Agenda - Council – February 22, 2012

Report - Standing Policy Committee on Property and Development – February 14, 2012

Item No. 12 Amendment to Development Agreement AG 22/07 - South Pointe Subdivision
(St. Norbert Ward)
File DASZ 22/2007

STANDING COMMITTEE RECOMMENDATION:

On February 15, 2012, 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 14 of Schedule "C" of Development Agreement AG 22/2007 be amended by inserting the words "including residential single family lots along Kenaston Boulevard as applicable" after lot, in the fourth line of said agreement clause.

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 – February 14, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 15, 2012, 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 February 14, 2012, 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 6, 2011, 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

Title: **PROPOSED AMENDMENT TO DEVELOPMENT AGREEMENT AG 22/07 (DASZ 22/07) – SOUTH POINTE SUBDIVISION**

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	Barry Thorgrimson, A/Director	N/A	N/A

RECOMMENDATIONS

3. That Clause 14 of Schedule "C" of Development Agreement AG 22/07 be amended by inserting the words "including residential single family lots along Kenaston Boulevard as applicable" after lot, in the fourth line of said agreement clause.

4. 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 for an amendment to this agreement.

IMPLICATIONS OF THE RECOMMENDATIONS

None

HISTORY

On November 21, 2007 the Developer, Ladco Company Limited entered into Development Agreement AG 22/07 with the City establishing development conditions to serve the planned area as shown on attached Appendix "A" for their South Pointe subdivision.

As part of development adjacent to regional streets, sound attenuation provisions are implemented by the Developer. These considerations typically require installation of permanent fencing and/or berming, and/or development spatial separation. The Developer as part of development of single-family lots abutting future Kenaston Boulevard will provide sound attenuation through spatial separation and has also provided permanent fencing to enhance sound attenuation and aesthetics along Kenaston Boulevard.

Caveat provisions to provide perpetual maintenance of permanent sound attenuation fencing on private lands are routine under Development Agreements. The Developer has provided a letter in support of amending the agreement to include this provision for single family lots along Kenaston Boulevard where permanent fencing has or is proposed to be installed by the Developer; see attached correspondence and sketches dated January 30, 2011, Appendix "B".

Proposed revised clause 14;

The Developer shall, at no expense to the City, construct, within the rear yards of all single-and two-family lots abutting the existing and realigned Waverley Street, a uniform, 2.0-metre-high fence, to the satisfaction of the Director of Public Works, and permit the City to file a caveat against the title of each such lot, **including residential single family lots along Kenaston Boulevard as applicable** requiring the owner(s) to maintain and/or repair and/or replace the fence as originally constructed, to the satisfaction of the Director of Public Works.

FINANCIAL IMPACT

There is no financial impact associated with this recommendation.

CONSULTATION

In preparing this Report there was consultation with:

Public Works Department
Ladco Company Limited

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Development and Inspections
Prepared by:	Rob Deighton, Land Development Branch
Date:	January 30, 2012
File No.	AG 22/07 (DASZ 22/07)

Appendix “A” – DASZ 22/07 map
Appendix “B” – Correspondence from Ladco

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APPENDIX "A" – DASZ 22/07 – map

By-Law No. _____

File No. **DASZ 22/07**

Atlas Sheet No.

N

AO21
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land located west of Waverley Street between Lee Boulevard and the Perimeter Highway from an "A" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "R1-3.5" RESIDENTIAL DISTRICT an "RM-2" and "RM-4" MULTIPLE-FAMILY DISTRICTS and a "C2" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – Correspondence from Ladco

Deighton, Rob

From: Dale Amodeo [amodeo@ladcocompany.com]
Sent: Monday, January 30, 2012 1:04 PM
To: Deighton, Rob
Subject: Amendment to AG 22/07
Attachments: Fence Caveat Sketch 1.pdf; Fence Caveat Sketch 2.pdf

Rob

Ladco has no objections and gives the City of Winnipeg authorization to proceed with the caveat amendment for AG 22/07, which will refer to fence construction on single-family lots abutting the future Kenaston Boulevard extension as well as the lots indicated below:

