Minutes – Executive Policy Committee – October 17, 2023

Report – Standing Policy Committee on Property and Development – October 6, 2023

Item No. 7 Subdivision and Rezoning – North Point Boulevard (Aurora Phase 11A) (Old Kildonan Ward) File DASZ 61/2022 [c/r DAV 157061/2023D]

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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

1. That the subdivision proposed under Development Application No. DASZ 61/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 18, 2023, 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 September 15, 2023 and attached as Schedule "B" to this report, with the following amendment:

        i. Amend Condition 24) b) by adding "and the Lord Selkirk-West Kildonan Community Committee" immediately after "the Director of Public Works"

2. That the Winnipeg Zoning By-law No. 200/0606 be amended by rezoning the subject land to an "R1-M" Residential Single-Family (Medium) District; "R2" Residential Two-Family District; and "PR-1" Parks and Recreation (Neighbourhood) District in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 19, 2023 and attached as Schedule "A" to this report, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

Report – Standing Policy Committee on Property and Development – October 6, 2023

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

i. All single-family and two-family residential lots backing onto the future Chief Peguis Trail, shall be 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 65 dBA in the typical outdoor recreation area of those lots, to the satisfaction of the Director of Public Works.

3. That the City enter into, execute and deliver with the Developer

A. Development Agreement in accordance with Recommendation 1; and

B. Zoning Agreement in accordance with Recommendation 2,

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").

4. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development/Servicing Agreement, the Zoning 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.

5. That Caveat No. 5151900/1 be discharged as it affects Block 1, Plan 70591.

6. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report (the "By-law") and bring same directly to Council by way of communication for first reading.

7. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with Recommendation 1 and has paid all associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

Report – Standing Policy Committee on Property and Development – October 6, 2023

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

8. That Development Application No. DASZ 61/2022 will be deemed to be concluded and all approvals in connection with this matter will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

9. 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.

10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

11. 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 8 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

12. That Development Application No. DASZ 61/2022 will be deemed to be concluded and all approvals in connection with this matter will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City 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.

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

14. That the Variance Order for File No. DAV 157061/2023D 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 61/2022.

Report – Standing Policy Committee on Property and Development – October 6, 2023

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

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

Carried

On October 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 26, 2023, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendments:

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

  ", with the following amendment:

  i. Amend Condition 24) b) by adding "and the Lord Selkirk-West Kildonan Community Committee" immediately after "the Director of Public Works"

- Delete Recommendations 1.B. and 1.C. in their entirety

- In Recommendation 2, delete the period after "to this report", and replace with the following:

  ", subject to the following conditions:

  A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

Report – Standing Policy Committee on Property and Development – October 6, 2023

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

i. All single-family and two-family residential lots backing onto the future Chief Peguis Trail, shall be 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 65 dBA in the typical outdoor recreation area of those lots, to the satisfaction of the Director of Public Works."

- Add the following new recommendations and renumber the remaining recommendations accordingly:

"3. That the City enter into, execute and deliver with the Developer

A. Development Agreement in accordance with Recommendation 1; and

B. Zoning Agreement in accordance with Recommendation 2,

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").

4. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development/Servicing Agreement, the Zoning 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.

5. That Caveat No. 5151900/1 be discharged as it affects Block 1, Plan 70591."

- In Recommendation 10, delete the words "Plan is registered in the Winnipeg Land Titles Office" and replace with "Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein"

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

PUBLIC HEARING SUMMARY

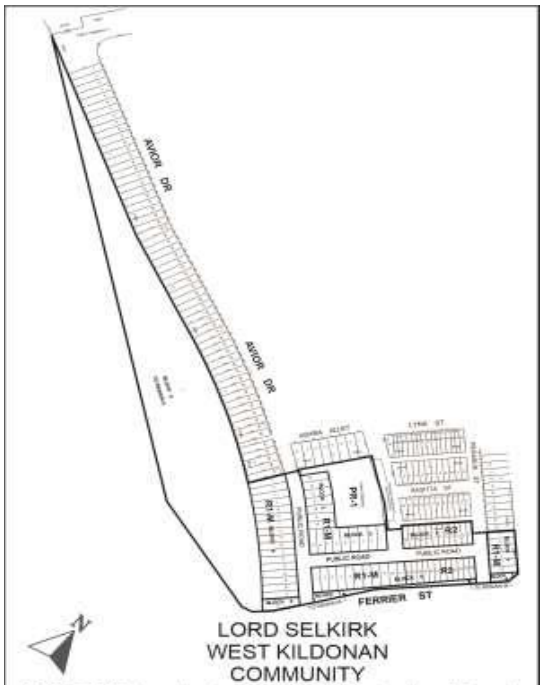
File: DASZ 61/2022

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

Public Hearing: September 26, 2023
Council Building, 510 Main Street

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

Subject:



APPLICANT: Landmark Planning & Design Inc. (Brendan Salakoh)
FILE: DASZ 61/2022
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 an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Aurora at North Point neighbourhood by the creation of the lots, block plan, Public Reserve and public rights-of-way, for future development. **For information, phone S. Jerez Planner at 204-986-7175**

Premises Affected: North Point Boulevard (Aurora Phase 11A)

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

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

Report date: September 27, 2023

Community Committee Recommendation:

On September 26, 2023, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and, recommended to the Standing Policy Committee on Property and Development:

1. That the subdivision proposed under Development Application No. DASZ 61/2022 be approved for preparation as a plan of subdivision (the "Plan") by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix "B" to this report and as shown on the map dated September 18, 2023, 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 September 15, 2023 and attached as Schedule "B" to this report~~.~~***, with the following amendment:***

        i. Amend Condition 24) b) by adding "and the Lord Selkirk-West Kildonan Community Committee" immediately after "the Director of Public Works"

    ~~***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-M" Residential Single-Family (Medium) District; "R2" Residential Two-Family District; and "PR-1" Parks and Recreation (Neighbourhood) District in accordance with the proposed by-law attached as Appendix "B" to this report and as

shown on the map dated September 19, 2023 and attached as Schedule "A" to this report~~.~~***, subject to the following conditions:***

A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

i. All single-family and two-family residential lots backing onto the future Chief Peguis Trail, shall be 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 65 dBA in the typical outdoor recreation area of those lots, to the satisfaction of the Director of Public Works.

3. That the City enter into, execute and deliver with the Developer

A. Development Agreement in accordance with Recommendation 1; and

B. Zoning Agreement in accordance with Recommendation 2,

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").

4. That authority be delegated to the Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Development/Servicing Agreement, the Zoning 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.

5. That Caveat No. 5151900/1 be discharged as it affects Block 1, Plan 70591.

~~***3***~~***6***. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report (the "By-law") and bring same directly to Council by way of communication for first reading.

~~***4***~~***7***. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with Recommendation 1 and has paid all associated ancillary fees (the "Fees"), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.

~~***5***~~***8***. That Development Application No. DASZ 61/2022 will be deemed to be concluded and all approvals in connection with this matter will expire if the developer has not submitted

the Plan and paid all associated ancillary fees (the "Fees") within 2 years following the date on which Council gives first reading to the By-law unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.

~~6~~9. 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.

~~7~~10. That the zoning section of the By-law will come into force when the ***~~Plan is registered in the Winnipeg Land Titles Office~~ Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein***.

~~8~~11. 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 8 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

~~9~~12. That Development Application No. DASZ 61/2022 will be deemed to be concluded and all approvals in connection with this matter will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City 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~~13. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

~~11~~14. That the Variance Order for File No. DAV 157061/2023D 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 61/2022.

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. We have seen this neighbourhood grow over the years, thanks to the area Councillor as well as really good partners with the developers; always coming in with thoughtful consideration of the community and meeting the needs and demand for immigration and families that come here, especially students, and its such a growing northwest quadrant that I actually live in the neighbourhood too so I have seen it grow over the last couple of years and its been a privilege sitting on this committee to watch this neighbourhood grow so with that, it seems to be very effortless and very clean thanks to the administration for coming with always the answers at hand, and its is a very complicated file.

2. I am excited to see this phase finished off over the next coming years.

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 July 12, 2023
2. Notification of Public Hearing dated August 29, 2023
3 Manitoba Status of Title 3211711/1
4. Letter of authorization dated November 24, 2022 from 1910588 Alberta Ltd. to Landmark Planning & Design Inc. (Brendan Salakoh)
5. Caveat 5151900/1
6. Zoning Agreement Development Agreement (Rezoning) between The City of Winnipeg of the First Part, and 1910588 Alberta Ltd. of the Second Part
7. Statutory Easement (Land Drainage Sewer and Water Main File No. DASZ 10/2019 between 1910588 Alberta Ltd. of the First Part, and The City of Winnipeg, of the Second Part
8. Statutory Easement (Wastewater Sewer) File No. DASZ 10/2019 between 1910588 Alberta Ltd. of the First Part, and the City of Winnipeg of the Second Part
9. Drawing of a Conceptual Information Plan of Aurora at North Point
10. Plans (8 pages)
11. Report from the Urban Planning Division dated September 18, 2023
12. Inspection Report
13. Presentation in support of the application submitted by the Applicant at the public hearing

REPRESENTATIONS:

In Support:

Brendan Salakoh
Ross Yaremko

In Opposition:

Nil

For Information:

Nil

For the City:

S. Costello, Planner, Urban Planning, Property and Development Department
S. Jerez, Planner, Planning, Property and Development Department
K. Kowalyk, Development Engineer, Planning, Property and Development Department

Exhibit “11” for File DASZ 61/2022

ADMINISTRATIVE REPORT

Title: DASZ 61/2022 – North Point Boulevard (Aurora Phase 11A)

Issue: For consideration at the Public Hearing to Subdivide and Rezone approximately 22.52 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
S. Jerez, MCP	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision proposed under Development Application No. DASZ 61/2022 be approved for preparation as a plan of subdivision (the “Plan”) by a Manitoba Land Surveyor in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated September 18, 2023, 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 September 15, 2023 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-M” Residential Single-Family (Medium) District; “R2” Residential Two-Family District;

and “PR-1” Parks and Recreation (Neighbourhood) District in accordance with the proposed by-law attached as Appendix “B” to this report and as shown on the map dated September 19, 2023 and attached as Schedule “A” to this report.

3. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report (the “By-law”) and bring same directly to Council by way of communication for first reading.
4. That upon instruction from the Director of Planning, Property and Development that the Developer has submitted the Plan in accordance with recommendation 1 and has paid all associated ancillary fees (the “Fees”), and subject to s. 236.1 of The City of Winnipeg Charter, the Director of Legal Services/City Solicitor be directed to return the By-law directly to Council by way of communication for second and third reading.
5. That Development Application No. DASZ 61/2022 will be deemed to be concluded and all approvals in connection with this matter will expire if the developer has not submitted the Plan and paid all associated ancillary fees (the “Fees”) within 2 years following the date on which Council gives first reading to the By-law 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 Development Agreement 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 8 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.
9. That Development Application No. DASZ 61/2022 will be deemed to be concluded and all approvals in connection with this matter will expire if the developer fails to secure all necessary Plan approval signatures on behalf of the City 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 the Variance order for File No. DAV 23-157061/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 61/2022.

REASON FOR THE REPORT

- The applicant intends to subdivide and rezone approximately 22.52 acres of land in Precinct ‘G’ in order to establish 74 residential lots, 1.45 acres of Public Reserve, and open public right-of-ways.
- The proposed subdivision and rezoning would represent the eleventh phase of the “Aurora at North Point” community, which is generally bound by Ferrier Street (east); McPhillips Street (west) North Point Boulevard; 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 2045 POLICY ALIGNMENT

City Building Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals. Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods.

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.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

SUBMITTED BY

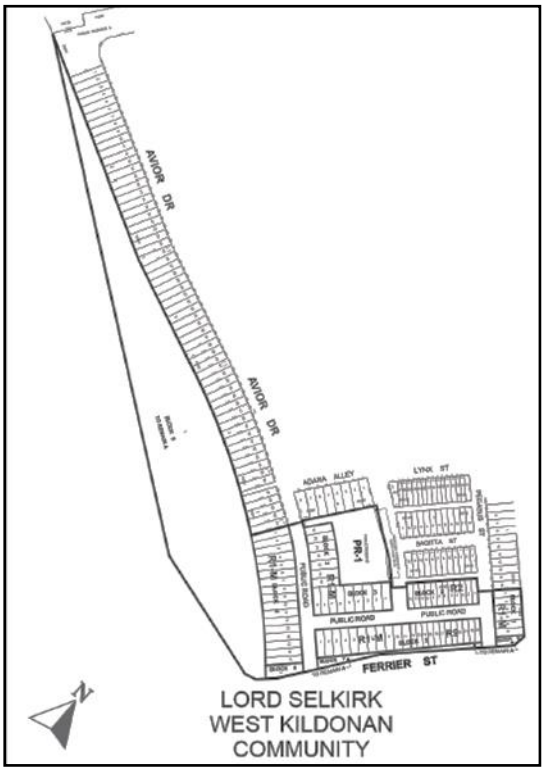
Department	Planning, Property and Development
Division	Urban Planning
Prepared by	S. Jerez, MCP
Date:	September 18, 2023
File No.	DASZ 61/2022

List of Schedules and Attachments

- **Appendix "A," Planning Discussion.**
- **Schedule "A," of File 61**/2022**,** Lord Selkirk - West Kildonan **Community Committee, dated** September 18, 2023**.**
- **Schedule "B," Report of the Administrative Co-ordinating group, RE: Proposed Subdivision and Rezoning of Land Bounded by Murray Avenue, Ferrier Street, Future Chief Peguis Trail and North Point Boulevard (Aurora At North Point Phase 11A) dated** September 15, 2023**.**

APPENDIX 'A'

DATE:	September 18, 2023
FILE:	**DASZ 61/2022**
RELATED FILES:	DAV 23-157061\D
COMMUNITY:	Lord Selkirk-West Kildonan Community
NEIGHBOURHOOD #:	3.333 (West Kildonan Industrial)
SUBJECT:	To subdivide and rezone approximately 22.52 acres of land in Precinct 'G'.
LOCATION:	North Point BLVD (bounded by Murray Avenue, Ferrier Street, North Point Boulevard, and future Chief Peguis Extension)
LEGAL DESCRIPTION:	BLOCK 1 PLAN 70591



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 west side of Ferrier Street Between Murray Avenue (north) and the Future Chief Peguis Trail Extension Corridor (south), in the West Kildonan Industrial Neighbourhood of the Old Kildonan Ward.
- The subject site is +/- 22.52 acres in lot area and zoned "A" Agricultural District.
- 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.

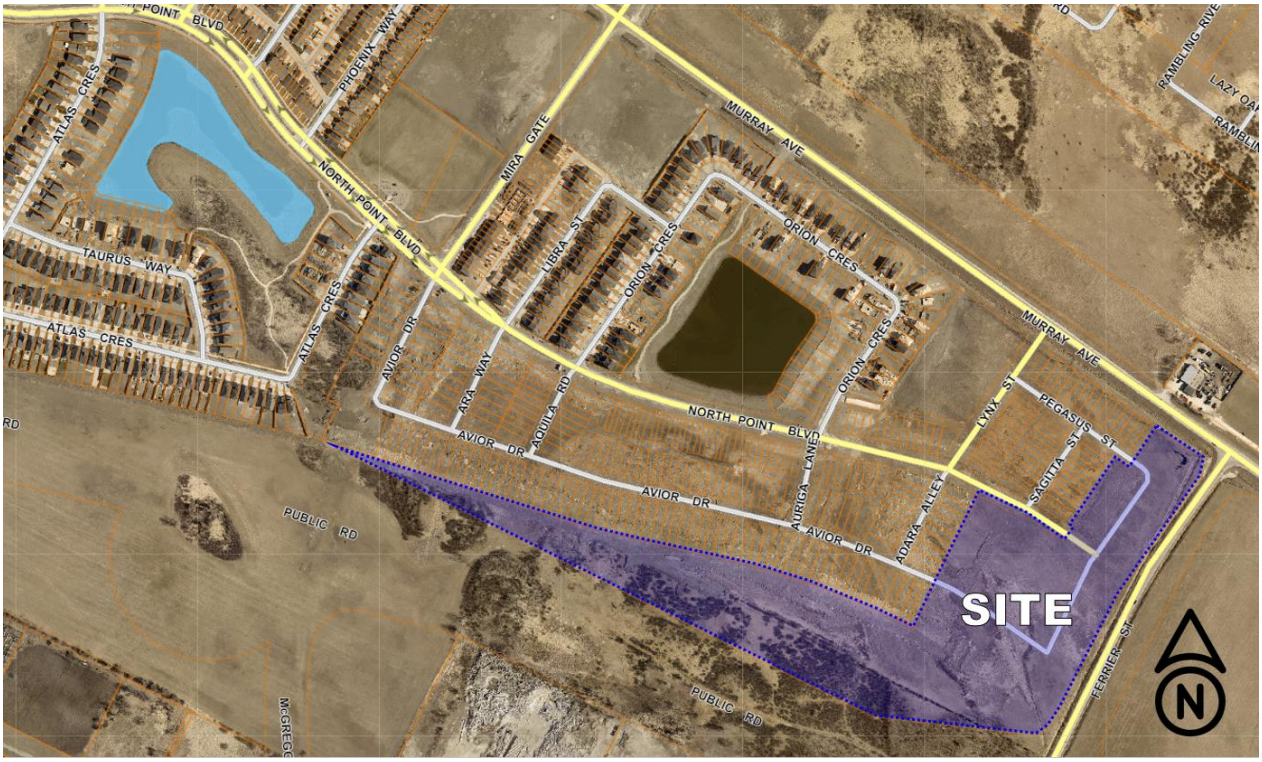


Figure 1: Aerial Photo of Subject Site and Surrounding Uses *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Lands zoned "RMF-S" Residential Multi-family (Small) under DASZ 32/2021, and Murray Avenue.

South: Future extension of Chief Peguis Trail.

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

West: Lands zoned "RMF-L" Residential Multi-family (Large), "RMF-S" Residential Multi-family (Small), and "R1-M" Residential Single-family (Medium) under DASZ 32/2021.

