Minute No. 353
Report - Standing Policy Committee on Property and Development - May 20, 2008

Item No. 6 Plan of Survey on Land Located at 280 Almey Avenue (Transcona Ward) File DAPS 13/2007

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That Condition 1.C.iii) in the Addendum to Servicing Agreement AG 14/99 approved by Council on July 18, 2007, be deleted, namely:

   iii. That a public sidewalk at no expense to the City be constructed in Lagimodière Boulevard, between Almey Avenue and the south limit of the subject property, prior to the release of the subdivision mylars for registration in the Winnipeg Land Titles office,

   subject to the Developer granting a 6.0 metre easement between the terminus of Ravelston Avenue West and Lagimodière Boulevard to serve the dual purpose of providing pedestrian access from Ravelston Avenue West to Lagimodière Boulevard and conveying land drainage from the east ditch in Ravelston Avenue West to the Lagimodière Boulevard ditch.

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

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DECISION MAKING HISTORY:

Moved by Councillor Swandel,

That the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 20, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 12, 2008, the East Kildonan-Transcona Community Committee recommends to the Standing Policy Committee on Property and Development that Condition 1.C.iii) in the Addendum to Servicing Agreement AG 14/99 approved by Council on July 18, 2007, namely:

> iii. That a public sidewalk at no expense to the City be constructed in Lagimodière Boulevard, between Almey Avenue and the south limit of the subject property, prior to the release of the subdivision mylars for registration in the Winnipeg Land Titles office,

be deleted, subject to the Developer granting a 6.0 metre easement between the terminus of Ravelston Avenue West and Lagimodière Boulevard to serve the dual purpose of providing pedestrian access from Ravelston Avenue West to Lagimodière Boulevard and conveying land drainage from the east ditch in Ravelston Avenue West to the Lagimodière Boulevard ditch.

COUNCIL DECISION:

On July 18, 2007, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the Plan of Survey under File DAPS 13/2007 be approved subject to the Developer entering into an Addendum to Servicing Agreement AG 14/99 as follows:

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

A. That Zoning Agreement Caveat 3084917 be carried forward and registered against the entire parcels of land shown as Proposed Subdivision on Map 2.

B. That a copy of the plan of survey (shown as Map 2) under DAPS 13/2007 be attached to AG 14/99.

C. That a copy of a servicing drawing be attached to AG 14/99 showing:

i. A turnaround to be constructed by the applicant at no expense to the City at the south limit of the Ravelston Avenue right-of-way, including landscaping, as determined by and to the satisfaction of the Directors of Public Works and Planning, Property and Development;

ii. A land drainage sewer to be constructed by the applicant at no expense to the City in the south limit of the subject property, being the closed Ravelston Avenue right-of-way, for the purpose of conveying land drainage from the existing east ditch in Ravelston Avenue to the existing ditch in Lagimodière Boulevard as determined by and to the satisfaction of the Director of Water and Waste.

iii. That a public sidewalk at no expense to the City be constructed in Lagimodière Boulevard, between Almey Avenue and the south limit of the subject property, prior to the release of the subdivision mylars for registration in the Winnipeg Land Titles office.

iv. That plans be submitted showing the turnaround, landscaping, fencing and sidewalk to the satisfaction of the Director of Planning, Property and Development and the East Kildonan-Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

D. That a clause be added requiring the Developer to grant easements as required, including an easement 6.1 metres in width to accommodate the land drainage sewer described in Clause 3.b. above.

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

E. That a clause be added requiring the Developer to pay a share of regional land drainage facilities for land not previously covered under Servicing Agreement AG 14/99 being the closed Ravelston Avenue right of way included in the plan of survey. The 2007 rate is $9,801.00 per acre.

F. That a clause be added requiring the Developer to pay $545.00 plus G.S.T. to defray the City's administration and related costs associated with the preparation and implementation of the addendum.