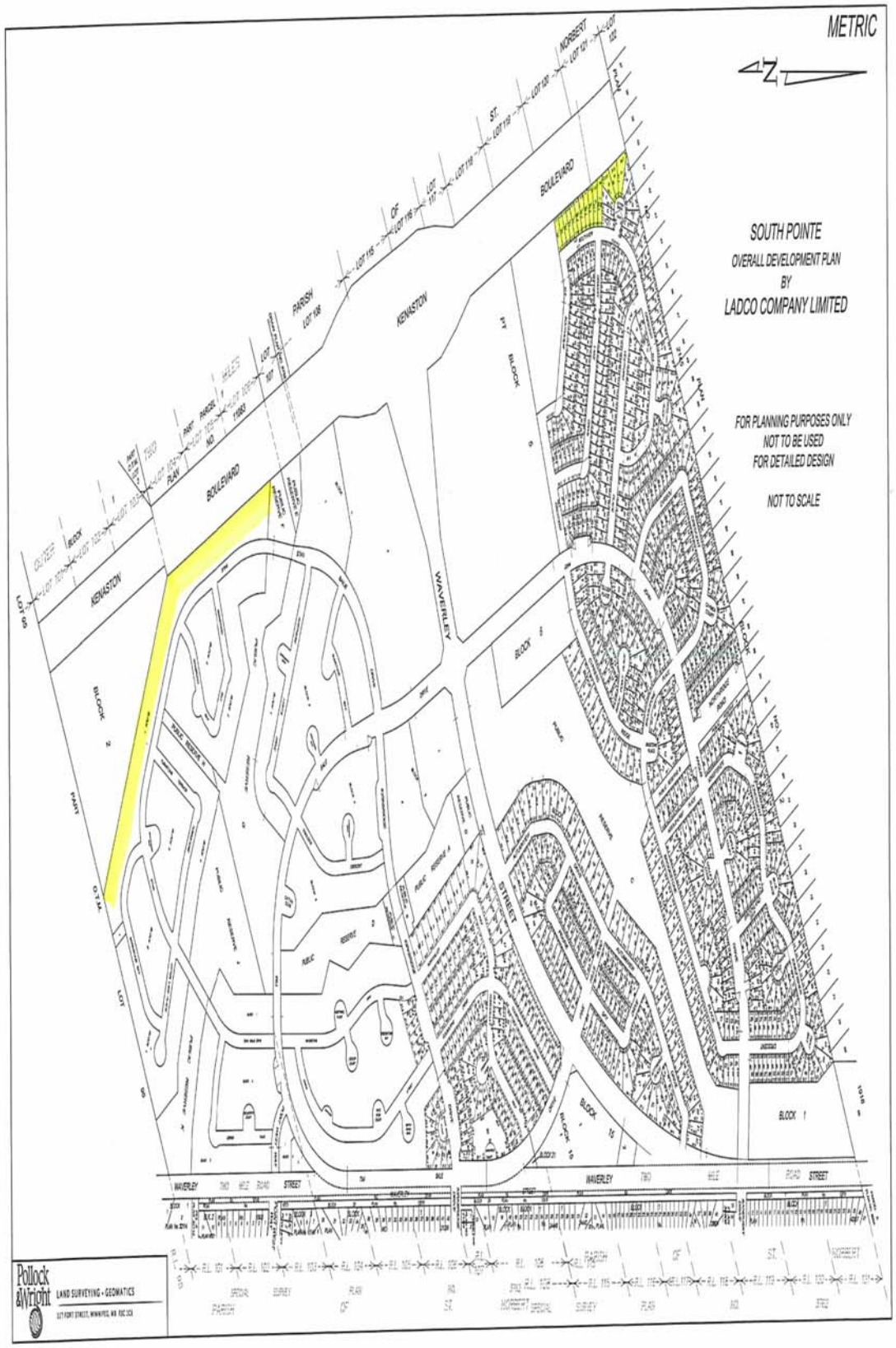
Lots 1 to 11 AND 15 TO 17, Block 1, Plan 51680 (DEPOSIT NO. 1664/2010) WLTO IN OTM 118, 119, 120 AND 121 PARISH OF ST. NORBERT