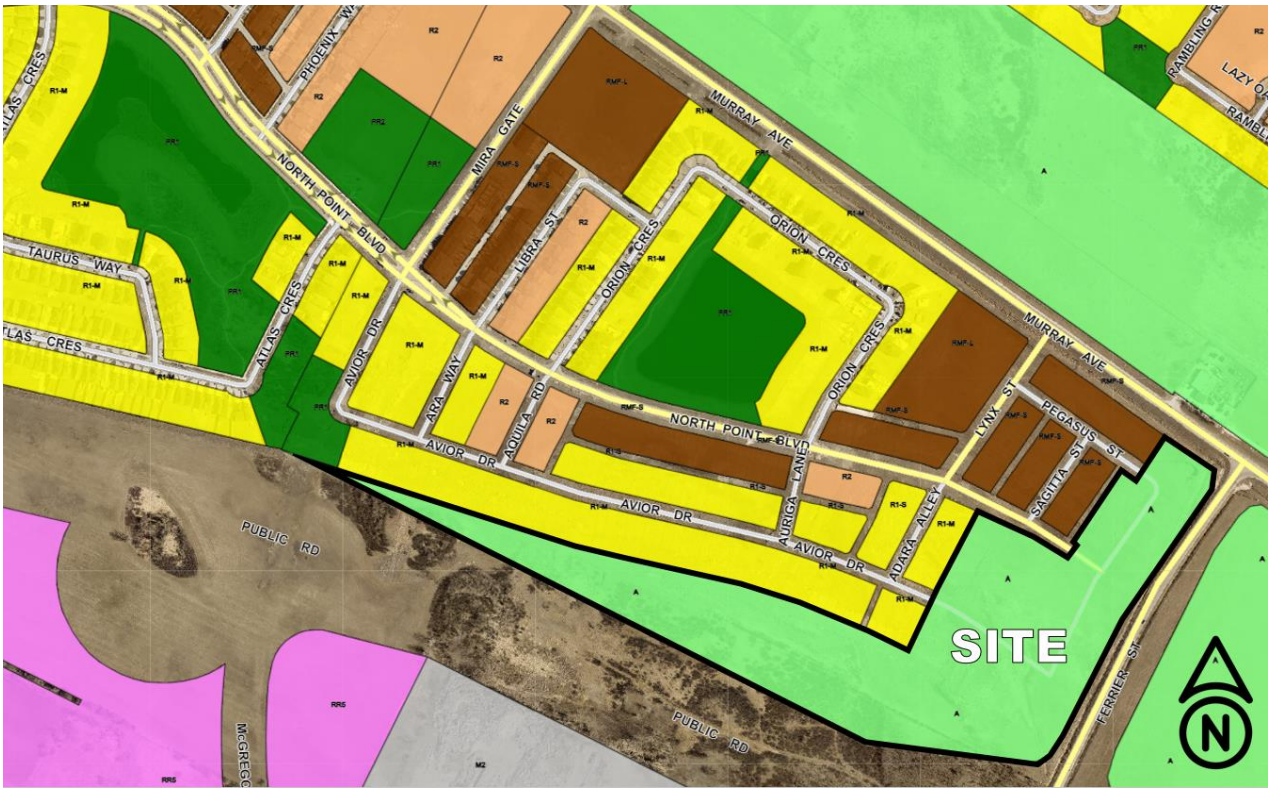


Figure 2: Zoning of the Site and Surrounding Area

DESCRIPTION OF THE PROPOSED DEVELOPMENT

- The applicant is proposing to subdivide and rezone +/-22.52 acres of land from an "A" Agricultural District to facilitate the continuation of the Aurora at North Point Neighbourhood through the creation of the lots, Public Reserve and public rights-of-way for future residential development (Figure 3).
- The proposed subdivision includes 10 acres of low density residential zoning districts, ("R1-M" Residential Single-Family (Medium) District and “R2” Residential Two-Family District) as well as "PR1" Parks and Recreation 1 District (1.45 acres of Public Reserve), as well as rights-of-way. The proposed subdivision will create seventy-four (74) residential zoning lots, exceeding the 7-unit per acre density requirement of the Precinct ‘G’ Plan. Three (3) blocks within this area will remain zoned “A” Agricultural District.
- Approximately 12 acres of the subject site will be allocated as future Chief Peguis Trail right-of-way, and approximately 0.48 acres of residual land to be developed under a future phase (Phase 11B).
- Under Phase 11B, Ferrier Street would be closed to allow the realignment of a north-south right-of-way in order to meet proper intersection safety standards for the alignment of the Chief Peguis Trail extension.
- **The application also results in the opening of public rights-of-way, including the extension of Pegasus Street, North Point Boulevard and Avoir Drive, in addition to one new street). Sidewalks are proposed along one side of every street.**
- Plans of development have not been submitted at this time.

- 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 23-157061\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 seventy-four (74) l**ots are proposed under the subject application. The proposed plan of subdivision and rezoning is described in more detail as follows:**

- **Block 1 would be subdivided into 6 lots and zoned "R1-M" Residential Single-Family (Medium). These lots would be backing onto Murray Avenue. Future development would include front access driveways.**
- **Block 2 would be subdivided into 12 lots and zoned "R2" Residential Two-Family. Future development would take access to a back lane.**
- **Block 3 would be subdivided into 16 lots and zoned "R1-M" Residential Single-Family (Medium) backing onto the proposed "PR-1" Parks and Recreation 1 (Neighbourhood) zoned public reserve. Future development would include front access driveways.**
- **Block 4 would be subdivided into 17 lots and zoned "R1-M" Residential Single-Family (Medium). Future development would include front access driveways.**
- **Block 5 would be subdivided into 23 lots, with 11 zoned "R1-M" Residential Single-Family (Medium) and 12 lots zoned "R2" Residential Two-Family. Future development would include front access driveways.**

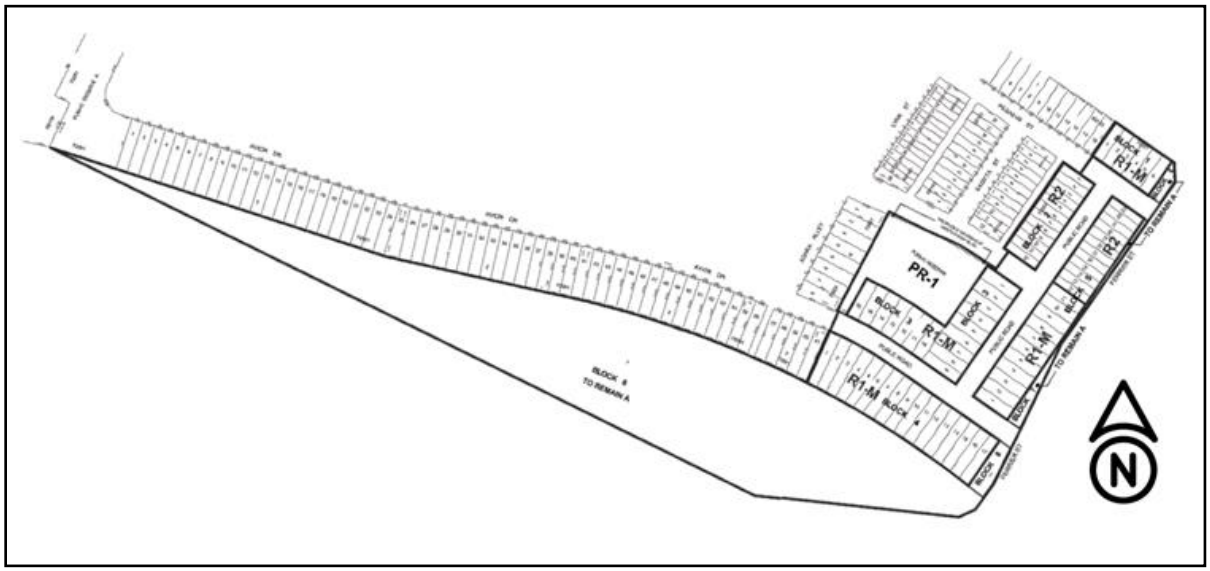


Figure 3: Proposed Plan of Subdivision and Rezoning

- **Blocks 6 (0.08 acres), 7 (0.24 acres) and 8 (12.16 acres) would remain zoned "A" Agricultural District. These blocks will be required to accommodate the future widening of** Chief Peguis Trail per the Chief Peguis Trail Functional Design Study.
- **A** 1.45 acre **Public Reserve is proposed as land dedication and to be zoned "PR-1" Parks and Recreation 1 (Neighbourhood).**

COLLABORATIVE PLANNING

- In 2020, the applicant submitted a Pre-Application including 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, engaging the Public Service prior to submitting the subject application, and revising their proposal based on feedback to provide a mutually agreeable proposal.
- The proposed plan of subdivision was revised in order to consider land requirements for the Chief Peguis Trail extension.
- The applicant also discussed the proposed plan with the Parks Planner in the period following the submission of the subject application, specifically the size, layout and siting of park space away from collector streets.

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.*
- *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.

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-M Residential Single-Family District is 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 “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 selection of housing types that are important to help meet the lifecycle needs of Winnipeg residents. The proposed zoning districts 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 eleventh 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 west 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 32/2021).
- Lands to the south of the subject planned area are also within Precinct ‘G’ and future development (Phase 11B) will be evaluated under the relevant policies of the Precinct Plan, as well as land earmarked for the future Chief Peguis Trail extension and related works.

