**Agenda – Executive Policy Committee – September 21, 2016**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016**

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than 96 hours preceding the committee meeting, be considered by Committee.

**Item No. 5** **Servicing Agreement – Plan of Subdivision Consolidation of Land Located at 35 & 45 Avenue De La Digue (South Winnipeg – St. Norbert Ward) File DASSF 500/2016**

STANDING COMMITTEE RECOMMENDATION:

On September 20, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That the Developer enter into a Servicing Agreement with the City to fulfill all the requirements outlined in Schedule "B" the report of the Administrative Coordinating Group, attached hereto.

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

**Agenda – Executive Policy Committee – September 21, 2016**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016**

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 20, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

# ADMINISTRATIVE REPORT

**Title:** Proposed Servicing Agreement – DASSF 500/2016 Proposed Plan of Subdivision Consolidation of Land Located at 35 & 45 Avenue De La Digue

**Critical Path:** Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council

## AUTHORIZATION

| Author | Department Head | CFO | CAO |
|---|---|---|---|
| M. Pittet | J. Kiernan | N/A | D. McNeil |

## EXECUTIVE SUMMARY

The Winnipeg Public Service has identified servicing requirements resulting from the proposed Development Application Subdivision Short Form (DASSF) subdivision application. Standing Policy Committee approvals are necessary for the City to enter into a Servicing Agreement to fulfill the servicing conditions. The servicing conditions are in keeping with standard development practice.

## RECOMMENDATIONS

1. That the Developer enter into a Servicing Agreement with the City to fulfill all the requirements outlined in Schedule “B” the report of the Administrative Coordinating Group, attached hereto.

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

Standing Policy Committee on Property and Development, Heritage and Downtown Development approval is required for the City to enter into Servicing Agreements that are conditions of DASSF (short-form subdivision) applications.

## IMPLICATIONS OF THE RECOMMENDATIONS

Concurrence with this recommendation will enable servicing conditions to be applied to this application.

## HISTORY

An application has been received from Stantec Consulting on behalf of the Division Scolaire Franco-manitobaine (DSFM) for a subdivision and consolidation of land in order to provide additional land to accommodate an expansion to Ecole Noel-Richot (as shown in Schedule A, attached).

The application has been circulated for review and comments to internal and external stakeholder departments. The Public Works and Water and Waste Departments have provided the following comments:

Public Works:

The Public Works Department has reviewed the proposed plan of subdivision on land located at 35 & 45 De La Digue Avenue (DASSF 500/2016) and has no objections subject to the Developer entering into a Servicing Agreement with the City for the following works:

- The Developer shall, at no expense to the City, construct Portland cement concrete pavement in De La Digue Avenue between Pembina Highway and Laundry Street, and all related works including, but not necessarily limited to a sidewalk on the north side, boulevard landscaping, street lighting and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

- The City will endeavor, within the limits of its powers, to make recoveries from other benefiting privately owned lands through subsequent agreements, or alternatively the Developer may consider the Local Improvement process for the above-referenced improvements.

Water and Waste:

A sewer and manhole easement is registered and runs through Pcl B Plan 25671, Pcl B Plan 37459 and Pcl B Plan 19405. The applicant shall, at no expense to the City of Winnipeg, register easements for wastewater sewer, force main, gate chamber, and lift station and access to the wastewater lift station to the satisfaction of the Director of Water and Waste. The attached sketch (Schedule C) illustrates easement requirements in the vicinity of the lift station

It is therefore recommended that the applicant enter into a Servicing Agreement with the City to fulfill the conditions outlined in Schedule B, the report of the Administrative Coordinating Group attached hereto.

**FINANCIAL IMPACT**

## Financial Impact Statement Date: August 22, 2016

## Project Name:

**PROPOSED SERVICING AGREEMENT – DASSF 500/2016 PROPOSED PLAN OF SUBDIVISION CONSOLIDATION OF LAND LOCATED AT 35 & 45 AVENUE DE LA DIGUE**

**COMMENTS:**

There are no direct financial implications to the City resulting from the recommendations contained within this report.

