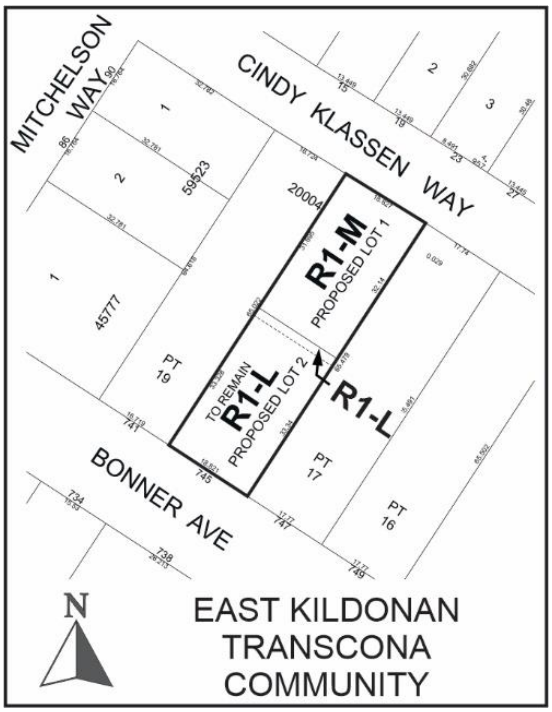
COMMUNITY: East Kildonan – Transcona

NEIGHBOURHOOD #: 419 (Springfield North)

SUBJECT: For consideration at the public hearing for a Subdivision and Rezoning to create 2 lots, Lot 1 (the northerly lot) zoned "R1-M" Residential Single-Family (Medium), and Lot 2 (the southerly lot) zoned "R1-L" Residential Single-Family (Large) to maintain an existing single-family dwelling on Lot 2 and facilitate future development on Lot 1

LOCATION: 745 Bonner Avenue

LEGAL DESCRIPTION: LOT 18 PLAN 20004 40/42 K



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

OWNERS: **Khushwant Sidhu and/or Corey Wozny**

RECOMMENDATION: Approval Subject to Conditions

SITE DESCRIPTION

The subject site, identified on Figures 1 and 2:

- Is part of lot 18 Plan 20004 WLTO
- Is between Bonner Avenue and Cindy Klassen Way;
- Is in the North Kildonan Ward;
- Is 13,219 square feet in area;
- Contains one single-family dwelling that take access from Bonner Avenue, along with a shed;
- Is zoned “R1-L” Residential Single-Family (Large) and “RR5” Rural Residential 5; and
- Is in a Recent Communities policy area of *OurWinnipeg* and *Complete Communities*.

SURROUNDING LAND USE AND ZONING

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

North: Cindy Klassen Way, then a vacant parcel zoned “R1-M” Residential Single-Family (Medium).

East: Single-family dwelling split-zoned “R1-L” Residential Single-Family (Large) and “RR5” Rural Residential 5.

South: Bonner Avenue and single-family dwellings zoned “R1-L” Residential Single-Family (Large).

West: Single-family dwelling split-zoned “R1-L” Residential Single-Family (Large) and “RR5” Rural Residential 5.

Also of note:

- The site is in a neighbourhood that is transitioning from rural-residential to suburban and urban residential uses, with the full-range of municipal infrastructure.
- Public transit service is on Headmaster Row, which is north of the site.



Figure 2: Aerial photo of subject site and surrounding uses (flown 2021)

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed plan of subdivision and rezoning would create 2 lots. Lot 1 (the northerly lot), fronting onto Cindy Klassen Way, would be zoned “R1-M” Residential Single-Family (Medium), and Lot 2 (the southerly lot), fronting onto Bonner Avenue, would be zoned “R1-L” Residential Single-Family (Large).

- Lot 1 would be approximately 61.8 feet wide and a total area of 6466 square feet.
- Lot 2 would be approximately 61.8 feet wide and a total area of 6753 square feet.
- On Lot 2, the existing dwelling would be maintained.
- There are no current plants for a dwelling to be built on Lot 1, although the site would facilitate future development.
- Variances are needed to accommodate the proposed plan of subdivision and rezoning. An application and an administrative report regarding the variances have been submitted. The report recommends approval of the application (File Number DAV 21-247611\D).



Figure 3: Zoning of the site and surrounding area

COLLABORATIVE PLANNING

The applicant worked with the Urban Planning and Design Division in creating a proposal that would be supported by the Division.