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: S. Jerez, MCP
PPD File #: DASZ 61/2022

Schedule "A" for File DASZ 61/2022
Lord Selkirk West Kildonan Community Committee, dated September 18, 2023

By-Law No. _____

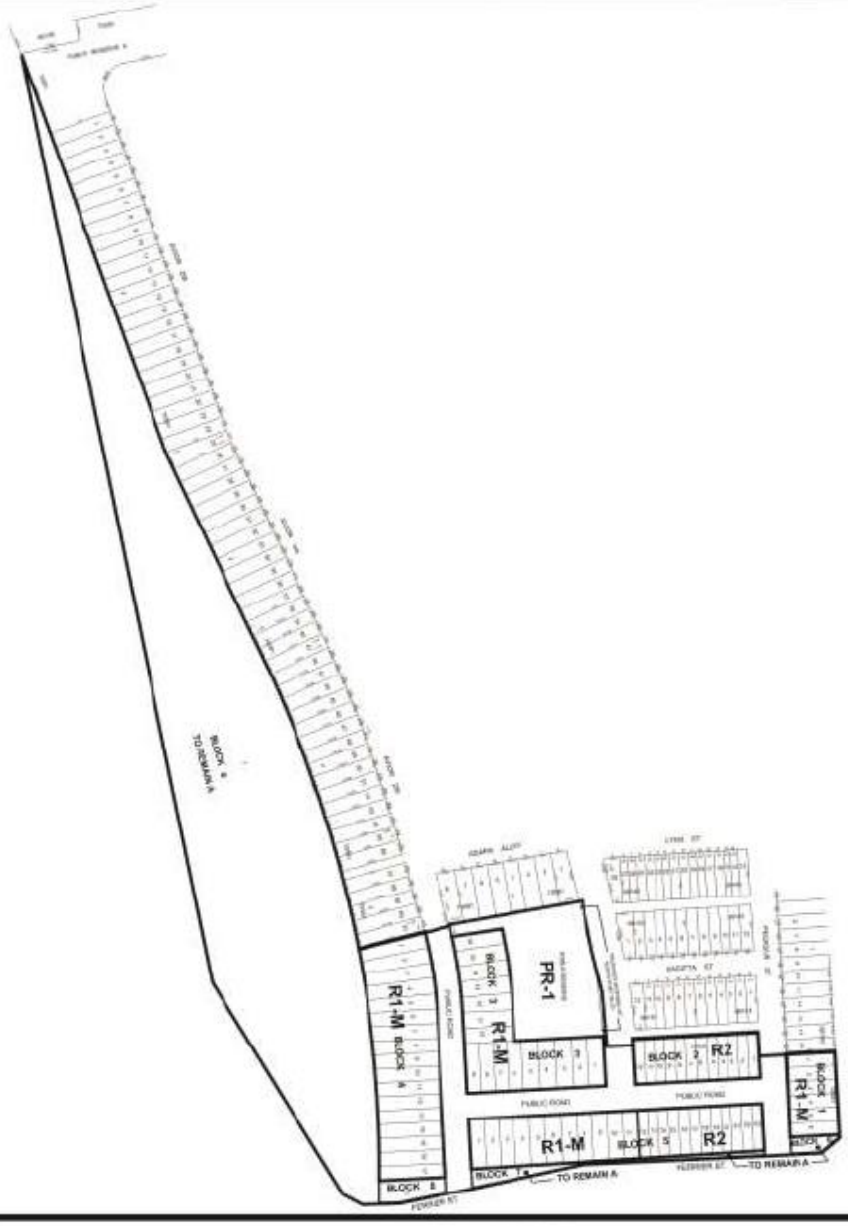
File No. **DASZ 61/2022**

Atlas Sheet No. **R25**

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of subdivision shownoutlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located south of Murray Avenue and North Point Boulevard and west of Ferrier Street from an "A" AGRICULTURAL DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (MEDIUM) DISTRICT, an "R2" RESIDENTIAL TWO-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the continuation of the Aurora at North Point neighbourhood by the creation of the lots, block plan, Public Reserve and public rights-of-way for future development.



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 BOUNDED BY MURRAY AVENUE, FERRIER STREET, FUTURE CHIEF PEGUIS TRAIL AND NORTH POINT BOULEVARD (AURORA AT NORTH POINT PHASE 11A)

It is recommended that approval of DASZ 61/2022, if granted, be subject to the applicant entering into a Development Agreement containing the following conditions:

Section I – 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 if required, in cash, on demand, 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 if required, in cash, on demand, 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

d) 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.

e) 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, catch basins and leads required to provide lot drainage within the Planned Area.

f) 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, catch basins and leads for lot drainage within the Planned Area.

6) Pavements

The Developer shall, at no expense to the City, construct 150mm and 200mm thick Portland cement concrete pavements, 7.5m, 8.0m, and 10.0m in width, and all related works, including but not limited to ornamental street lighting, boulevard landscaping and land drainage facilities, in all streets within the Planned Area, all as determined by and to the satisfaction of the Director of Public Works.

7) Sidewalks/Pathways

g) 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, to the satisfaction of the Director Public Works, as shown on Map 2 below.

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

i) The Developer shall construct sidewalks where possible 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) 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.

9) 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.

10) 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.

11) Share of Future Improvements

j) The Developer shall pay to the City, in cash, on demand, their share of the cost of the following services to be installed in Murray Avenue along the full length of the Planned Area abutting the south side of Murray Avenue:

i) an 8.0m wide by 200mm thick Portland cement concrete lane of pavement and all related works;

ii) a 1.5m by 100mm thick Portland cement concrete sidewalk;

iii) street lighting in the south boulevard;

iv) landscaping in the south boulevard; and

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

k) The Developer shall pay to the City, in cash, on demand, their share of the cost of the following services to be installed in Ferrier Street along the full length of the Planned Area abutting the west side of Ferrier Street:

v) 8.0m wide by 200mm thick Portland cement concrete lane of pavement and all related works;

vi) asphalt pathway in the west boulevard;

vii) street lighting in the west boulevard;

viii) landscaping in the west boulevard; and

all 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) Lot Setbacks

All single-family and two-family residential lots backing onto the future Chief Peguis Trail, shall be 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 65 dBA in the typical outdoor recreation area of those lots, and the Zoning Agreement covering those lots shall stipulate this minimum rear yard.

14) 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.

15) 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.

16) 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.

17) 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.

18) Signage

The Developer shall, at no expense to the City:

ix) 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,

x) 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.

19) 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.

20) 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.

21) 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.

22) 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.

23) 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.

24) 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 landscaping and 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. If the Developer is unable to dedicate a full 8% of the land (including by accrual of 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, as approved by the Directors of Public Works and Planning Property and Development.

b) The Developer shall install, at no expense to the City, the following standard landscaping and improvements within the Public Reserve(s), in accordance with Park Development Guidelines, Park Standards (draft) and plans and specifications all as approved by the Director of Public Works:

xi) Grade, level and vegetate;

xii) Construct primary pathway(s);

xiii) Provide tree plantings;

xiv) Install core amenities, including a playground, picnic area, and multiple use space.

c) 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 and the Director of Planning, Property and Development.

d) The Developer shall ensure that land drainage from adjacent properties is not directed to, nor impacting, the public reserve.

e) The Developer shall, at no expense to the City, provide continuous fencing within the

Developer-Owned Land for properties abutting the Public Reserve land(s), as determined by and to the satisfaction of the Director of Public Works. 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.

f) 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.

g) The Developer shall, at no expense to the City, maintain the public open space improvements and amenities for a period of two years, in accordance with the Parks Maintenance Guidelines and specifications approved by the Director of Public Works. Commencement of the maintenance period will correspond with the issuance of Total Performance for Parks and shall be deemed concluded by the issuance of a Final Acceptance Certificate for Parks. 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 development.

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

i) Securities for Public Reserve improvements shall not be released in full until Final Acceptance has been issued and as-built drawings have been received and accepted as complete by the Director of Public Works.

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 61/2022
September 15, 2023

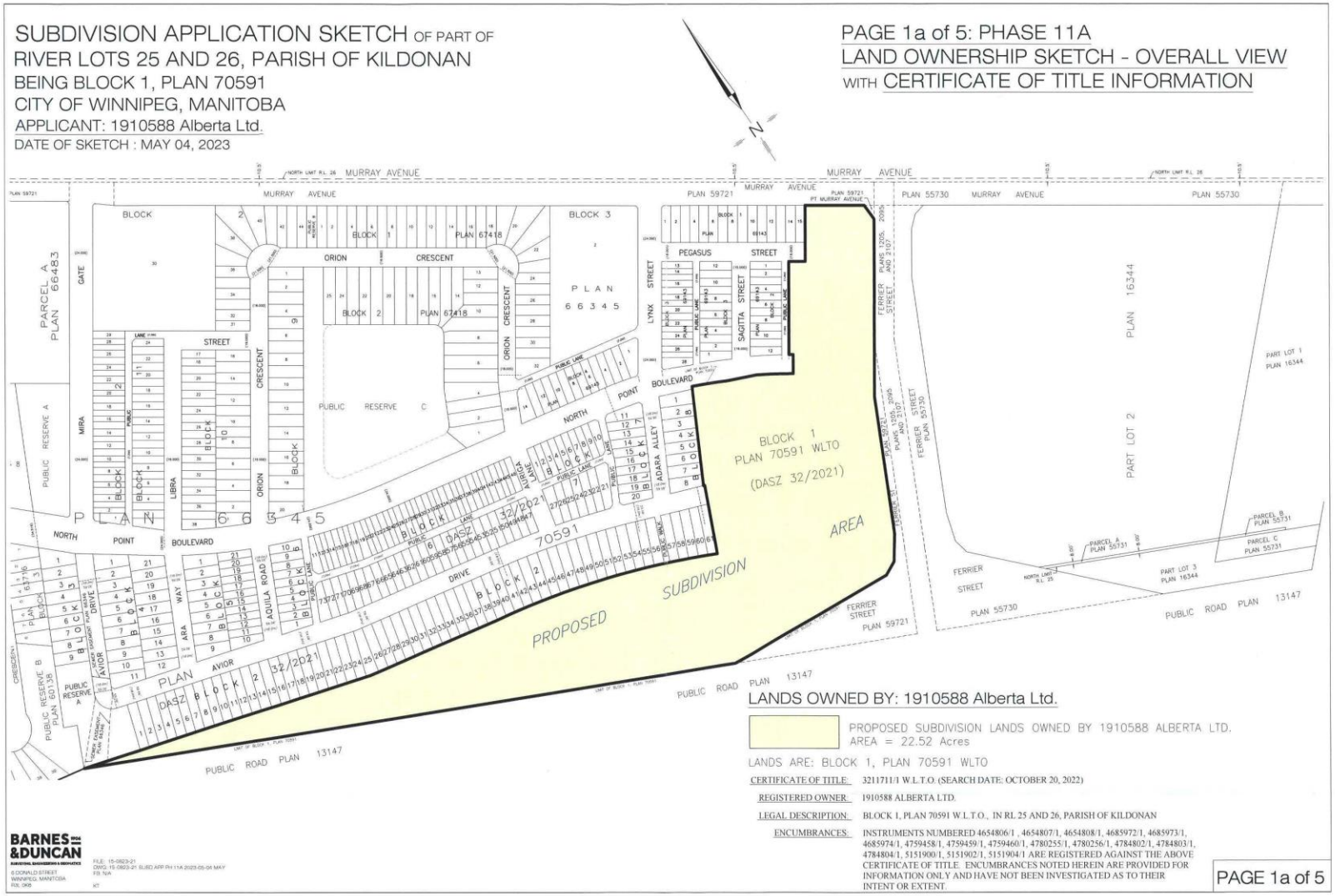
"*Original Signed by K. Kowalyk"*
K. Kowalyk, P. Eng.
Land Development Branch
Planning, Property and Development Department