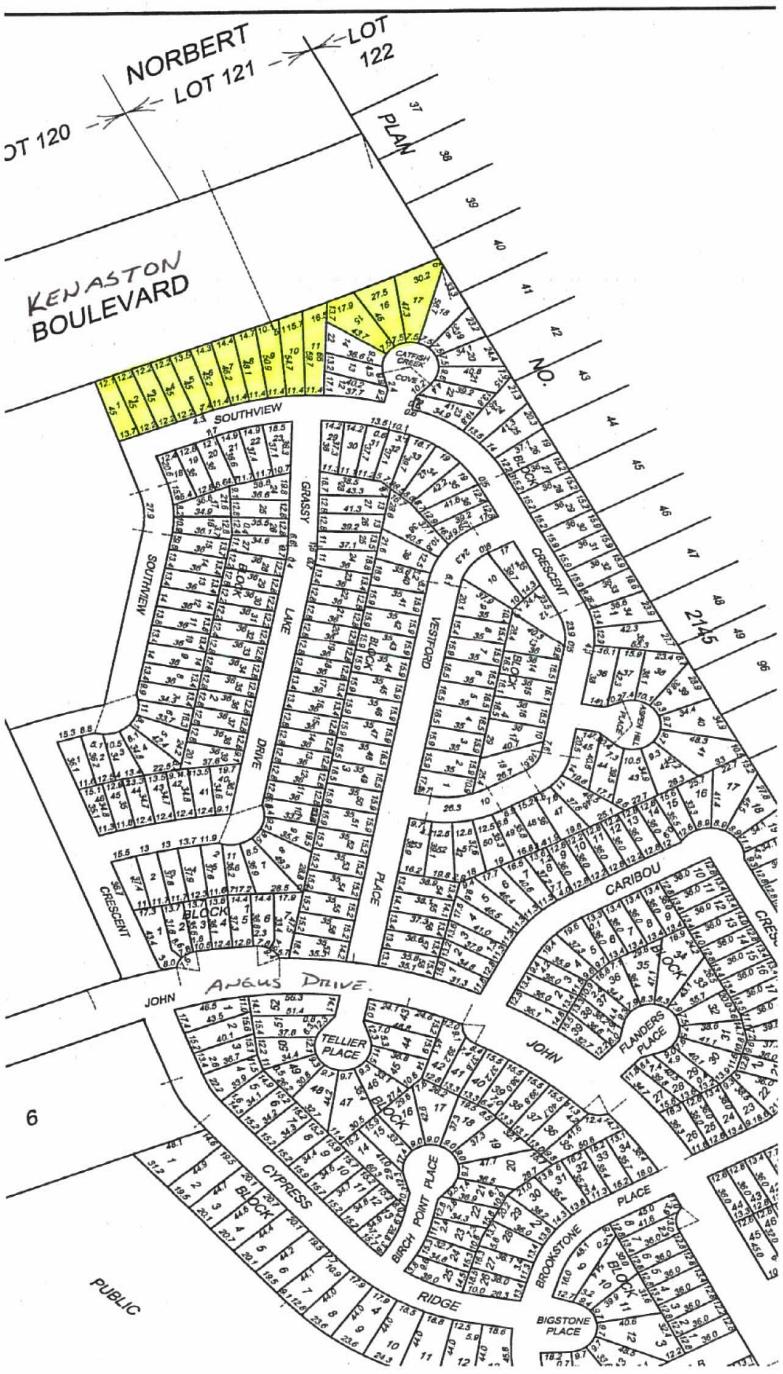
See attached sketches highlighting affected future and current lots, I hope this is sufficient. Don't hesitate to call if you require any further assistance.

Thank you for your time.

Dale Amodeo
Development Coordinator
Ladco Company Limited
Land Division

1/30/2012


METRIC
SOUTH POINTE
OVERALL DEVELOPMENT PLAN
BY
LADCO COMPANY LIMITED
FOR PLANNING PURPOSES ONLY
NOT TO BE USED
FOR DETAILED DESIGN
NOT TO SCALE
KENASTON
BOULEVARD
WAVERLEY
STREET
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 15
PARISH
NORBERT
Pollock & Wright
LAND SURVEYING • GEOMATICS


NORBERT
LOT 121
LOT 122
OT 120
PLAN
KENASTON
BOULEVARD
NO.
2145
SOUTHVIEW
GRASSY
LAKE
DRIVE
VESTFORD
CRESCENT
PLACE
CARIBOU
ANGUS DRIVE
JOHN
TELLIER PLACE
FLANDERS PLACE
CYPRESS
RIDGE
BIRCH POINT PLACE
BROOKSTONE
PLACE
BIGSTONE PLACE
PUBLIC
6