Agenda - Council – March 23, 2011

Report - Standing Policy Committee on Property and Development – March 10, 2011

Item No. 4 Request to Amend Conditions of Council Approval
File DASZ 4/2010

STANDING COMMITTEE RECOMMENDATION:

On March 16, 2011, 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 subject to finalizing the joint Federal-Provincial-City tripartite funding agreement for the Waverley West Arterial Roads Project, Clause 41 of the report of the Administrative Coordinating Group dated June 14, 2010 as adopted by Council on July 21, 2010, be deleted.

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 – March 10, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 16, 2011, 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 March 10, 2011, 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 February 14, 2011, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: **Request to amend conditions of Council Approval - DASZ 4/10**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
Kim Raban Land Development Administrator	Deepak Joshi, Director	N/A	N/A

RECOMMENDATIONS

1. Subject to finalizing the joint Federal-Provincial-City tripartite funding agreement for the Waverley West Arterial Roads Project, delete Clause 41 of the report of the Administrative Coordinating Group dated June 14, 2010 as adopted by Council on July 21, 2010.

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

REASON FOR THE REPORT

Council approval is required to amend established conditions of approval under a DASZ application.

IMPLICATIONS OF THE RECOMMENDATIONS

Construction of Kenaston Boulevard between Bishop Grandin Boulevard and PTH 100 is anticipated to be undertaken by the City and funded by the three levels of government as part of the Waverley West Arterial Roads Project. The Funding Agreement is expected to be finalized shortly. Funding for this project is contained within the 2010 Capital Budget ($51.3 million) and the preliminary 2011 Capital Budget ($3.4 million). If the recommendations of the Winnipeg Public Service are concurred in, Clause 41 amendment may be undertaken as necessary.

HISTORY

On July 21, 2010, Council concurred in the recommendations of the Standing Policy Committee on Property and Development and approved the plan of subdivision and rezoning application under DASZ 4/10 subject to among other things that the Developer enter into a Development Agreement with the City of Winnipeg containing all of the conditions outlined in the Report of the Administrative Coordinating Group (ACG) dated June 14, 2010 as amended by the Riel Community Committee. This Agreement, to service the 444 acre Waverley West Northwest Neighbourhood and Town Centre subdivision is not yet finalized. Therefore, permission is being sought at this time to amend the Council Orders in advance of the Agreement being finalized.

Clause 41 of the ACG revised report dated June 14, 2010 requires the Developer to pay its fair share of the cost of constructing Kenaston Boulevard from its intersection with Bishop Grandin Boulevard to the south limit of the Planned Area. The Public Works Department advises that this road work is now included in the Waverley West Arterial Roads Project and will be funded by the three levels of Government upon finalization of the Funding Agreement.

On September 30, 2009, $54.7 million was announced in joint Federal-Provincial-City funding for the Waverley West Arterial Roads Project. The project includes the extension of Kenaston Boulevard southerly from Bishop Grandin Boulevard to PTH 100. Funding in the amount of $51.3 million was approved as part of the 2010 Capital Budget and additional funds in the amount of $3.4 million are included in the preliminary 2011 Capital Budget. The works will be undertaken by the City.

The Winnipeg Public Service therefore recommend Clause 41 of the Administrative Coordinating Group report dated June 14, 2010 under Development Application DASZ 4/10 be deleted in its entirety, subject to the finalization of the Funding Agreement between the three levels of government for the Waverley West Arterial Roads Project, see Appendix “A“, report to the Riel Community Committee, attached for additional information and background.

FINANCIAL IMPACT

There is no financial impact associated with this recommendation.

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 Branch
Date:	February 7, 2011
File No.	DASZ 4/2010 (AG 4/10)

Appendix “A” – Administrative report to the Riel Community Committee

Filename: V:\11-ACG Reports & others\2011\DASZ 4-10 Development Agreement Condition amendment - Kenaston Blvd - Condition 41 - RIS - RD Rpt.doc

APPENDIX "A" – Administrative Report to the Riel Community Committee

RE: REQUEST TO AMEND CONDITIONS OF COUNCIL APPROVAL UNDER DASZ 4/10 - CLAUSE 41 – ACG REPORT DATED JUNE 14, 2010 – 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

February 2, 2011

RE: REQUEST TO AMEND CONDITIONS OF COUNCIL APPROVAL UNDER DASZ 4/10; CLAUSE 41 – ACG REPORT DATED JUNE 14, 2010 – THE MANITOBA HOUSING AND RENEWAL CORPORATION

On July 21, 2010, Council concurred in the recommendations of the Standing Policy Committee on Property and Development and approved the plan of subdivision and rezoning application under DASZ 4/10 subject to among other things that the Developer enter into a Development Agreement with the City of Winnipeg containing all of the conditions outlined in the Report of the Administrative Coordinating Group (ACG) dated June 14, 2010 as amended by the Riel Community Committee. The Developer, The Manitoba Housing and Renewal Corporation (MHRC), has yet to enter into the requisite agreement with the City to service the planned area for the 444 acres to be developed in their Northwest Neighbourhood and Town Centre subdivision.

Clause 41 of the ACG revised report dated June 14, 2010 requires the Developer to pay its fair share of the cost of constructing Kenaston Boulevard from its intersection with Bishop Grandin Boulevard to the south limit of the Planned Area. The Public Works Department advises that this road work is now included in the Waverley West Arterial Roads Project and will be funded by the three levels of Government upon finalization of the Funding Agreement. The works will be undertaken by the City.

The Public Works Department therefore has no objection to formalizing changes to their recommendation regarding payments specified under Clause 41. The Developer would continue to be obligated for specific works at intersections serving the development as specified in Clauses 42 and 43 of the ACG report.

It is therefore recommended that Clause 41 of the Administrative Coordinating Group report dated June 14, 2010 under Development Application DASZ 4/10 be deleted in its entirety, subject to the finalization of the Funding Agreement between the three levels of government for the Waverley West Arterial Roads Project.

THIS REPORT SUBMITTED BY:

Land Development Branch
File No. DASZ 4/10 (AG 4/10)
February 2, 2011

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

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