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

"*Original Signed by S. Whitehouse"*
S. Whitehouse, M.C.P.
Urban Planning and Design Division
Planning, Property and Development Department

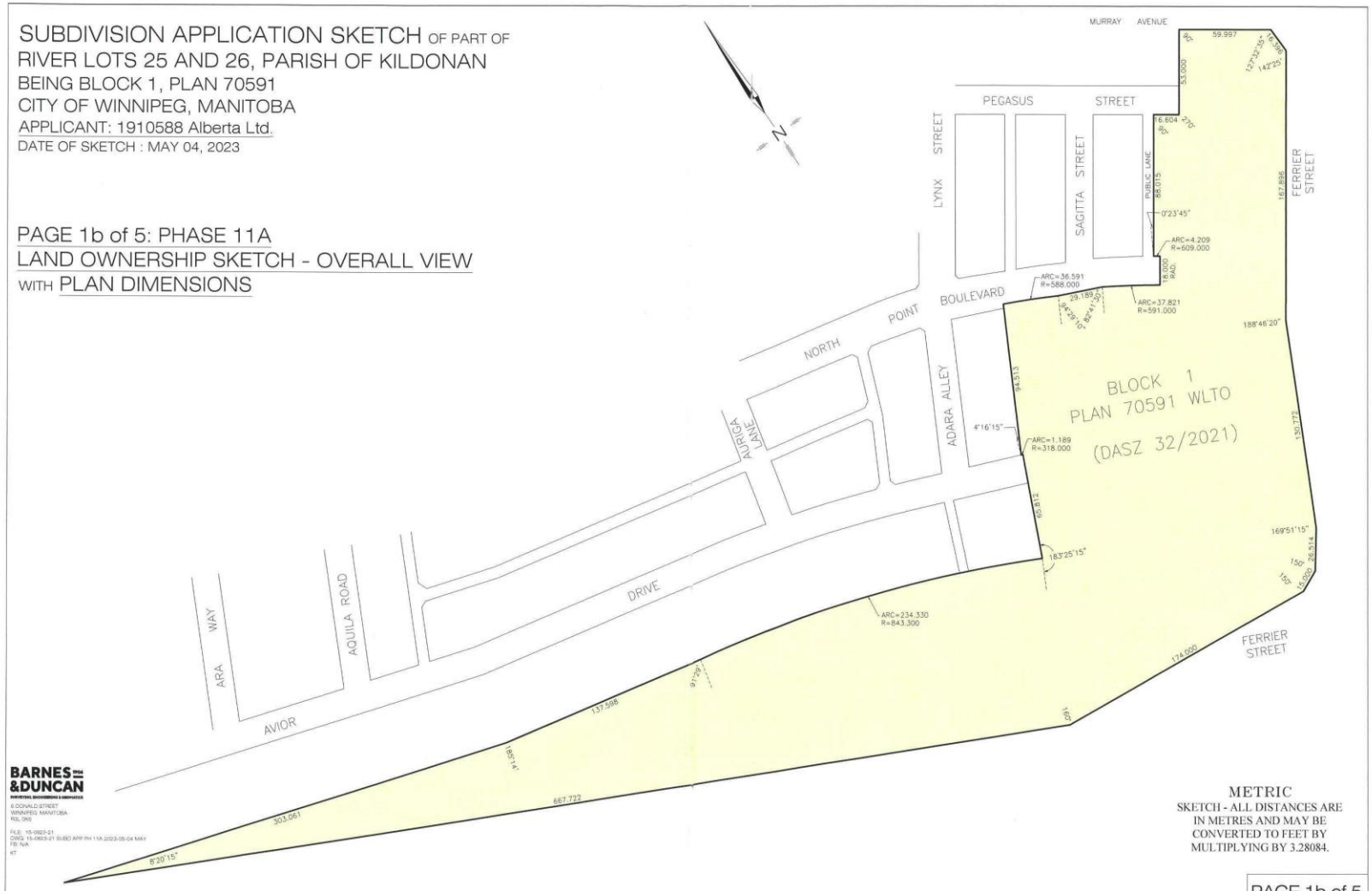
"*Original Signed by C. Desjardine"*
C. Desjardine, M. Sc., P. Eng.
Transportation Division
Public Works Department

Exhibit “10” referred to in File DASZ 61/2022



SUBDIVISION APPLICATION SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 1, PLAN 70591
CITY OF WINNIPEG, MANITOBA
APPLICANT: 1910588 Alberta Ltd.
DATE OF SKETCH : MAY 04, 2023

PAGE 1b of 5: PHASE 11A
LAND OWNERSHIP SKETCH - OVERALL VIEW
WITH PLAN DIMENSIONS



METRIC
SKETCH - ALL DISTANCES ARE IN METRES AND MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.28084.