*"Original Signed By"*
Mike McGinn, CPA, CA
Manager of Finance

## CONSULTATION

In preparing this Report there was consultation with:

Public Works Department
Water and Waste Department

## OURWINNIPEG POLICY ALIGNMENT

**01-1a OurWinnipeg;s Approach to City Building**

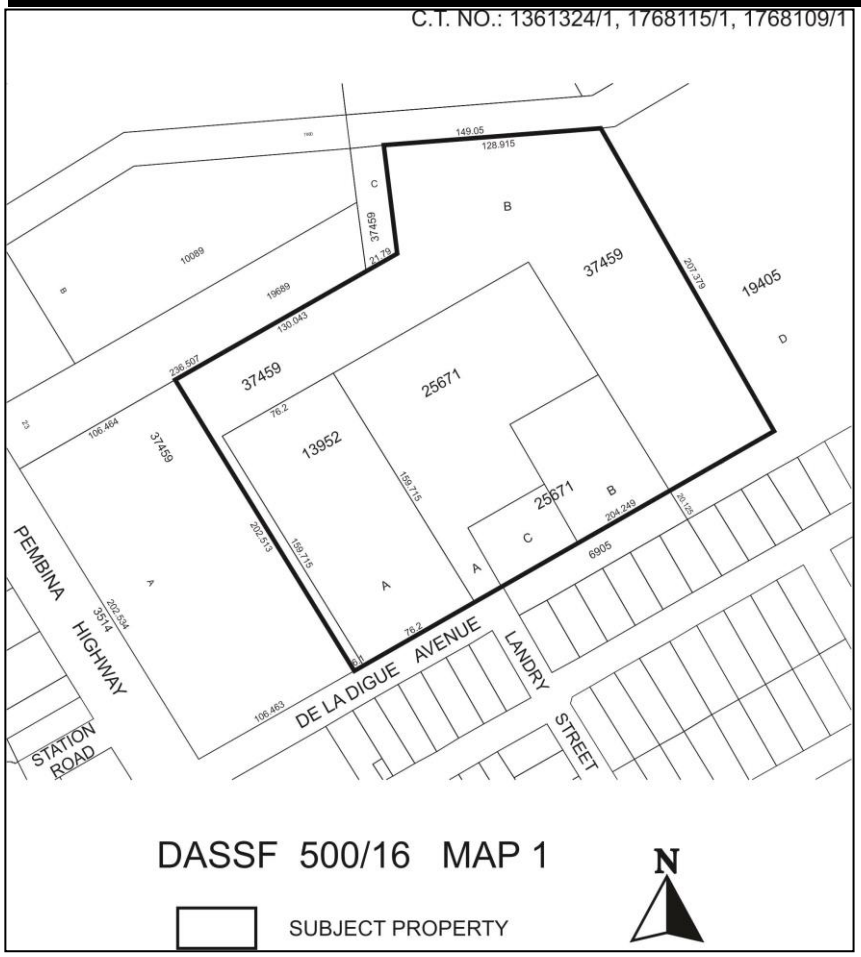
**Direction 3: Promote Compact Urban Form and Manage the Extension of Municipal Services for New Growth**

