Minute No. 454
Report - Standing Policy Committee on Property and Development – June 8, 2010

Item No. 6 **Amendments to Development Agreement - Secondary Access (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 Clause 12. in Section I of Schedule "C" of Development Agreement AG 1/06, as amended, be deleted in its entirety.

2. That Clause 14. in Section I of Schedule "C" of Development Agreement AG 1/06, as amended, be further amended by deleting "2010" and replacing same with "2011".

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

Report - Standing Policy Committee on Property and Development – June 8, 2010

DECISION MAKING HISTORY:

Moved by Councillor Steeves,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 16, 2010, 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 June 8, 2010, 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 May 3, 2010, 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: **PROPOSED AMENDMENTS TO DEVELOPMENT AGREEMENT AG 1/06 (DASZ 1/06) - SECONDARY ACCESS**

Critical Path: **Riel Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban Land Development Administrator	D. Joshi		

RECOMMENDATIONS

1. That Clause 12. in Section I of Schedule "C" of Development Agreement AG 1/06, as amended, be deleted in its entirety.

2. That Clause 14. in Section I of Schedule "C" of Development Agreement AG 1/06, as amended, be further amended by deleting "2010" and replacing same with "2011".

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

IMPLICATIONS OF THE RECOMMENDATIONS

Secondary access scheduling to the neighborhood required under Development Agreement AG 1/06 has been reviewed by the Winnipeg Public Service and found to be acceptable to allow for a one (1) year extension. If the recommendations of the Winnipeg Public Service are concurred in, a further amendment to Development Agreement AG 1/06 can be executed to formalize changes to the scheduling as currently set out in the agreement.

HISTORY

On December 6, 2006 the Developer, The Manitoba Housing and Renewal Corporation entered into Development Agreement AG 1/06 with the City establishing development conditions to serve the planned area for their Bridgwater Forest subdivision (formerly known as Waverley West - Northeast Subdivision).

On December 17, 2008, Council approved the Developers request to amend Development Agreement AG 1/06 to limit development in Bridgwater Forest to 500 residential building permits, rather than to particular phases, provided that a secondary means of access to the area is completed by the end of the 2010 construction season.

The Public Works Department has further consulted with the Developer regarding the pending resolution of construction and scheduling details of Kenaston Boulevard pursuant to terms of the agreement.

The Winnipeg Public Service has reviewed the Developers request to amend the Development Agreement to provide for a one (1) year extension to construct a secondary means of access and supports this request 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
Water and Waste Department

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Development and Inspections
Prepared by:	Rob Deighton, Land Development Coordinator
Date:	April 26, 2010
File No.	Development Agreement AG 1/06 (DASZ 1/06)

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

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APPENDIX "A" – REPORT FROM LAND DEVELOPMENT BRANCH DATED APRIL 23, 2010

RE: REQUEST TO AMEND DEVELOPMENT AGREEMENT AG 1/06 – THE MANITOBA HOUSING AND RENEWAL CORPORATION

FOR SUBMISSION TO THE RIEL COMMUNITY COMMITTEE

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

April 23, 2010

Riel Community Committee
April 23, 2010
Request to amend AG 1/06

RE: REQUEST TO AMEND DEVELOPMENT AGREEMENT AG 1/06 – THE MANITOBA HOUSING AND RENEWAL CORPORATION

On December 6, 2006 the Developer, The Manitoba Housing and Renewal Corporation entered into Development Agreement AG 1/06 with the City establishing development conditions to serve the planned area for their Bridgwater Forest subdivision (formerly known as Waverley West - Northeast Subdivision).

On December 17, 2008, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and approved the Developers request to amend Development Agreement AG 1/06 to limit development in Bridgwater Forest to 500 residential building permits, rather than to particular phases, provided that a secondary means of access to the area is completed by the end of the 2010 construction season. A Letter Agreement – Addendum, dated December 24, 2008 was executed to formalize the development agreement changes.

The Public Works Department has further consulted with the Developer regarding the pending resolution of construction and scheduling details of Kenaston Boulevard pursuant to terms of the agreement. The Public Works Department advise that they have no objection to extending the scheduling of secondary access requirements to the neighborhood for a one (1) year period.

It is therefore recommended that Development Agreement AG 1/06, as amended, be further amended by deleting Clause 12 Restriction on Development in Section I of Schedule "C" in its entirety; and furthermore replacing "2010" in Clause 14. in Section I of Schedule "C" to "2011", as follows;

"14. Phasing of Construction of Major Intersection and Arterial Streets

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.

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 2011 construction season".

Riel Community Committee
April 23, 2010
Request to amend AG 1/06

THIS REPORT SUBMITTED BY:

Land Development Branch
File No. AG 1/06
April 23, 2010

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

"original signed by F.Mazur"
F. Mazur, P. Eng.
Water and Waste Department

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

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