BARNES & DUNCAN
6 DONALD STREET
WINNIPEG, MANITOBA
R3L 0N6

FILE: 15-0823-21
DWG: 15-0823-21 SUBD APP PH 11A 2023-05-04 MAY
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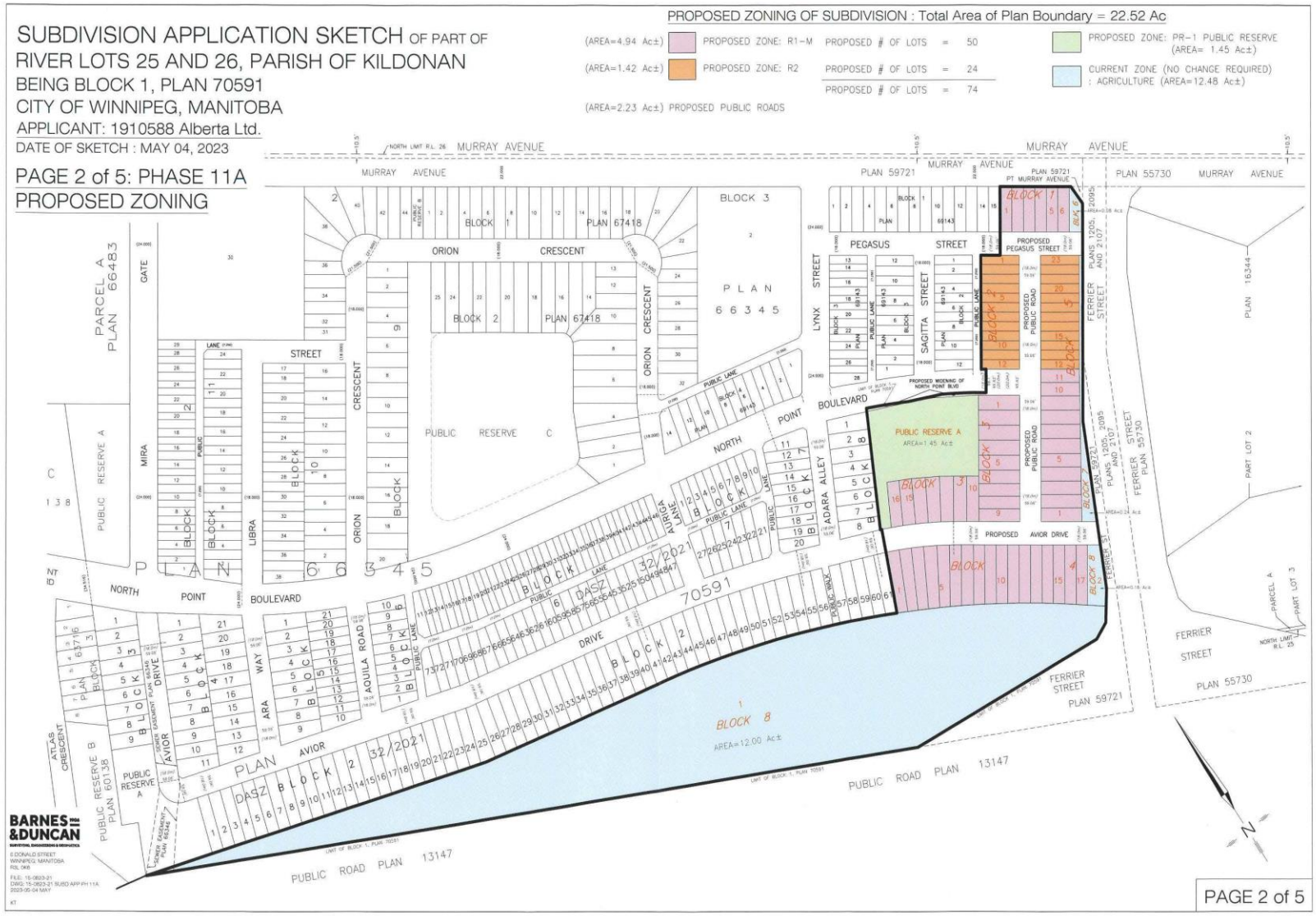
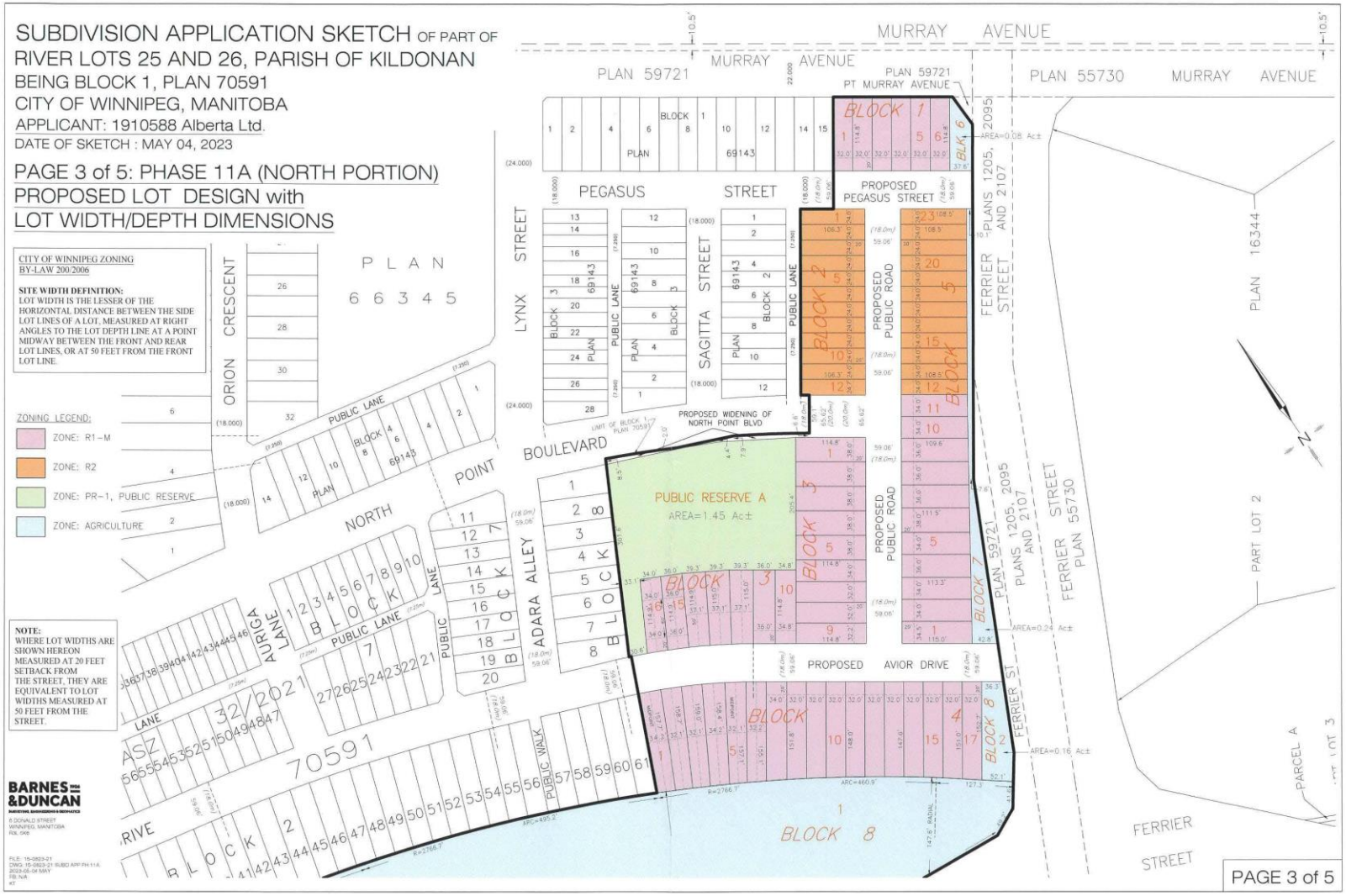
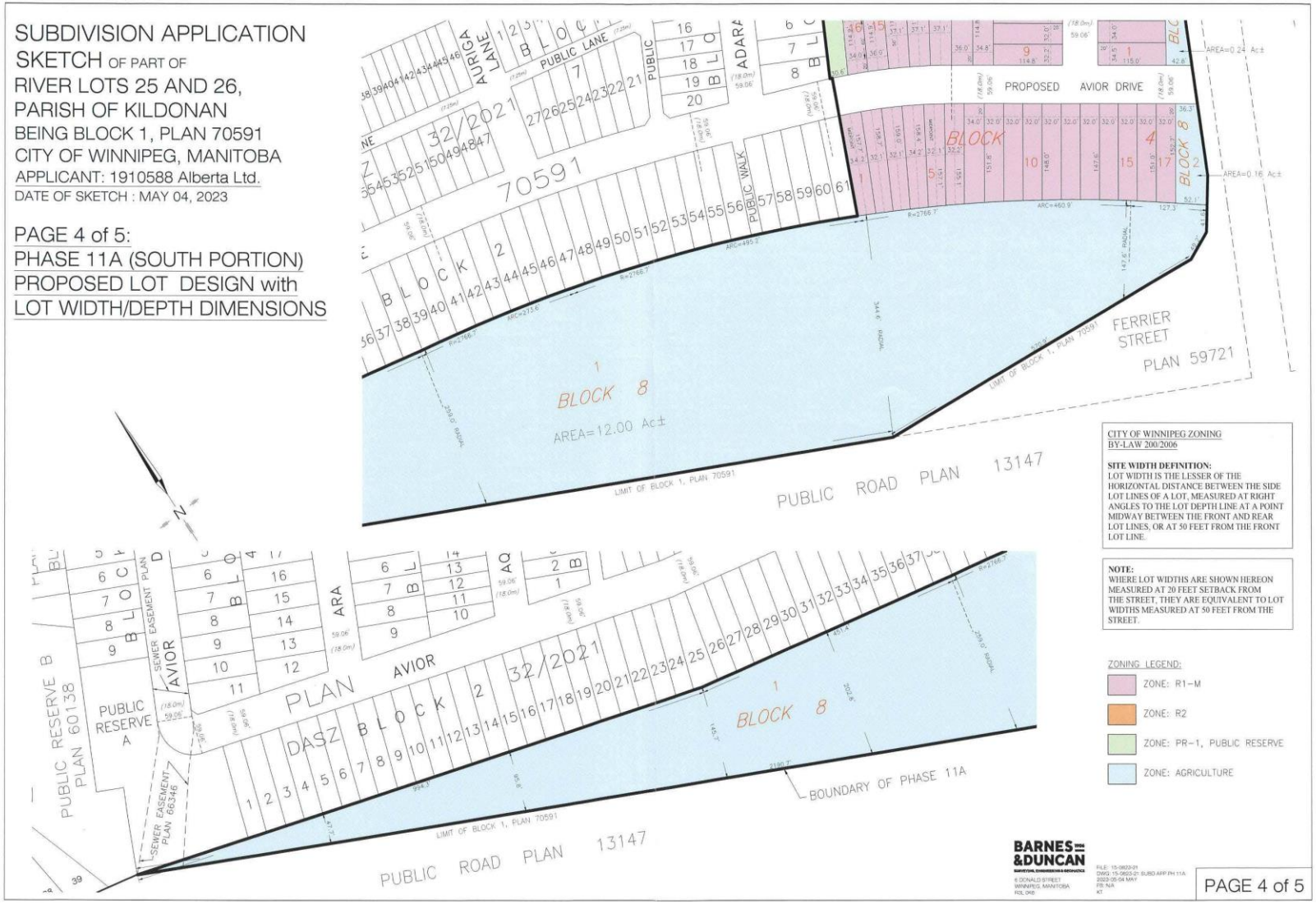
PAGE 1b of 5