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

MMM GROUP

MMM Group Limited
Suite 111-93 Lombard Avenue
Winnipeg, MB R3B 3B1
t: 204.943.3178 | f: 204.943.4948

www.mmm.ca

March 14, 2008

Ref. No. 41505.101.710

Ms. Monique Wright
East Kildonan-Transcona Community Committee
City of Winnipeg
510 Main Street
Winnipeg MB R3B 1B9

Dear Ms. Wright:

Re: Removal of the Recommendation for a Construction of a Public Sidewalk DAPS 13/2007

MMM Group Limited on behalf of our client, 3801233 Manitoba Ltd., is writing this letter in response to recommendation 1.C.ii made on July 13, 2007 during the Standing Policy Committee of Property and Development. The Community Committee recommended:

" iii. That a public sidewalk at no expense to the City be constructed in Lagimodiere Boulevard, Between Almey Avenue and the south limit of the subject property, prior to the release of the subdivision mylars for registration in the Winnipeg Land Titles office."

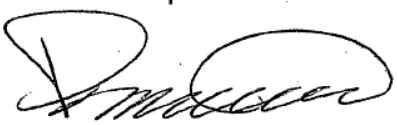
We kindly ask that this recommendation be removed for the following reasons:

1. Lagimodiere is a Regional Street and is not within the limits of the DAPS application. We do not believe it is reasonable or consistent with the City's Development Agreement Parameters to have our client pay for improvements on the adjacent Regional Street.
2. No other sidewalks currently exist on Lagimodiere Boulevard for this sidewalk to be connected to, thus making it ineffective.
3. The City of Winnipeg's Public Works Department has no plans to begin to construct sidewalks along Lagimodiere Boulevard at any location.

The recommendation to add the sidewalk was added by Community Committee when the file was referred to the committee. Our client was not advised in advance of the Community Committee meeting and were not, therefore, present. If our client had had the opportunity to speak at that time they would have expressed their opposition to adding the clause requiring the sidewalk.

Yours sincerely,

MMM Group Limited



Paul McNeil, MCIP
Regional Vice-President

c. E. Carriere, City of Winnipeg
Abe Anhang, 3801233 Manitoba Ltd.

MMS/dt
41505 (March 7-08) EKTrans CC ltr

RE: PROPOSED PLAN OF SURVEY ON LAND LOCATED AT 280 ALMEY AVENUE - DAPS 13/07

An application has been submitted by ND – Lea Engineers and Planners Inc. to create three new parcels of land from the existing parcels shown on Map 1 attached hereto and by including additional land made available by closing a portion of the Ravelston Avenue right of way between Almey Avenue and Lagimodière Boulevard, all as shown as Proposed Subdivision on Map 2. The subject property comprises part of the land developed by 3801233 Manitoba Ltd. under the terms of Servicing Agreement AG 14/99.

It is therefore recommended that approval of application DAPS 13/07 be subject to the Developer entering into an Addendum to Servicing Agreement AG 14/99 as follows:

1. By carrying forward Zoning Agreement Caveat 3084917 to be registered against the entire parcels of land shown as Proposed Subdivision on Map 2 attached hereto.

2. By attaching to AG 14/99 a copy of the plan of survey proposed under DAPS 13/07 shown attached hereto as Map 2.

3. By attaching to AG 14/99 a copy of a servicing drawing showing;

    A. A turnaround to be constructed by the applicant, at no expense to the City, at the south limit of the Ravelston Avenue right of way, including landscaping, as determined by and to the satisfaction of the Director of Public Works and the Director of Planning, Property and Development;

    B. A land drainage sewer, to be constructed by the applicant, at no expense to the City, in the south limit of the subject property, being the closed Ravelston Avenue right of way, for the purpose of conveying land drainage from the existing east ditch in Ravelston Avenue to the existing ditch in Lagimodière Boulevard as determined by and to the satisfaction of the Director of Water and Waste;

4. By adding a clause that the Developer shall grant easements as required, including an easement, 6.1 metres in width to accommodate the land drainage sewer described in Clause 2.b. above.

5. By adding a clause that the Developer shall pay a share of regional land drainage facilities for land not previously covered under Servicing Agreement AG 14/99 being the closed Ravelston Avenue right of way included in the plan of survey. The 2007 rate is therefore $9,801.00 per acre.

