Agenda – Council – April 25, 2012

Report – Standing Policy Committee on Property and Development – April 10, 2012

Item No. 8 Strategic Economic Agreement for Transcona West (Transcona Ward)

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2012, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, both as amended, and submits the following to Council:

1. That the City of Winnipeg enter into an Strategic Economic Agreement for Transcona West in accordance with Appendix A.

2. That the Chief Administrative Officer be delegated the authority to negotiate and finalize the terms and conditions of the Strategy Economic Agreement for Transcona West.

3. 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 – April 10, 2012

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2012, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, with the following amendment:

- Delete Recommendation No. 1 in its entirety and replace with the following:

    1. That the City of Winnipeg enter into an Strategic Economic Agreement for Transcona West in accordance with Appendix A.

    2. That the Chief Administrative Officer be delegated the authority to negotiate and finalize the terms and conditions of the Strategy Economic Agreement for Transcona West.

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

and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 10, 2012, 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 March 13, 2012, the East Kildonan-Transcona Community Committee passed the following motion:

WHEREAS a memorandum of understanding has now been signed by the major property holders in the area known as Transcona West;

Report – Standing Policy Committee on Property and Development – April 10, 2012

DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

AND WHEREAS the memorandum of understanding outlines proposed obligations and requirements of private property land owners and The City of Winnipeg to ensure the timely construction of services in the area specifically, land drainage and road connections;

AND WHEREAS the Winnipeg Public Service has cited in the memorandum of understanding a requirement to have Council approve a strategic economic agreement which would bind private property owners and the City to that memorandum of understanding;

THEREFORE BE IT RESOLVED that the Standing Policy Committee on Property and Development direct Winnipeg Public Service to bring forward a strategic economic agreement for Transcona West.

APPENDIX A

PROPOSED TERMS AND CONDITIONS FOR A STRATEGIC ECONOMIC AGREEMENT BETWEEN THE CITY OF WINNIPEG AND NORTH GRASSIE PROPERTIES INC., WATERSIDE DEVELOPMENT CORP., GENSTAR DEVELOPMENT COMPANY, KILDONAN PLACE LTD., 2514109 MANITOBA LIMITED (individually, a "Developer" and collectively, the "Developers") FOR COST-SHARING TRANSPORTATION IMPROVEMENTS AND RELATED DRAINAGE WORKS IN THE TRANSCONA WEST AREA OF WINNIPEG

Purpose: To enter into a Strategic Economic Agreement that sets out the Project scope, the infrastructure requirements, the cost-sharing formula for paying for infrastructure, the City's contribution to the Project, the timing and phasing of construction, and the timing of the City's and Developers' contributions to the Project.

Transcona West Area: The Transcona West Area consists of an area bounded by Regent Avenue West, Lagimodiere Boulevard, the CPR Keewatin Subdivision, the future Edward Schreyer Parkway and the CEMR Pine Falls rail line.

Project: The installation of the following transportation improvements and related land drainage works in the Transcona West Area:

A. Four lane divided roadways in Peguis Street between Regent Avenue West and the CPR Keewatin Subdivision.
B. Four lane divided roadways in Reenders Drive between Stapon Road and Peguis Street.
C. Four lane divided roadways in Ravelston Avenue West / Kildare Avenue West between Peguis Street and the western limit of the right of way for the future Ed Schreyer Parkway.
D. Appropriate traffic controls at the intersection of Reenders Drive and Peguis Street, the intersection of Peguis Street and Ravelston Avenue West / Kildare Avenue West, and the intersection of Peguis Street and Devonshire Drive.
E. Severing the Almey – Lagimodiere intersection connection (by the City at its sole cost) upon completion of the Reenders Drive extension connecting at a minimum two lanes of the ultimate four lane roadway with Peguis Street.
F. Ornamental street lighting, sidewalks, and boulevard landscaping in conjunction with the above works.