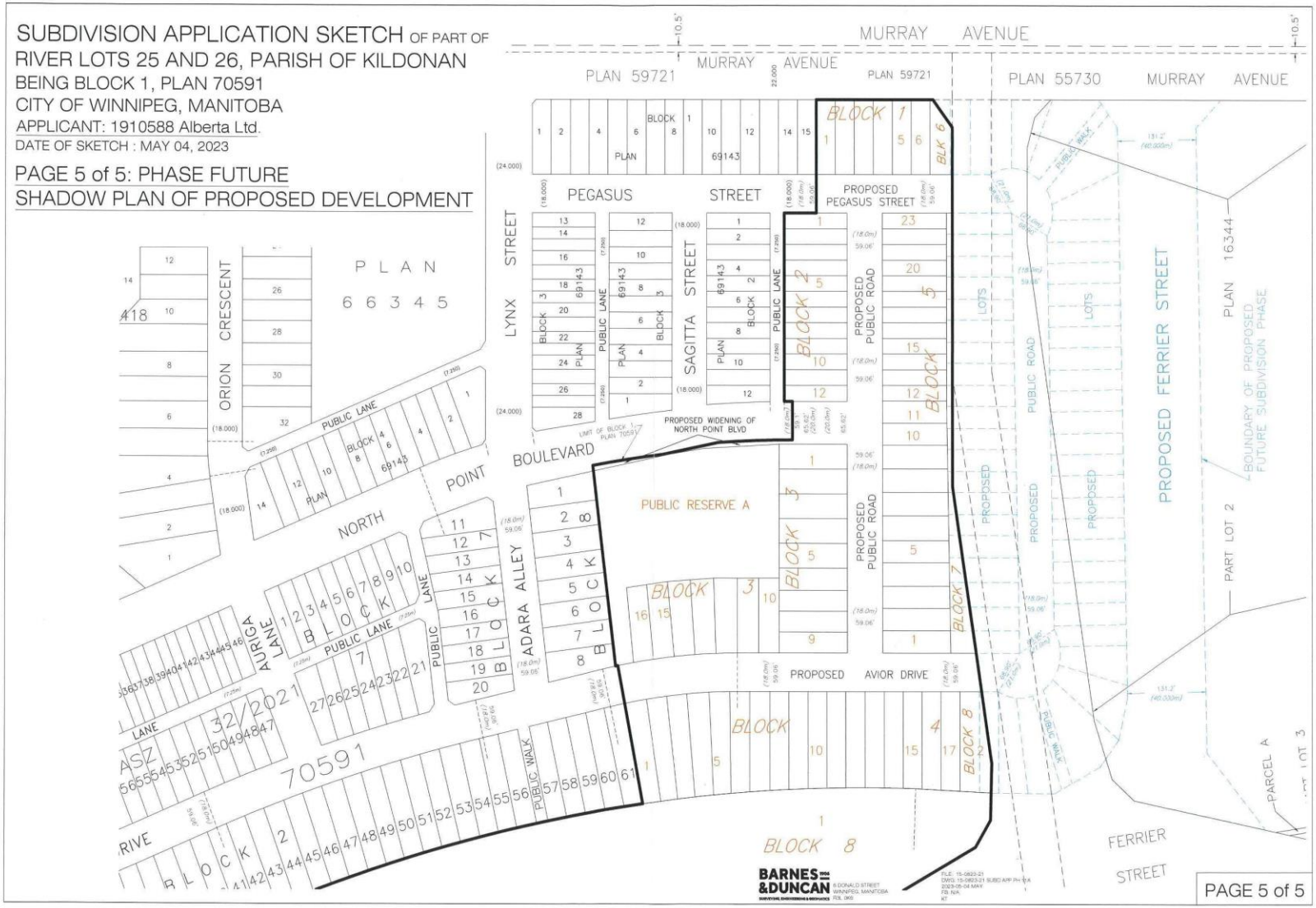

SUBDIVISION APPLICATION SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 1, PLAN 70591
CITY OF WINNIPEG, MANITOBA
APPLICANT: 1910588 Alberta Ltd.
DATE OF SKETCH : MAY 04, 2023
PAGE 2 of 5: PHASE 11A
PROPOSED ZONING
PROPOSED ZONING OF SUBDIVISION : Total Area of Plan Boundary = 22.52 Ac
(AREA=4.94 Ac±) PROPOSED ZONE: R1-M PROPOSED # OF LOTS = 50
(AREA=1.42 Ac±) PROPOSED ZONE: R2 PROPOSED # OF LOTS = 24
PROPOSED # OF LOTS = 74
(AREA=2.23 Ac±) PROPOSED PUBLIC ROADS
PROPOSED ZONE: PR-1 PUBLIC RESERVE (AREA= 1.45 Ac±)
CURRENT ZONE (NO CHANGE REQUIRED) : AGRICULTURE (AREA=12.48 Ac±)
MURRAY AVENUE
PLAN 59721
PLAN 55730
PLAN 67418
PLAN 66345
PARCEL A PLAN 66483
PUBLIC RESERVE A
PUBLIC RESERVE C
PUBLIC RESERVE B PLAN 60138
PUBLIC RESERVE A
PROPOSED PUBLIC RESERVE A AREA=1.45 Ac±
BLOCK 8 AREA=12.00 Ac±
PROPOSED AVIOR DRIVE
PROPOSED PEGASUS STREET
PROPOSED PUBLIC ROAD
PROPOSED WIDENING OF NORTH POINT BLVD
PUBLIC ROAD PLAN 13147
PLAN 16344
PART LOT 2
PART LOT 3
PARCEL A
NORTH LIMIT R.L. 25
BARNES &DUNCAN
PAGE 2 of 5

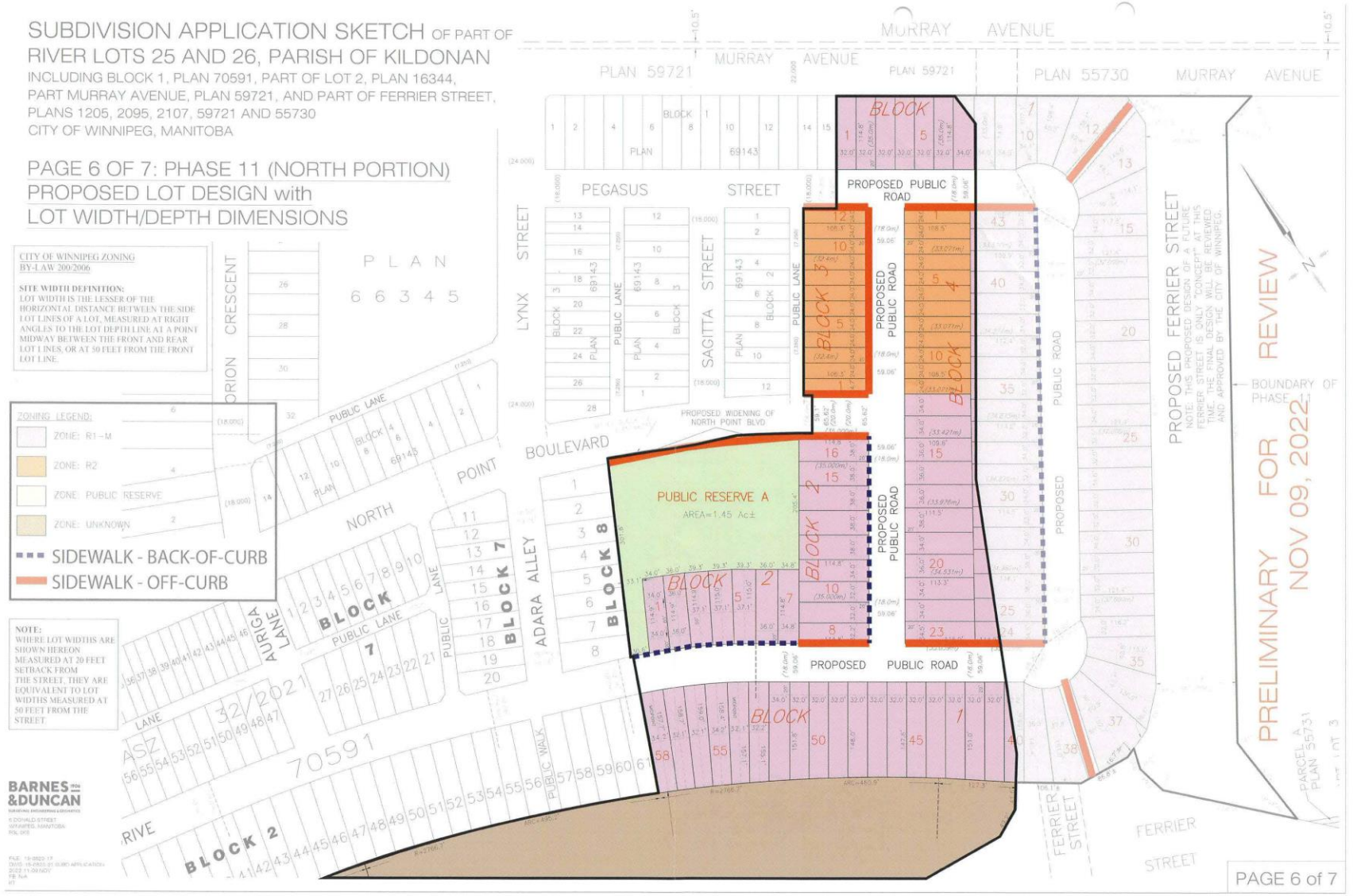

SUBDIVISION APPLICATION SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 1, PLAN 70591
CITY OF WINNIPEG, MANITOBA
APPLICANT: 1910588 Alberta Ltd.
DATE OF SKETCH : MAY 04, 2023
PAGE 3 of 5: PHASE 11A (NORTH PORTION)
PROPOSED LOT DESIGN with
LOT WIDTH/DEPTH DIMENSIONS
CITY OF WINNIPEG 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.
ZONING LEGEND:
ZONE: R1-M
ZONE: R2
ZONE: PR-1, PUBLIC RESERVE
ZONE: AGRICULTURE
NOTE:
WHERE LOT WIDTHS ARE SHOWN HEREON MEASURED AT 20 FEET SETBACK FROM THE STREET, THEY ARE EQUIVALENT TO LOT WIDTHS MEASURED AT 50 FEET FROM THE STREET.
BARNES &DUNCAN
MURRAY AVENUE
PLAN 59721
PT MURRAY AVENUE
PLAN 55730
PEGASUS STREET
PROPOSED PEGASUS STREET
LYNX STREET
SAGITTA STREET
ORION CRESCENT
PUBLIC LANE
PROPOSED PUBLIC ROAD
PROPOSED WIDENING OF NORTH POINT BLVD
NORTH POINT BOULEVARD
ADARA ALLEY
AURIGA LANE
PUBLIC RESERVE A
AREA=1.45 Ac±
PROPOSED AVIOR DRIVE
FERRIER ST
FERRIER STREET
PLAN 66345
PLAN 69143
PLAN 16344
PART LOT 2
PARCEL A
PLANS 1205, 2095 AND 2107
AREA=0.08 Ac±
AREA=0.24 Ac±
AREA=0.16 Ac±
70591
PAGE 3 of 5