6. By adding a clause that the Developer shall pay $545.00 plus G.S.T. to defray the City's administration and related costs associated with the preparation and implementation of the addendum;

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group File No. DAPS 13/07 June 29, 2007

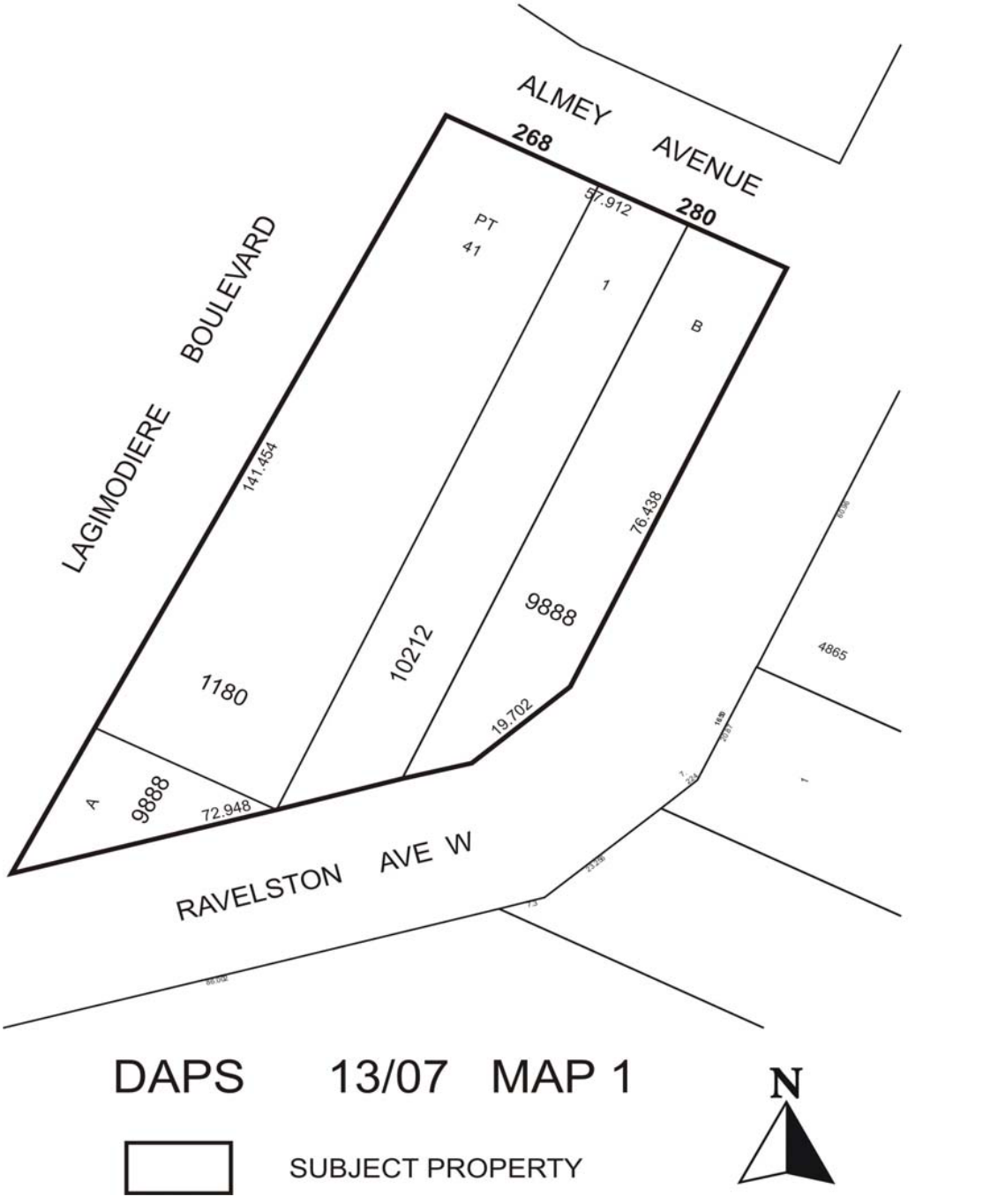
"original signed by K.T. Raban, P. Eng."
Land Development Engineer

