Agenda - Council - October 28, 2009

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

Item No. 8 Amendment to Development Agreement - north of Devonshire Drive West, west of Plessis Road (Transcona Ward) File DASZ 21/2006

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 East Kildonan-Transcona Community Committee and submits the following to Council:

1. That Development Agreement AG 21/06 be amended as follows;

   A. By replacing all references to Tychonic Road with Kildonan Green Drive.

   B. By deleting Schedule "C", Section I, Clause 10 Sidewalks, item iv) in it's entirety and replacing same with new item iv) as follows;

      iv) On the both sides of Kildonan Green Drive, west of Plessis Road.

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 East Kildonan-Transcona 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 East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 21, 2009, the East Kildonan-Transcona 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 21/06 AMEND DEVELOPMENT AGREEMENT AG 21/06**

Critical Path: **EAST KILDONAN – TRANSCONA COMMUNITY COMMITTEE**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban	D.Joshi		

RECOMMENDATIONS

That Development Agreement AG 21/06 be amended as follows;

1. By replacing all references to Tychonic Road with Kildonan Green Drive.

2. By deleting Schedule “C”, Section I, Clause 10 Sidewalks, item iv) in it’s entirety and replacing same with new item iv) as follows;

   iv) On the both sides of Kildonan Green Drive, west of Plessis Road.

IMPLICATIONS OF THE RECOMMENDATIONS

This recommendation amends Development Agreement AG 21/06 to allow construction of a sidewalk on the north side of Kildonan Green Drive, west of Plessis Road, at no expense to the City.

HISTORY

On September 27, 2006 the Developer, Genstar Development Company entered into Development Agreement AG 21/06 with the City establishing development conditions for their proposed Kildonan Meadows subdivision.

The City of Winnipeg has requested that Development Agreement AG 21/06 be amended to include the construction of a sidewalk on the north side of Kildonan Green Drive (formally known as Tychonic Road), west of Plessis Road in accordance with Appendix “1”, report to the East KIldonan/Transcona Community Committee, attached for additional information and background.

The Developer has agreed to accommodate this request.

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:	September 11, 2009
File No.	Development Agreement AG 21/06 (DASZ 21/06)

Appendix 1 – Report to East Kildonan-Transcona Community Committee from the Land Development Branch

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APPENDIX "1" – LAND DEVELOPMENT BRANCH - AG 21/06 AMENDMENT REPORT

RE: REQUEST TO AMEND DEVELOPMENT AGREEMENT AG 21/06 – GENSTAR DEVELOPMENT COMPANY

FOR SUBMISSION TO THE EAST KILDONAN - TRANSCONA COMMUNITY COMMITTEE

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

September 11, 2009

RE: REQUEST TO AMEND DEVELOPMENT AGREEMENT AG 21/06 – GENSTAR DEVELOPMENT COMPANY

On September 27, 2006 the Developer, Genstar Development Company entered into Development Agreement AG 21/06 with the City establishing development conditions to serve the planned area for their proposed Kildonan Meadows subdivision.

Under terms of the original agreement the Developer is required to construct a sidewalk on the south side of Tychonic Road (now known as Kildonan Green Drive), west of Plessis Road. The City of Winnipeg has requested that Development Agreement AG 21/06 be amended to include construction of a sidewalk on both the south and north sides of the Kildonan Green Drive, west of Plessis Road. The Developer has agreed to accommodate this request, see Appendix "A".

On a related matter, all references to Tychonic Road under AG 21/06 will be formally replaced with Kildonan Green Drive as part of the proposed amendment.

It is therefore recommended that Development Agreement AG 21/06 be amended as follows;

1. By replacing all references to Tychonic Road with Kildonan Green Drive.

2. By deleting Schedule "C", Section I, Clause 10 Sidewalks, item iv) in it's entirety and replacing same with new item iv) as follows;

    v) On the both sides of Kildonan Green Drive, west of Plessis Road.

THIS REPORT SUBMITTED BY:

Land Development Branch
File No. AG 21/06
September 11, 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

V:\Rob\AG 21-06 Amendment Request- sidewalk(o) - RD.doc

APPENDIX "A" – Request to Amend AG 21/06

From: Jerry Klein [mailto:jcklein@genstar.com]
Sent: Tuesday, June 10, 2008 9:51 AM
To: Sunderland, Paul
Cc: Mages, Daniel; Raban, Kim
Subject: RE: Kildonan Green Drive

Paul
I agreed to add a sidewalk to the north side of the street to accommodate the multi-family site. I am only required to install one on the south side in the development agreement. While I don't plan on installing either this year, what is the proper protocol to receive authorization from the City?

Regards,
Jerry Klein, Vice President,
Genstar Development Company
Winnipeg Region
(204) 488-6537