Agenda - Council - October 28, 2009

Report - Standing Policy Committee on Property and Development - October 8, 2009

Item No. 3 Servicing Agreement Amendment – Bison Drive Sidewalk (St. Norbert Ward) File DASZ 42/2007

STANDING COMMITTEE RECOMMENDATION:

On October 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submits the following to Council:

1. That Clause 3. in Section 1 of Schedule "C" of Servicing Agreement AG 42/07 be deleted in its entirety and replaced with the following:

   3. Bison Drive Sidewalk

   The Developer shall construct a 3.5 m wide by 75 mm-thick Asphalt concrete multi-use pathway/sidewalk on the south side of Bison Drive from the existing private approach serving the adjacent property (Superstore) to Barnes Street, as determined by, and to the satisfaction of, the Director of Public Works.

   The City shall reimburse the Developer for the actual final cost difference between constructing a 3.5-m-wide by 75-mm-thick Asphalt concrete multi-use pathway/sidewalk and a 1.5-m-wide by 100 mm thick Portland cement concrete sidewalk, in an amount estimated at $30,600 including Engineering, all in 2009 dollars, as determined by, and to the satisfaction of, the Director of Public Works.

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

Report - Standing Policy Committee on Property and Development - October 8, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 21, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 8, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 8, 2009, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

SUBJECT: **DASZ 42/07 AMEND SERVICING AGREEMENT AG 42/07 RIEL**

Critical Path: **Riel Community Committee**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban			

RECOMMENDATIONS

That Clause 3. in Section 1 of Schedule "C" of Servicing Agreement AG 42/07, be deleted in its entirety and replaced with new Clause 3. as follows;

3. Bison Drive Sidewalk

The Developer shall construct a 3.5 m wide by 75 mm-thick Asphalt concrete multi-use pathway/sidewalk on the south side of Bison Drive from the existing private approach serving the adjacent property (Superstore) to Barnes Street, as determined by, and to the satisfaction of, the Director of Public Works.

The City shall reimburse the Developer for the actual final cost difference between constructing a 3.5-m-wide by 75-mm-thick Asphalt concrete multi-use pathway/sidewalk and a 1.5-m-wide by 100 mm thick Portland cement concrete sidewalk, in an amount estimated at $30,600 including Engineering, all in 2009 dollars, as determined by, and to the satisfaction of, the Director of Public Works.

IMPLICATIONS OF THE RECOMMENDATIONS

An amendment to Servicing Agreement AG 42/07 is required to facilitate a sidewalk design change requested by the Public Works Department. Authorized funding is contained within the 2009 Capital Program "New Regional Sidewalks".

HISTORY

On March 19, 2008 the Developer, The Manitoba Public Insurance Corporation entered into Servicing Agreement AG 42/07 with the City establishing development conditions for their proposed MPI Claims Centre on Bison Drive.

The Public Works Department has requested that Servicing Agreement AG 42/07 be amended to accommodate a change in the sidewalk design required to be constructed by the Developer in accordance with Appendix “A“, report to the Riel Community Committee, attached for additional information and background.

FINANCIAL IMPACT

Financial Impact Statement **Date:**

Project Name: **First Year of Program**

	0	1	2	3	4
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

original signed by
Department Controller

CONSULTATION

In preparing this Report there was consultation with:

Public Works Department

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Development and Inspections
Prepared by:	Rob Deighton, Land Development Coordinator
Date:	August 18, 2009
File No.	Servicing Agreement AG 42/07 (DASZ 42/07)

Appendix A – Report to Riel Community Committee from the Land Development Branch

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APPENDIX "A" – LAND DEVELOPMENT BRANCH - AG 42/07 AMENDMENT REPORT

RE: REQUEST TO AMEND SERVICING AGREEMENT AG 42/07 – THE MANITOBA PUBLIC INSURANCE CORPORATION

FOR SUBMISSION TO THE RIEL COMMUNITY COMMITTEE

"original signed by R.R. Deighton"
R.R. Deighton, P. Eng.
Land Development Coordinator

August 18, 2009

RE: REQUEST TO AMEND SERVICING AGREEMENT AG 42/07 – THE MANITOBA PUBLIC INSURANCE CORPORATION

On March 19, 2008 the Developer, The Manitoba Public Insurance Corporation entered into Servicing Agreement AG 42/07 with the City establishing development conditions to serve the planned area for their proposed MPI Claims Centre on Bison Drive.

The Public Works Department has requested that Servicing Agreement AG 42/07 be amended to accommodate a change in the sidewalk design that is required to be constructed by the Developer pursuant to terms of the original agreement. The design change consists of building a 3.5 metre wide asphalt concrete multi-use pathway/sidewalk in place of the 1.5 metre wide Portland cement concrete sidewalk as originally contemplated. The Public Works Department has consulted with the Developer (The Manitoba Public Insurance Corporation) and advise that they have no objection to this request to build the new amenities provided the associated extra costs are paid for by the City of Winnipeg.

Clause 3. in Section 1 of Schedule "C" of AG 42/07 reads;

3. Bison Drive Sidewalk

The Developer shall, at no expense to the City, construct a 1.5-m-wide by 100-mm-thick Portland cement concrete sidewalk on the south side of Bison Drive from the existing private approach serving the adjacent property (Superstore) to Barnes Street, as determined by, and to the satisfaction of, the Director of Public Works.

It is therefore recommended that Clause 3. in Section 1 of Schedule "C" of AG 42/07, be deleted in it's entirety and replaced with new Clause 3. as follows;

3. Bison Drive Sidewalk

The Developer shall construct a 3.5 m wide by 75 mm-thick Asphalt concrete multi-use pathway/sidewalk on the south side of Bison Drive from the existing private approach serving the adjacent property (Superstore) to Barnes Street, as determined by, and to the satisfaction of, the Director of Public Works.

The City shall reimburse the Developer for the actual final cost difference between constructing a 3.5-m-wide by 75-mm-thick Asphalt concrete multi-use pathway/sidewalk and a 1.5-m-wide by 100 mm thick Portland cement concrete sidewalk, in an amount estimated at $30,600 including Engineering, all in 2009 dollars, as determined by, and to the satisfaction of, the Director of Public Works.

THIS REPORT SUBMITTED BY:

Land Development Branch
File No. AG 42/07
August 18, 2009

"original signed by R.R. Deighton"
R.R. Deighton, P. Eng.,
Land Development Branch

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

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