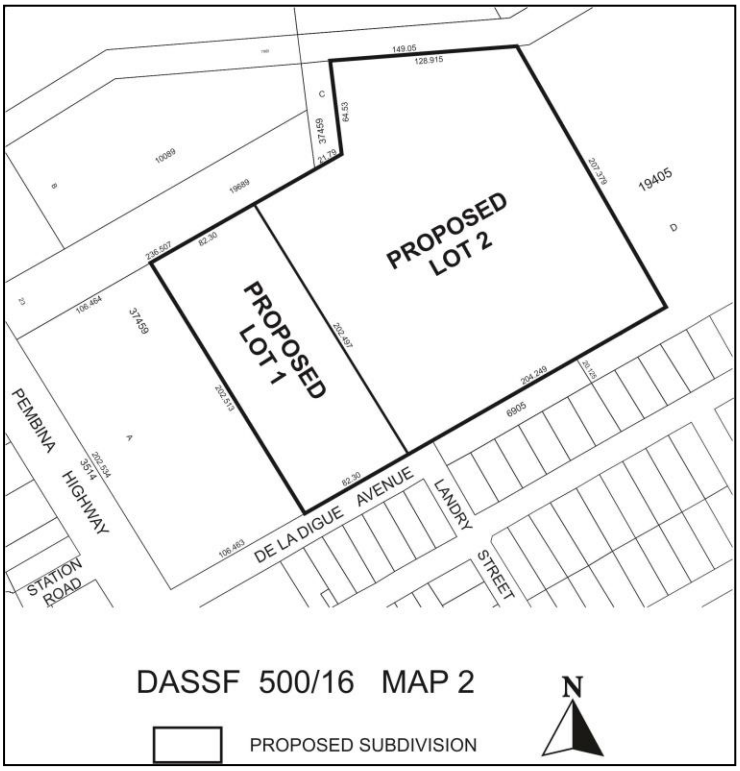
## SUBMITTED BY

| | |
|---|---|
| Department: | Planning, Property and Development |
| Division: | Land Development, Geomatics and Land Information Systems |
| Prepared by: | G.V. Jasper, P.Eng. |
| Date: | August 23, 2016 |
| File No. | DASSF 500/2016 |
| | O:\Reports Directive\Land Development, Geomatics and Land Information Services\Land Development\DASSF 500_2016 Servicing Agreement Request - 35 45 de la Digue(1).doc |

Schedule “A” – Proposed Plan of Subdivision
Schedule “B” – Report of the Administrative Coordinating Group
Schedule “C” – Easement Requirements

## SCHEDULE A - PROPOSED PLAN OF SUBDIVISION



## SCHEDULE B – REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

**REPORT OF THE ADMINISTRATIVE CO-ORDINATING GROUP – August 10, 2016**

**RE: PROPOSED PLAN OF SUBDIVISION CONSOLIDATION OF LAND LOCATED AT 35 & 45 AVENUE DE LA DIGUE - DASSF 500/2016**

It is recommended that the approval of DASSF 500/2016, if granted, be subject to the developer entering into a Servicing Agreement addressing the following items:

**SECTION I – INSTALLATION OF SERVICES**

1. The developer shall, at no expense to the City, construct Portland cement concrete pavement in Avenue De La Digue between Pembina Highway and Rue Landry, and all related works including, but not necessarily limited to a sidewalk on the north side, boulevard landscaping, street lighting and land drainage sewer, all as determined by and to the satisfaction of the Director of Public Works.

   The City will endeavor, within the limits of its powers, to make recoveries from other benefiting privately owned lands through subsequent agreements, or alternatively the Developer may consider the Local Improvement process for the above-referenced improvements.

2. The developer shall, at no expense to the City, register easements for wastewater sewer, force main, gate chamber, and lift station and access to the wastewater lift station as illustrated in the attached sketch in Schedule “C”, all to the satisfaction of the Director of Water and Waste.

SECTION II – COSTS AND FEES

1. Letters of Credit

   The Developer shall, prior to the execution by the City, of this Servicing Agreement, provide Letters of Credit in amounts acceptable to the Director of Public Works to guarantee performance of those works described in SECTION I above and for the provision of as-built drawings as described in item 3. below.

2. Land Dedication

   The Developer shall, prior to the release of the subdivision mylars, and In lieu of the dedication of land provide a cash payment representing 10% of the appraised value of the Development Application, as determined by the City.

3. Engineering Design and Approvals

   a. The Developer shall pay all of its and the City’s costs, fees, and expenses associated with the preparation and attainment of approval for registration of the plan of subdivision, including all Municipal Board, Land Titles Office, and other fees and expenses, all survey, engineering, and advertising fees and costs, and all expenses incidental to the

preparation of this Agreement and the physical development of the Planned Area.

b. The Developer shall pay the full cost of all design services, including servicing reports, construction drawings and specifications, and grading plans and specifications, to be provided by a Consulting Engineer approved by the City, for the design of the municipal services and associated works required to serve the Planned Area;

c. The Developer shall pay the full cost of construction supervision services provided by or on behalf of the City for field inspection, preparation of progress estimates, provision of as-built drawings by March 31 of the year following the date of substantial performance of the work, and all other engineering services related to the installation and acceptance of municipal services and all associated works to serve the Planned Area.

4. Administration Fee

The Developer shall, prior to the release of the subdivision mylars for registration in the Land Titles Office, pay to the City, to help defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement an Administration Fee of $2,138.00 plus GST per acre.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASSF 500/2016
August 10, 2016

"*Original Signed by G. Jasper"*
G.V. Jasper P. Eng.,
Land Development Branch

*"Original Signed by C. Desjardine, P.Eng."*
C. Desjardine, P.Eng.
Public Works Department, Transportation Division

"*Original Signed by M. Gajda"*
M. Gajda, P. Eng.
Water & Waste Department

## SCHEDULE C - EASEMENT REQUIREMENTS

