Agenda - Council – March 23, 2011

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

Item No. 5 Development Agreement Amendment – AG 1/06 -Clause 8, Kenaston Boulevard
(St. Norbert Ward)
File DASZ 1/2006

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 Development Agreement AG 1/06 be amended by deleting Clause 8 Kenaston Boulevard in Section I of Schedule "C" in its entirety, subject to the joint Federal-Provincial-City tripartite funding agreement for the Waverley West Arterial Roads Project being finalized.

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 DEVELOPMENT AGREEMENT AG 1/06 CLAUSE 8 – KENASTON BOULEVARD (DASZ 1/06)**

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 8, Kenaston Boulevard, in Section I of Schedule "C" in its entirety.

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 the subject clause under Development Agreement AG 1/06.

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, an amendment to Development Agreement AG 1/06 may be undertaken as necessary.

HISTORY

On December 6, 2006 the Developer, The Manitoba Housing and Renewal Corporation (MHRC) 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.

On June 23, 2010, Council approved the Developer's request to amend Development Agreement AG 1/06 to provide for a one (1) year extension to provide a secondary means of access to the development area by the end of the 2011 construction season.

Secondary access is to be accommodated by the construction of Kenaston Boulevard from its intersection with Bishop Grandin Boulevard to its intersection with Bison Drive. 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 that Development Agreement AG 1/06, as amended, be further amended by deleting Clause 8 Kenaston Boulevard in Section I of Schedule "C" 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, P.Eng., Land Development Branch
Date:	February 4, 2011
File No.	AG 1/06 (DASZ 1/06)

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

Filename: V:\11-ACG Reports & others\2011\AG 1-06 Development Agreement amendment - Kenaston Blvd - Clause 8 - RIS - RD Rpt.doc

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

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

February 2, 2011

Riel Community Committee
Request to amend AG 1/06
Clause 8 Kenaston Boulevard

RE: REQUEST TO AMEND DEVELOPMENT AGREEMENT AG 1/06 – THE MANITOBA HOUSING AND RENEWAL CORPORATION – CLAUSE 8 IN SECTION I OF SCHEDULE "C"

On December 6, 2006 the Developer, The Manitoba Housing and Renewal Corporation (MHRC) 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.

On June 23, 2010, Council approved the Developer's request to amend Development Agreement AG 1/06 to provide for a one (1) year extension to provide a secondary means of access to the development area by the end of the 2011 construction season.

Secondary access is to be accommodated by the construction of Kenaston Boulevard from its intersection with Bishop Grandin Boulevard to its intersection with Bison Drive. The Public Works Department has advised that this roadwork is included in the Waverley West Arterial Roads Project to be funded by the three levels of Government and undertaken by the City. The Public Works Department therefore have no objection to formalizing agreement changes with MHRC at this time as it is no longer necessary to obligate this Developer for the finance and construction of these works. The Developer will however continue to be obligated for specific works at the intersections serving their development as specified in Clause 10, Schedule "C" of the Agreement.

It is therefore recommended that Development Agreement AG 1/06, as amended, be further amended by deleting Clause 8 Kenaston Boulevard in Section I of Schedule "C" in its entirety, subject to the finalization of the Funding Agreement between the three levels of government for the Waverley West Arterial Roads Project.

Riel Community Committee
Request to amend AG 1/06
Clause 8 Kenaston Boulevard

THIS REPORT SUBMITTED BY:

Land Development Branch
File No. AG 1/06
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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