Agenda - Executive Policy Committee – January 23, 2013

Report - Standing Policy Committee on Property and Development – January 15, 2013

Item No. 13 Development Agreement Amendment – Waverley West-West Neighbourhood - DASZ 8/2012

STANDING COMMITTEE RECOMMENDATION:

On January 15, 2013, the Standing Policy Committee on Property and Development submits the following to Council:

1. That the November 14, 2012 Council decision on Item 2 of the Report of the Standing Policy Committee on Property and Development dated November 6, 2012 for application DASZ 8/2012, be amended by deleting Clause 16 under Part C - Agreement Conditions of the proposed Development Agreement (Schedule "C"), in its entirety and replace it with the following:

   Part C – Agreement Conditions
   16. The Developer shall, at no expense to the City, construct 1.5 m wide by 100 mm thick Portland cement concrete sidewalks a) on the standard alignment, 0.3m off the property line, along both sides of the street in all streets in the West Neighbourhood measuring 22.0m in width or greater, b) on one side of the street, at back of curb, in all streets in the West Neighbourhood less than 22.0m in width, excluding cul-de-sacs and c) aligning with the collector streets sidewalks within the service islands of frontage roads, where constructed in the West Neighbourhood, as determined by and to the satisfaction of the Director of Public Works.

2. That the Property Officers of the City do all things necessary to effect the intent of the foregoing.

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DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On January 15, 2013, the Standing Policy Committee on Property and Development recommended that the Council Motion of December 12, 2012 be concurred in and forwarded to the Executive Policy Committee and Council.

COUNCIL DECISION:

On December 12, 2012, Council ruled automatic referral of the following motion to the Standing Policy Committee on Property and Development:

Moved by Councillor Swandel,
Seconded by Councillor Eadie,

WHEREAS Council, at its meeting held on November 14, 2012, adopted Items 1 and 2 of the Report of the Standing Policy Committee on Property and Development dated November 6, 2012, namely, the Area Structure Plan for the Waverley West - West Neighbourhood under File SP 1/2012 and the Subdivision and Rezoning of the Waverley West - West Neighbourhood under File DASZ 8/2012;

AND WHEREAS at said meeting, Council amended Section 7.4.3 Sidewalk Policies of the Area Structure Plan (Schedule 1) by adding the following:

(3) Sidewalks shall be provided in the boulevards created between a frontage road and collector street aligning with the collector street sidewalks;

AND WHEREAS the amendment to the Area Structure Plan is not consistent with the following Clause in the proposed Development Agreement for the Subdivision and Rezoning under File DASZ 8/2012, namely:

Report - Standing Policy Committee on Property and Development – January 15, 2013

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (Continued):

Part C - Agreement Conditions
16. The Developer shall, at no expense to the City, construct a) in all streets in the West Neighbourhood measuring 22.0m in width or greater, except where frontage roads are constructed, 1.5m wide by 100mm thick Portland cement concrete sidewalks on the standard alignment, 0.3m off the property line, along both sides of the street; and b) in all streets in the West Neighbourhood less than 22.0m in width, excluding cul-de-sacs, 1.5m wide by 100mm thick Portland cement concrete sidewalks on one side of the street, at back of curb, as determined by and to the satisfaction of the Director of Public Works.

AND WHEREAS Section 235 of The City of Winnipeg Charter stipulates that any development in the City must be consistent with Plan Winnipeg or any secondary plan;

THEREFORE BE IT RESOLVED that Council revisit its November 14, 2012 decision on Item 2 of the Report of the Standing Policy Committee on Property and Development dated November 6, 2012 and delete Clause 16 under Part C - Agreement Conditions of the proposed Development Agreement (Schedule "C") for application DASZ 8/2012, in its entirety and replace it with the following:

Part C – Agreement Conditions
16. The Developer shall, at no expense to the City, construct 1.5 m wide by 100 mm thick Portland cement concrete sidewalks a) on the standard alignment, 0.3m off the property line, along both sides of the street in all streets in the West Neighbourhood measuring 22.0m in width or greater, b) on one side of the street, at back of curb, in all streets in the West Neighbourhood less than 22.0m in width, excluding cul-de-sacs and c) aligning with the collector streets sidewalks within the service islands of frontage roads, where constructed in the West Neighbourhood, as determined by and to the satisfaction of the Director of Public Works.