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.*

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 from rural residential to urban and suburban residential uses with the full range of municipal infrastructure.
- Public Transit service is near the site, on Headmaster Row.
- The proposed development will maintain one single-family home and facilitate the future development of an additional single-family home.
- The proposed rezoning to “R1-M” Residential Single-Family (Medium) and “R1-L” Residential Single-Family (Large) is consistent with existing zoning along Cindy Klassen Way and Bonner Avenue.
- The size, width and zoning of the proposed lots are consistent with three of the four approved abutting lots. Specifically, Lot 1 which is zoned “R1-M” Residential Single-Family (Medium), is 54.8 feet wide and is 5351 square feet in area, Lot 10, which is zoned “R1-L” Residential Single-Family (Large), is 54.8 feet wide and is 5993 square feet in area, Lot 11, which is zoned “R1-L” Residential Single-Family (Large), is 58.3 feet wide and is 6694 square feet in area.
- The proposed northerly lot would be significantly wider and larger than the existing lot to the immediate east, however, the new lot is compatible with the existing lot.

REASONS FOR THE RECOMMENDATIONS

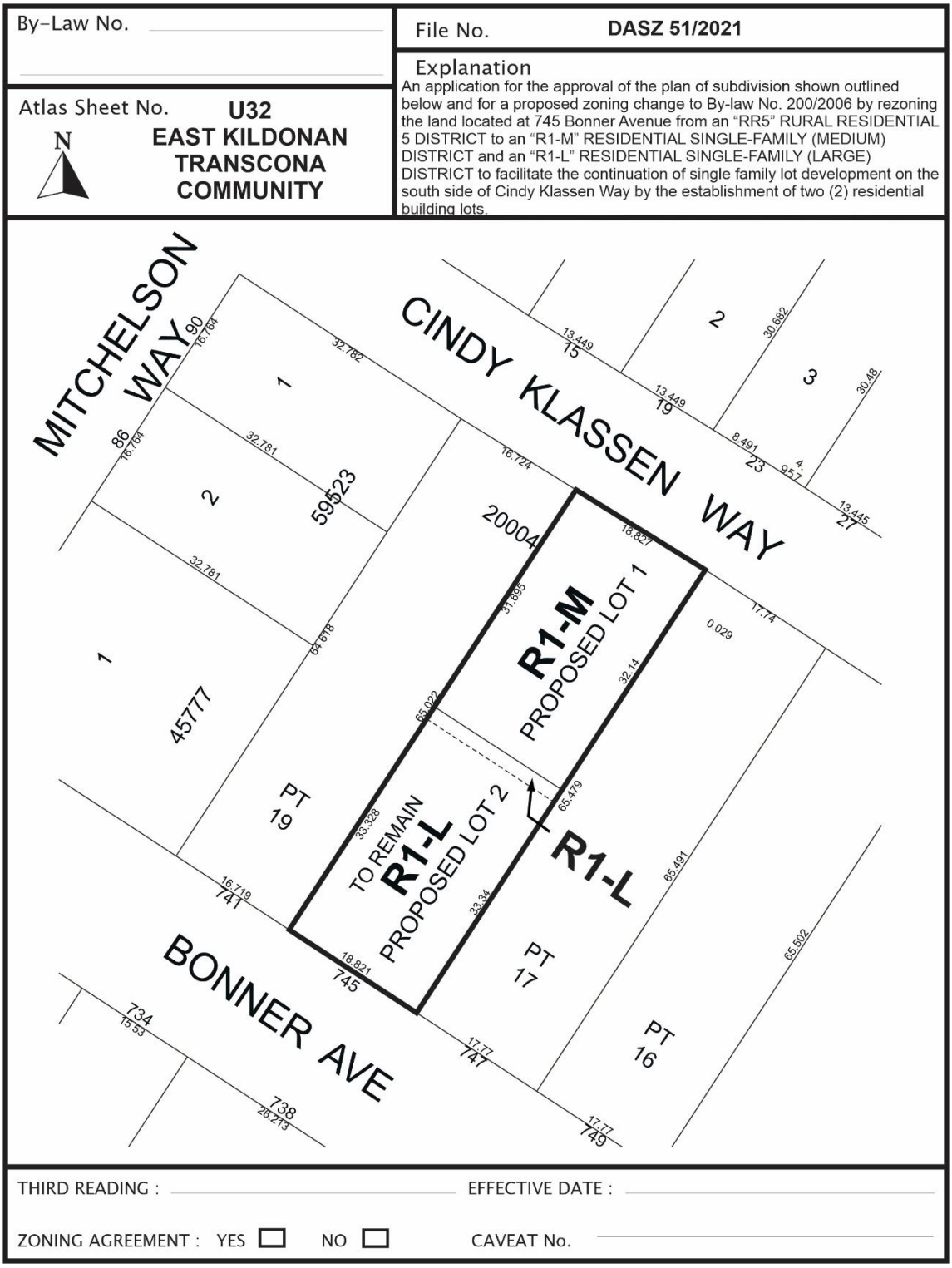
The Urban Planning and Design Division recommends approval of Schedule “A” to this report because:

