Minute No. 117
Report - Standing Policy Committee on Property and Development - November 25, 2008

Item No. 2 **Development Agreement Amendment - Waverley West Northeast Neighbourhood**
(St. Norbert Ward)
File DASZ 1/2006

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That Development Agreement AG 1/06 be amended by changing "Phase 1 as shown in Figure 4 of the Northeast Neighbourhood Area Structure Plan" in Schedule C, Clause 12 to "500 building permits", and inserting a second sentence in Schedule C, Clause 14, as follows: "Construction of the secondary means of access – either Kenaston Boulevard from Bishop Grandin Boulevard to North Town Road or Bison Drive from Waverley Street to North Town Road - shall be completed by the end of the 2010 construction season."

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

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DECISION MAKING HISTORY:

Moved by Councillor Fielding,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 10, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee, as amended, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 25, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee, with the following amendment, namely:

- Delete the following:

  "subject to the following condition:
  A. That the Manitoba Housing Renewal Corporation provide to the City of Winnipeg, at no cost to the City, the portions of its lands located south of Cadboro Road required for the twinning of Waverley Street"

and submitted the matter to the Executive Policy Committee and Council.

STANDING COMMITTEE RECOMMENDATION:

On October 28, 2008, the Standing Policy Committee on Property and Development laid the matter over to its meeting on November 25, 2008.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION:

On October 20, 2008, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, as amended, and recommends to the Standing Policy Committee on Property and Development:

1. That Development Agreement AG 1/06 be amended by changing "Phase 1 as shown in Figure 4 of the Northeast Neighbourhood Area Structure Plan" in Schedule C, Clause 12 to "500 building permits", and inserting a second sentence in Schedule C, Clause 14, as follows: "Construction of the secondary means of access – either Kenaston Boulevard from Bishop Grandin Boulevard to North Town Road or Bison Drive from Waverley Street to North Town Road - shall be completed by the end of the 2010 construction season"

   subject to the following condition:

   A. That the Manitoba Housing Renewal Corporation provide to the City of Winnipeg, at no cost to the City, the portions of its lands located south of Cadboro Road required for the twinning of Waverley Street.

On September 15, 2008, the Riel Community Committee laid over the matter to its meeting on October 20, 2008.

RE: AMENDMENT TO DEVELOPMENT AGREEMENT AG 1/06 - WAVERLEY WEST NORTHEAST NEIGHBOURHOOD – RESTRICTION ON DEVELOPMENT

FOR SUBMISSION TO THE CHAIR AND MEMBERS OF THE RIEL COMMUNITY COMMITTEE

"original signed by S.M. Matile"
S.M. Matile, P. Eng.
Chair
Administrative Co-ordinating Group

August 19, 2008

RE: AMENDMENT TO DEVELOPMENT AGREEMENT AG 1/06 - WAVERLEY WEST NORTHEAST NEIGHBOURHOOD – RESTRICTION ON DEVELOPMENT

It is recommended that Development Agreement AG 1/06 be amended by changing "Phase 1 as shown in Figure 4 of the Northeast Neighbourhood Area Structure Plan" in Schedule C, Clause 12 to "500 building permits", and inserting a second sentence in Schedule C, Clause 14, as follows: "Construction of the secondary means of access – either Kenaston Boulevard from Bishop Grandin Boulevard to North Town Road or Bison Drive from Waverley Street to North Town Road - shall be completed by the end of the 2010 construction season."

James Gallagher, on behalf of the Manitoba Housing and Renewal Corporation, has requested that the existing Development Agreement for the Waverley West Northeast Neighbourhood (recently re-named Bridgwater Forest) be amended to enable development beyond Phase 1 of the Planned Area prior to the construction of the second collector-street access route to the neighbourhood.

Schedule C, Clause 12 of Development Agreement 1/06 reads as follows:

"Development within the Planned Area is to be limited to Phase 1 as shown in Figure 4 of the Northeast Neighborhood Area Structure Plan until Kenaston Boulevard or Bison Drive have been extended to their respective intersection with North Town Road to the satisfaction of the Director of Public Works."

The Public Works Department has determined that the existing collector-street access to Waverley Street can adequately accommodate the projected traffic from 500 residences, which is slightly higher than the number of lots in Phase 1.

There is typically a significant lag between the servicing of lots and the issuance of building permits for those lots. For example, in Phase 1A of this development, which was completed in 2007, 186 lots were serviced. Phases 1B and 1C (the balance of Phase 1) were completed in 2008, bringing the total number of serviced lots in Bridgwater Forest to 460. As of July 31, 2008, 44 building permits have been issued. The Developer should, therefore, be able to develop a significant number of Phase 2 lots before the capacity of the primary means of access is exceeded.

The Public Works Department is prepared to support the amendment of Schedule C, Clause 12 to limit development in Bridgwater Forest to a specified number of (i.e. 500) residential building permits, rather than particular phases, *provided that* the secondary means of access to the neighbourhood is completed by the end of the 2010 construction season.

Schedule C, Clause 14 of Development Agreement 1/06 reads as follows:

"Primary access to the Planned Area at the build out will be provided via Arbour Meadow Gate off Waverley Street and also via Kenaston Boulevard from Bishop Grandin Boulevard to North Town Road or via Bison Drive from Waverley Street to North Town Road. It is understood that certain improvements included in this agreement are not immediately necessary to provide access to the Planned Area. These improvements may not be required to be fulfilled until additional Developer-owned lands outside the Planned Area are developed however they are included in this agreement as they are either to serve the Planned Area or are within or adjacent to the Planned Area. The timing and implementation of these conditions are to be when and as determined by the Director of Public Works."

While this clause already provides the Director of Public Works with the authority to determine the timing of the construction of the secondary means of access, the insertion of the second sentence clarifies that determination.

The revised clauses would read as follows:

"12. <u>Restriction on Development</u>

Development within the Planned Area is to be limited to *500 building permits* until Kenaston Boulevard or Bison Drive have been extended to their respective intersection with North Town Road to the satisfaction of the Director of Public Works."

"14. <u>Phasing of Construction of Major Intersection and Arterial Streets</u>

Primary access to the Planned Area at the build out will be provided via Arbour Meadow

Gate off Waverley Street and also via Kenaston Boulevard from Bishop Grandin Boulevard to North Town Road or via Bison Drive from Waverley Street to North Town Road. *Construction of the secondary means of access – either Kenaston Boulevard from Bishop Grandin Boulevard to North Town Road or Bison Drive from Waverley Street to North Town Road - shall be completed by the end of the 2010 construction season.* It is understood that certain improvements included in this agreement are not immediately necessary to provide access to the Planned Area. These improvements may not be required to be fulfilled until additional Developer-owned lands outside the Planned Area are developed however they are included in this agreement as they are either to serve the Planned Area or are within or adjacent to the Planned Area. The timing and implementation of these conditions are to be when and as determined by the Director of Public Works."

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. AG 1/06
August 19, 2008

"original signed by S.M. Matile"
S. M. Matile, P. Eng., Chair
Land Development Branch

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

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