Minute No. 520
Report – Standing Policy Committee on Property and Development – May 13, 2014

Item No. 21 **Amendment to Servicing Agreement AG 23/06 Conditions – 1810 Corydon Avenue (River Heights-Fort Garry Ward) File DASZ 23/2006**

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That Letter Agreement AG 23/06 dated January 20, 2010 prepared pursuant to Servicing Agreement AG 23/06 be amended by deleting Condition 2 and replacing as follows;

   A. "2. Construct, at no expense to the City, portland cement concrete sidewalk to a width of 1.5 metres by 100 mm in thickness on the south side of John Brebeuf Place from Centennial Street to the north-south lane west of Centennial Street and on the north side adjacent the Planned Area, all as determined by and to the satisfaction of the Director of Public Works."

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 – May 13, 2014

DECISION MAKING HISTORY:

Moved by Councillor Browaty,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 21, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 13, 2014, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 6, 2014, the City Centre 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: **AMENDMENT TO SERVICING AGREEMENT AG 23/06 CONDITIONS – 1810 CORYDON AVENUE – DASZ 23/2006**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	B. Thorgrimson		

RECOMMENDATIONS

1. That Letter Agreement AG 23/06 dated January 20, 2010 prepared pursuant to Servicing Agreement AG 23/06 be amended by deleting Condition 2 and replacing as follows;

   "2. Construct, at no expense to the City, portland cement concrete sidewalk to a width of 1.5 metres by 100 mm in thickness on the south side of John Brebeuf Place from Centennial Street to the north-south lane west of Centennial Street and on the north side adjacent the Planned Area, all as determined by and to the satisfaction of the Director of Public Works."

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 authority is required to amend Council's instructions.

IMPLICATIONS OF THE RECOMMENDATIONS

Rather than building a sidewalk on the north side of John Brebeuf Place as originally intended, the Developer's Agreement will be amended to permit part of the sidewalk obligation to be completed on the south side of John Brebeuf Place.

HISTORY

On September 27, 2006, Council approved Minute 813, the subdivision and rezoning of 1800-1810 Corydon Avenue under File DASZ 23/2006 to create a new multi-family development and commercial district, see Appendix "A" sketch. The conditions of approval included a requirement for the Developer to enter into a Servicing Agreement with the City in accordance with the City's Administrative Coordinating Group (ACG) report dated June 27, 2006 which amongst other things contained the requirement for the Developer to construct a sidewalk along the north side of John Brebeuf Place from Centennial Street west to the existing north-south lane and between the existing north-south lane and the west most proposed private approach to the subject property.

The Developer has currently constructed sidewalk on the north side between the north-south lane and the west limit of the subject property.

The Public Works Department has been working cooperatively with the Developer and jointly request that the sidewalk requirements be amended to transfer part of the sidewalk obligation to the south side of John Brebeuf Place in order to preserve mature trees on the north side. Appendix "B" contains the Developers support letter for the requested amendment. Appendix "C" shows a sketch overview of the proposed revised sidewalk location.

The Winnipeg Public Service supports this request.

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:	Land Development, Geomatics and Land Information Systems
Prepared by:	Rob Deighton, P.Eng, Land Development Branch
Date:	April 28, 2014
File No.	DASZ 23/06 (AG 23/06)

Appendix “A” – Sketch showing DASZ 23/06
Appendix “B” – Developer’s support to amend AG 23/06 sidewalk condition
Appendix “C” – Sketch of proposed subject sidewalk

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APPENDIX "A" – SKETCH SHOWING DASZ 23/06

By-Law No. _____

File No. **DASZ 23/06**

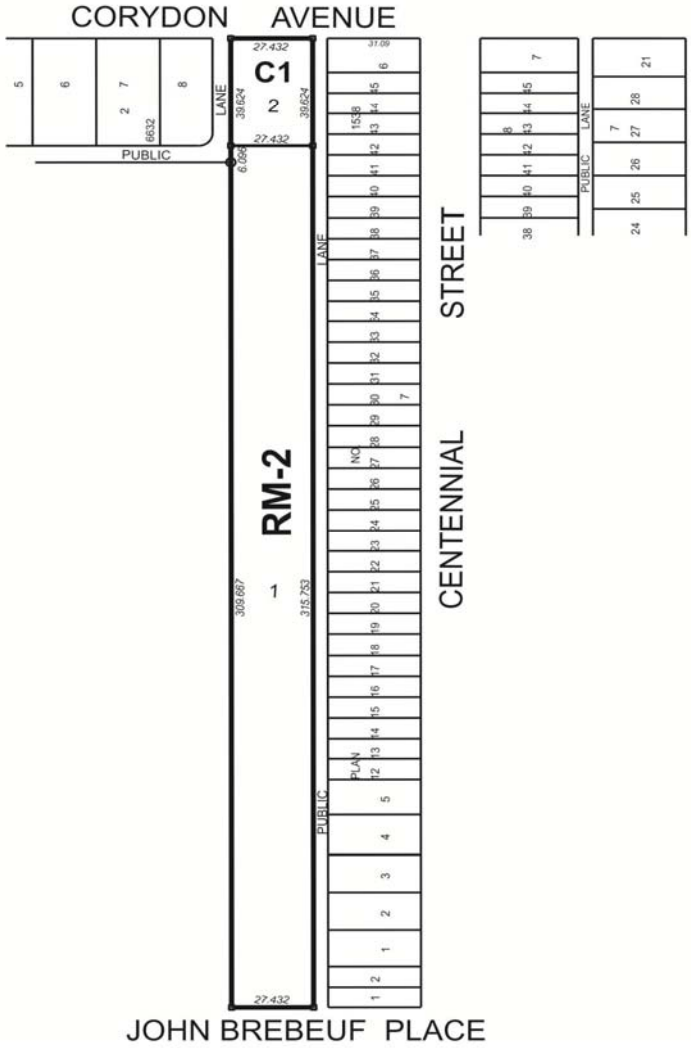
Atlas Sheet No.

N

AD20
CITY CENTRE
COMMUNITY

Explanation

The attached By-law approves the plan of subdivision shown outlined below and amends By-law No. 6400/94 by rezoning the land located at 1800/1810 Corydon Avenue from an "R1-4" RESIDENTIAL DISTRICT, an "R2" RESIDENTIAL DISTRICT, an "RM-2" MULTIPLE-FAMILY DISTRICT, an "RM-3" MULTIPLE-FAMILY DISTRICT and a "C1" COMMERCIAL DISTRICT to an "RM-2" MULTIPLE-FAMILY DISTRICT and a "C1" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – DEVELOPER'S SUPPORT LETTER

BILLINKOFF
MANAGEMENT
LIMITED

205-115 BANNATYNE AVENUE
WINNIPEG, MANITOBA
R3B 0R3

TELEPHONE:
(204) 942-0115

FAX:
(204) 943-8276

April 23, 2014

City of Winnipeg
Planning, Property and Development
Land Development Branch
Main Floor – 65 Garry Street
Winnipeg, MB R3C 4K4

RE: 5473072 Manitoba Ltd. Sidewalk 1810 Corydon Avenue

Dear Ted,

As per your email of April 23, 2014, we agree to construct the sidewalk on the South side of John Brebeuf between Centennial and the alley to the west.

Yours truly,

David Billinkoff
Billinkoff Management Limited
Ph: 204-942-0115
Email: bml@mts.net

APPENDIX "C" – SKETCH SHOWING PROPOSED SUBJECT SIDEWALK