- 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: Dylan Chyz-Lund, MCP
PPD File #: DASZ 51/2021

SCHEDULE "A" OF FILE DASZ 51/2021, East Kildonan – Transcona Community Committee,
dated February 10, 2022



**SCHEDULE "B" – REPORT OF THE ADMINISTRATIVE COORDINATING GROUP
RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT
745 BONNER AVE,
dated February 7, 2022**

SCHEDULE B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 745 BONNER AVENUE

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 51/2021, 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:

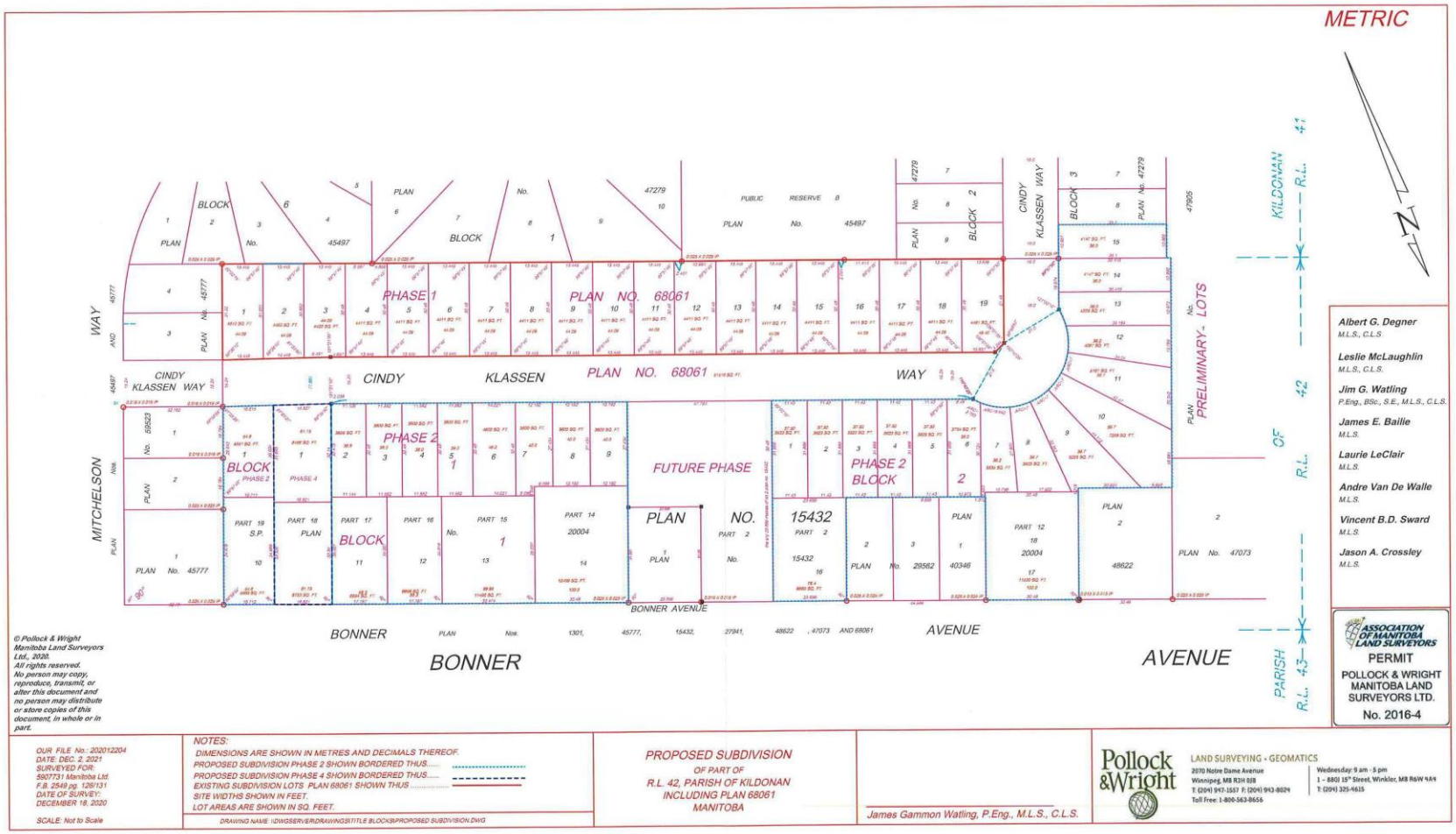
Administrative Co-ordinating Group
File No. DASZ 51/2021
February 7, 2022