G. Lateral land drainage sewer facilities required to serve the new roadways for Reenders Drive, Peguis Street and Ravelston Avenue West / Kildare Avenue West.
H. Costs of all design services to be provided for a consulting engineer for the Project, and costs of all supervision services provided on behalf of the City for field inspection, the preparation of progress estimates, and all other engineering consulting services related to the Project will form part of the construction costs and shared as per the cost-sharing formula.

Minor Benefitting Landowners: The benefitting landowners in the Transcona West Area who are not parties to the Strategic Economic Agreement.

Cost-Sharing of Roads: Where a Developer owns the property fronting on a road, and the construction of 4 lanes for that road is included in the Project, the Developer will pay for 1½ lanes per frontage owned of the 4 lane road, and the final lane or 25% of the cost will be paid for proportionately based on the amount of: (a) acres net of the rights-of-way taken for the Project that the Developers hold in the Transcona West Area; and (b) acres owned by the City and the Minor Benefitting Landowners in the Transcona West Area.

Where the City or a Minor Benefitting Landowner owns the land fronting on a road, and the construction of 4 lanes for that road is included in the Project, the City will contribute the cost for 1½ lanes per frontage owned of the 4 lane road, and the final lane or 25% of the cost will be paid for proportionately based on the amount of: (a) acres net of the rights-of-way taken for the Project that the Developers hold in the Transcona West Area; and (b) acres owned by the City and the Minor Benefitting Landowners in the Transcona West Area.

Reimbursement: If a Developer constructs infrastructure that forms part of the Project prior to receiving zoning or subdivision approval for their lands, and the Developer does not receive subsequent rezoning or subdivision approvals for a development consistent with the Transcona West Area Structure Plan and consistent with the applicable Development Agreement Parameters in the City of Winnipeg in effect at the time for their lands, the City will reimburse the Developer for the cost of such infrastructure built.

North Grassie Obligations: Subject to any reimbursement to which North Grassie is entitled hereunder, North Grassie, concurrent with the development of their lands and upon receiving all relevant zoning and permitting, will pay in advance all costs or provide Letters of Credit as security to

	the satisfaction of the City for the construction of the 2 lanes of Peguis Street from Ravelston Avenue West to the existing pavement near Costco. If North Grassie is not the party building such 2 lanes of Peguis Street, then North Grassie will subsequently be reimbursed by the City the amount by which the construction costs exceed North Grassie's total acreage charge or, in the alternative (but not in addition to), should North Grassie construct such 2 lanes of Peguis Street and such construction costs are greater than North Grassie's total acreage charge, then North Grassie will subsequently be reimbursed by the City the amount by which the construction costs exceed North Grassie's total acreage charge. North Grassie is expected to provide its own drainage for the Peguis Street improvements.
Genstar Obligations:	Genstar may be required to deal with the requirement for lands necessary for the Peguis Street extension by providing the necessary right-of-way widening. The City of Winnipeg Public Service agrees to waive the application fees associated with a DAO required for this purpose, and the legal survey fees and expenses for registration of the right-of-way will form part of the cost of the Project if it precedes the application for subdivision and rezoning of its land. Genstar agrees to allow the drainage pond to be prepared, to a substandard level acceptable by the City, to accept drainage waters from the Reenders extension and agrees to allow an easement to be registered on title to ensure access from the Reenders extension land drainage pipe to the drainage pond.
Kildonan Place / 2514109 Manitoba Limited Obligations:	Kildonan Place and 2514109 Manitoba Limited will consider sharing the cost associated with the immediate construction of 2 lanes of Reenders Drive extending out to Peguis Street, and shall immediately file simultaneous DASZ applications to facilitate the opening and construction of Reenders Drive to Peguis Street. Kildonan Place and 2514109 Manitoba Limited will provide for the payback to Genstar for the lake oversizing required for the drainage of their lands in accordance with the City's Development Agreement Parameters in effect at such time based on their benefitting areas.