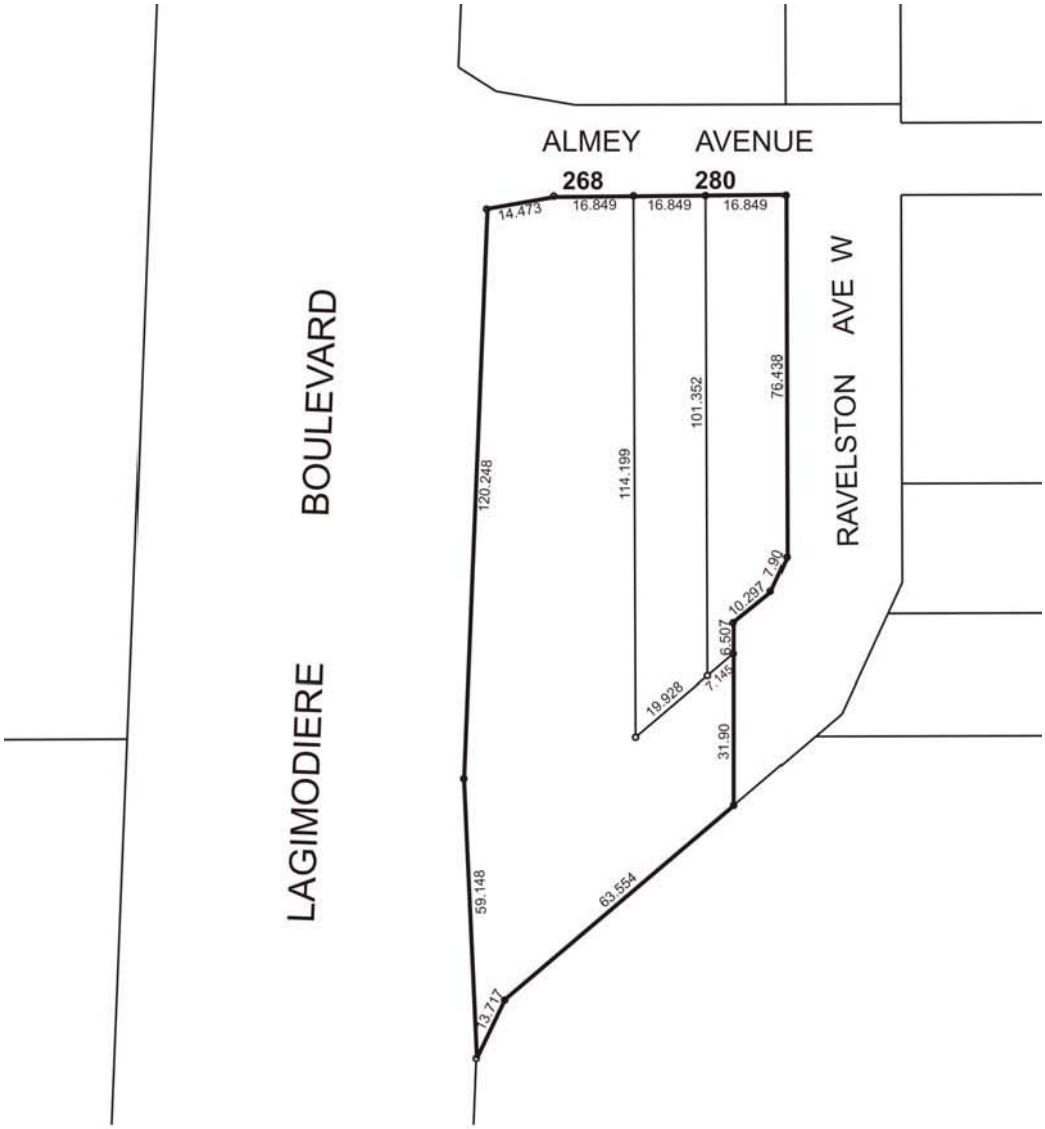
"original signed by T. Josephson, P. Eng."
Water and Waste Department

"original signed by R. Hartmann, P. Eng."
Public Works Department

East Kildonan - Transcona Community Committee June 29, 2007 DAPS 13/07 East Kildonan - Transcona Community Committee June 29, 2007 DAPS 13/07