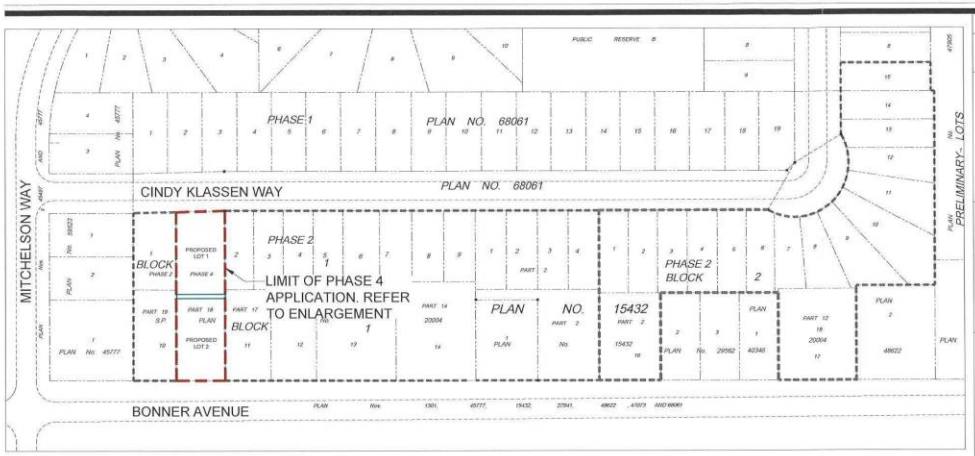
"*Original Signed by D. Trenchard"*
D. Trenchard, P. Eng.
Land Development Branch
Planning, Property and Development Department

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

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

Exhibit "7" referred to in File DASZ 51/2021

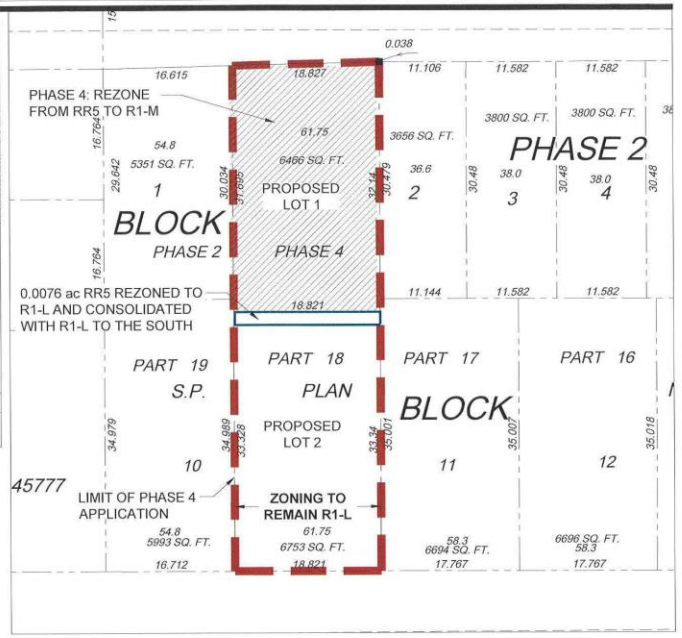




CINDY KLASSEN DEVELOPMENT- OVERALL

LIMIT OF PHASE 4 APPLICATION

LIMIT OF PREVIOUSLY APPLIED FOR PHASES 2 & 3



CINDY KLASSEN DEVELOPMENT- PHASE 4 ENLARGEMENT

LIMIT OF PHASE 4 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 4 DECEMBER 14, 2021

McGOWAN·RUSSELL