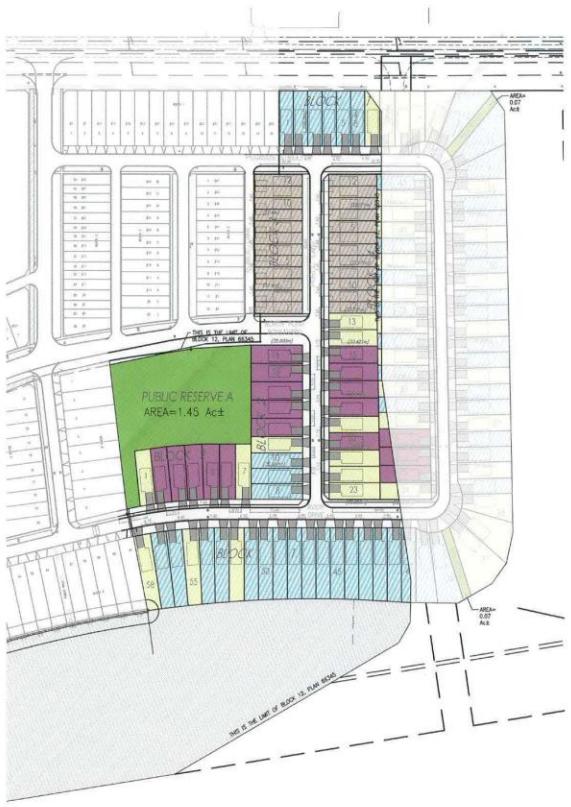
SUBDIVISION APPLICATION
SKETCH OF PART OF
RIVER LOTS 25 AND 26,
PARISH OF KILDONAN
BEING BLOCK 1, PLAN 70591
CITY OF WINNIPEG, MANITOBA
APPLICANT: 1910588 Alberta Ltd.
DATE OF SKETCH : MAY 04, 2023

PAGE 4 of 5:
PHASE 11A (SOUTH PORTION)
PROPOSED LOT DESIGN with
LOT WIDTH/DEPTH DIMENSIONS




SUBDIVISION APPLICATION SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
BEING BLOCK 1, PLAN 70591
CITY OF WINNIPEG, MANITOBA
APPLICANT: 1910588 Alberta Ltd.
DATE OF SKETCH : MAY 04, 2023
PAGE 5 of 5: PHASE FUTURE
SHADOW PLAN OF PROPOSED DEVELOPMENT
MURRAY AVENUE
PLAN 59721
PLAN 55730
PEGASUS STREET
PROPOSED PEGASUS STREET
LYNX STREET
SAGITTA STREET
PROPOSED PUBLIC ROAD
PUBLIC LANE
PROPOSED WIDENING OF NORTH POINT BLVD
BOULEVARD
NORTH POINT
ORION CRESCENT
PLAN 66345
PUBLIC RESERVE A
ADARA ALLEY
AURIGA LANE
PROPOSED AVIOR DRIVE
PROPOSED FERRIER STREET
PLAN 16344
PART LOT 2
BOUNDARY OF PROPOSED FUTURE SUBDIVISION PHASE
PARCEL A
FERRIER STREET
PUBLIC WALK
PUBLIC ROAD
LOTS
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
70591
69143
BARNES &DUNCAN
PAGE 5 of 5


SUBDIVISION APPLICATION SKETCH OF PART OF
RIVER LOTS 25 AND 26, PARISH OF KILDONAN
INCLUDING BLOCK 1, PLAN 70591, PART OF LOT 2, PLAN 16344,
PART MURRAY AVENUE, PLAN 59721, AND PART OF FERRIER STREET,
PLANS 1205, 2095, 2107, 59721 AND 55730
CITY OF WINNIPEG, MANITOBA
PAGE 6 OF 7: PHASE 11 (NORTH PORTION)
PROPOSED LOT DESIGN with
LOT WIDTH/DEPTH DIMENSIONS
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.
ZONING LEGEND:
ZONE: R1-M
ZONE: R2
ZONE: PUBLIC RESERVE
ZONE: UNKNOWN
SIDEWALK - BACK-OF-CURB
SIDEWALK - OFF-CURB
NOTE:
WHERE LOT WIDTHS ARE
SHOWN HEREON
MEASURED AT 20 FEET
SETBACK FROM
THE STREET, THEY ARE
EQUIVALENT TO LOT
WIDTHS MEASURED AT
50 FEET FROM THE
STREET.
BARNES &DUNCAN
MURRAY AVENUE
PLAN 59721
PLAN 55730
PEGASUS STREET
LYNX STREET
SAGITTA STREET
ORION CRESCENT
PLAN 66345
PROPOSED PUBLIC ROAD
PROPOSED WIDENING OF NORTH POINT BLVD.
BOULEVARD
NORTH POINT
PUBLIC RESERVE A
AREA=1.45 Ac±
PROPOSED PUBLIC ROAD
PUBLIC ROAD
PROPOSED FERRIER STREET
NOTE: THIS PROPOSED DESIGN OF A FUTURE
FERRIER STREET IS ONLY "CONCEPTUAL" AT THIS
TIME. THE FINAL DESIGN WILL BE REVIEWED
AND APPROVED BY THE CITY OF WINNIPEG
BOUNDARY OF PHASE 11
PRELIMINARY FOR REVIEW
NOV 09, 2022
ADARA ALLEY
AURIGA LANE
PUBLIC LANE
BLOCK 1
BLOCK 2
BLOCK 7
BLOCK 8
70591
32/2021
ASZ
FERRIER STREET
PARCEL A PLAN 55731
PAGE 6 of 7



NOTE:
ALL DRIVEWAY FLARES ARE 0.75m.

LEGEND:
LOT TYPES AND WIDTHS

- DUPLEX MINIMUM LOT WIDTH 24 FEET
- SINGLE FAMILY MINIMUM LOT WIDTH 34 FEET
- SINGLE FAMILY MINIMUM LOT WIDTH 32 FEET
- SINGLE FAMILY MINIMUM LOT WIDTH 36 FEET

1:1250

BENCHMARK: S.E. Cor. Murray Ave. & Ferrier St., 19 mm dia. x 0.1 m I.B. in Valve Box, 3 m S. of S.L. of Murray Ave. & 0.3 m W. of E.L. Ferrier St., also 78.5 m E. of E. wall & 40 m S. of S. wall No. 811 Murray Ave.

WARNING

IF POWER EQUIPMENT OR EXPLOSIVES ARE TO BE USED FOR EXCAVATION ON THIS PROJECT THE CONTRACTOR MUST:
1) NOTIFY THE GAS COMPANY OF THE PROPOSED LOCATION OF EXCAVATION.
2) TAKE PRECAUTION TO AVOID DAMAGE TO GAS COMPANY INSTALLATIONS.
SEE PROVINCIAL REGULATION 140/92 FOR DETAILS

METRIC

WHOLE NUMBERS INDICATE MILLIMETRES
DECIMALIZED NUMBERS INDICATE METRES

EXISTING	LEGEND-PLAN	PROPOSED	EXISTING	LEGEND-PLAN	PROPOSED
150 WM	WATERMAIN	150 WM		HYDRO	
	HYDRANT			M.T.S.	
	VALVE			CONCRETE	
300 LDS	LAND DRAINAGE SEWER	300 LDS		ASPHALT	
250 WWS	WASTE WATER SEWER	250 WWS		SIDEWALK	
	MANHOLE			PROPERTY LINE	
	CATCH BASIN			SURVEY BAR	
	CURB INLET			DITCH	
	JUNCTIONS		(37.33)	ROAD ELEVATION	(37.33)
	CULVERT				
	GAB				

LOCATION APPROVED
UNDERGROUND STRUCTURES

SUPV. U/G STRUCTURES COMMITTEE DATE

NOTE:
LOCATION OF UNDERGROUND STRUCTURES AS SHOWN ARE BASED ON THE BEST INFORMATION AVAILABLE BUT NO GUARANTEE IS GIVEN THAT ALL STRUCTURES ARE SHOWN OR THAT THE GIVEN LOCATIONS ARE EXACT. CONFIRMATION OF EXISTENCE AND EXACT LOCATION OF ALL SERVICES MUST BE OBTAINED FROM THE INDIVIDUAL UTILITIES BEFORE PROCEEDING WITH CONSTRUCTION.

B.M. 27-014
ELEV. 230.266m

NO.	REVISIONS	BY
1	ISSUED FOR REVIEW	22.11.24 W.F.

Stantec
300 - 311 Portage Avenue, Winnipeg MB Canada R3B 2B9
Tel. 204.489.5900 Fax. 204.453.9012 www.stantec.com

DESIGNED BY	W.F.	CHECKED BY	D.P.M.
DRAWN BY	W.F.	APPROVED BY	
HOR. SCALE:	1:1250	RELEASED FOR CONSTRUCTION:	
VERTICAL:			
DATE	2022. 11. 24	DATE	

ENGINEER'S SEAL

CONSULTANT DRAWING NO.
L-101

THE CITY OF WINNIPEG
DASZ 10/2019 FIN# 538-19
1910588 ALBERTA LTD.

AURORA AT NORTH POINT - PHASE II
LOT AND DRIVEWAY LAYOUT

SHEET 1 OF 1
CAD FILE DRAWING NUMBER
Driveways_Aurora-phIIDWG
CITY DRAWING NUMBER