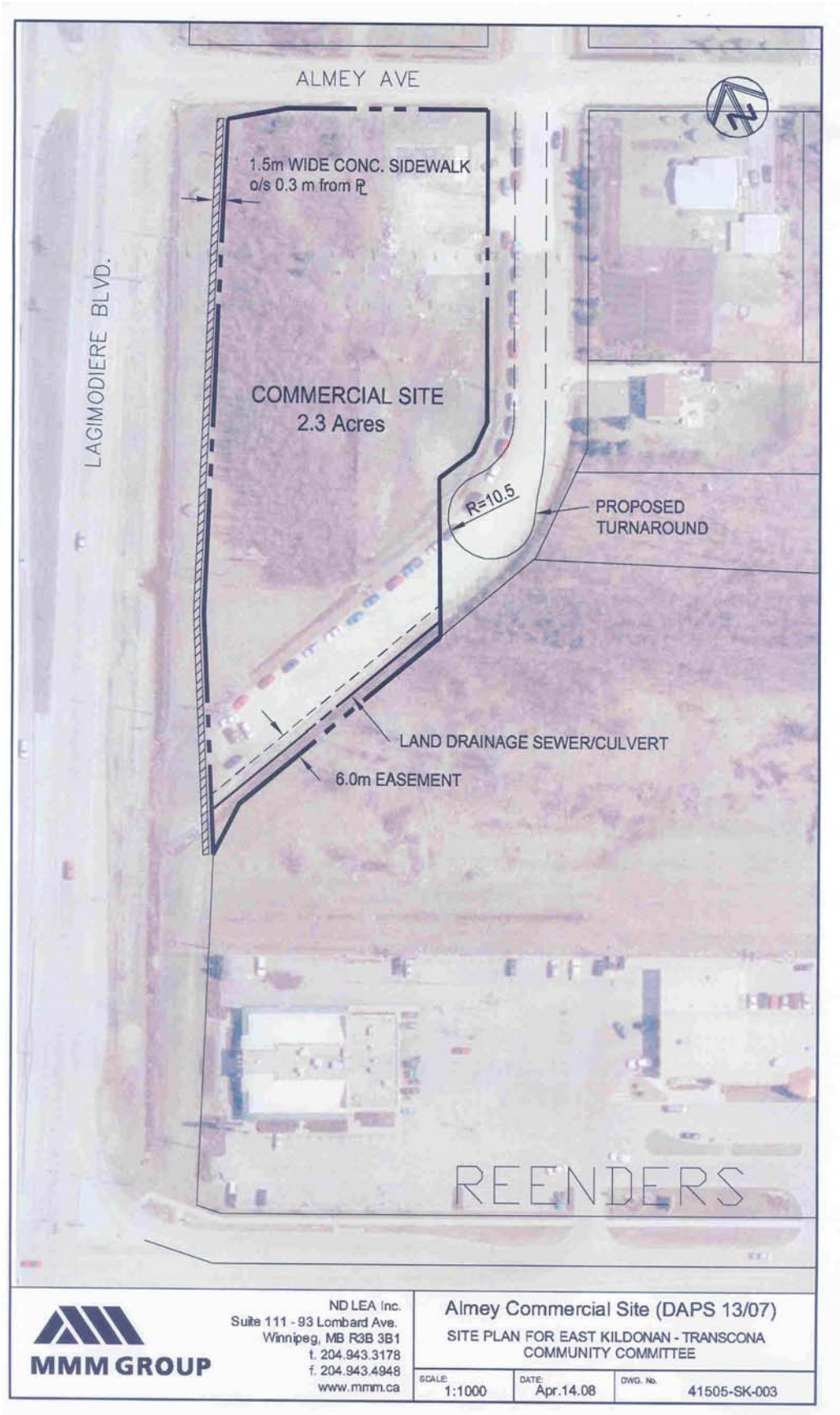
CT: 1775270


ALMEY AVENUE
268
280
57.912
LAGIMODIERE BOULEVARD
PT
41
1
B
141.454
76.438
9888
10212
1180
19.702
A
9888
72.948
RAVELSTON AVE W
4865
DAPS 13/07 MAP 1
N
SUBJECT PROPERTY



DAPS 13/07 MAP 2

PROPOSED SUBDIVISION


ALMEY AVE
1.5m WIDE CONC. SIDEWALK
o/s 0.3 m from ℄
LAGIMODIERE BLVD.
COMMERCIAL SITE
2.3 Acres
R=10.5
PROPOSED
TURNAROUND
LAND DRAINAGE SEWER/CULVERT
6.0m EASEMENT
REENDERS
MMM GROUP
ND LEA Inc.
Suite 111 - 93 Lombard Ave.
Winnipeg, MB R3B 3B1
t. 204.943.3178
f. 204.943.4948
www.mmm.ca
Almey Commercial Site (DAPS 13/07)
SITE PLAN FOR EAST KILDONAN - TRANSCONA
COMMUNITY COMMITTEE
SCALE: 1:1000
DATE: Apr.14.08
DWG. No. 41505-SK-003