Minute No. 553
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 20, 2016

Item No. 7 **Servicing Agreement – Subdivision of Land Located at 1 Warman Road (St. Boniface Ward) File DASSF 506/2016**

COUNCIL DECISION:

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

1. That the Applicant 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.

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

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 21, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

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 506/2016 Proposed Subdivision of Land at 1 Warman Road

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 servicing conditions. The servicing conditions are in keeping with standard development practice.

RECOMMENDATIONS

1. That the Applicant 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

The City received an application from Nejmark Architect for a subdivision of land which would create four lots in order to allow for the establishment of three vacant lots for future development and for the addition to an existing building (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 1 Warman Road (DASSF 506/2016) and has the following comments and recommendations:

- The proposed plan of subdivision approval shall be subject to a submitted and approved transportation impact study and, if required, the Developer shall enter into a Servicing Agreement with the City of Winnipeg for infrastructure works, as determined by the transportation impact study or as required by the Public Works Department, to the satisfaction of the Director of Public Works.
- As part of the pre-application circulation, the Public Works Department commented that a traffic study would need to be completed. The Public Works Department has not received a traffic study. The traffic study needs to review the proposed access points and the intersection of Lagimodiere Boulevard and Warman Road, including truck traffic circulation and Transit considerations. The study needs to evaluate how much traffic (including trucks) will be directed to the Lagimodiere/Warman intersection and, if the City restricts movements at this intersection, the study needs to determine and review the new traffic patterns. The study needs to review the pedestrian and cycling facilities and provide recommendations in consultation with the Public Works Department for facilities abutting the Planned Area. The study needs to review the existing rights-of-way and whether widenings are required.
- A cross-access easement agreement will be required. The Developer can contact the Public Works Department directly for the terms of the agreement.

Water and Waste:

Water and Waste has a number of requirements/conditions associated with the subdivision application for 1 Warman Road.

The applicant shall:

- provide a report with respect to land drainage for all lands under this application, prepared by a qualified municipal engineer, which shall demonstrate the satisfactory on-site control of stormwater run-off to a discharge rate of 1.3 cfs (0.036 cms)
- provide a lot grading plan and site servicing plan with respect to land drainage, prepared by a municipal engineer
- grant any easements as required by the engineer's design

- shall pay the Mission TSR at the prevailing rate (2016 rate = $14,300.00/acre)
- pay the Seine River Waterway Land Acquisition Charge ($145.00/acre)
- execute a joint services agreement, which shall obligate all present and future owners of the proposed lots to be jointly responsible for the proper use, maintenance, repair and replacement of the shared water, wastewater and/or land drainage services.

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 506/2016 PROPOSED SUBDIVISION OF LAND AT 1 WARMAN ROAD

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

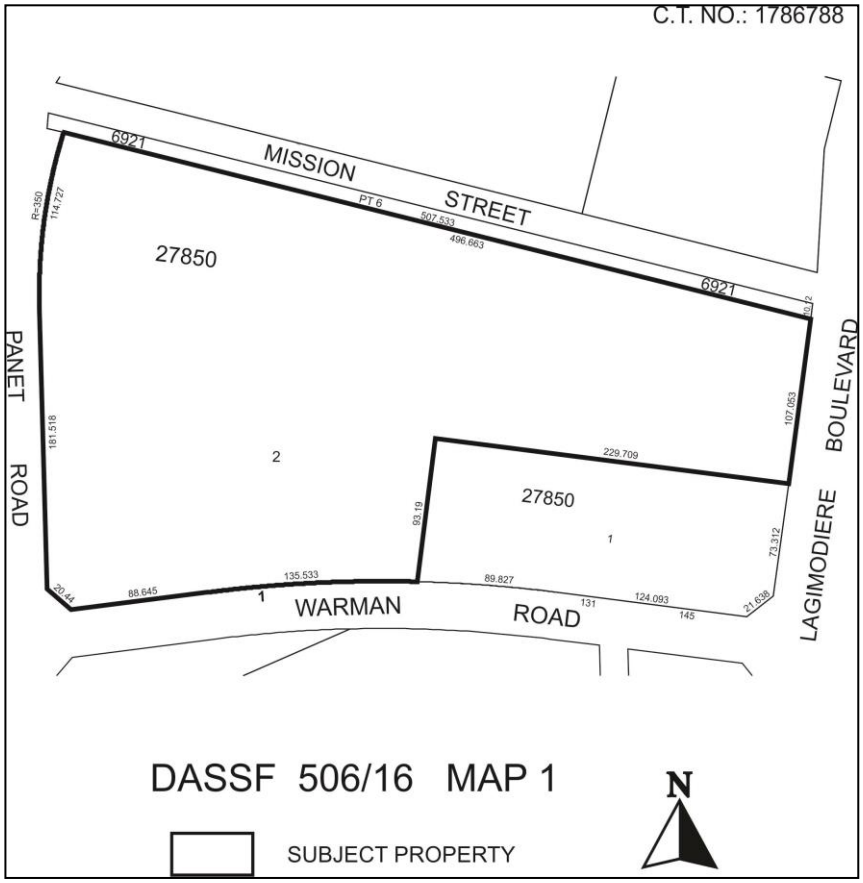
Direction 3: Promote Compact Urban Form and Manage the Extension of Municipal Services for New Growth

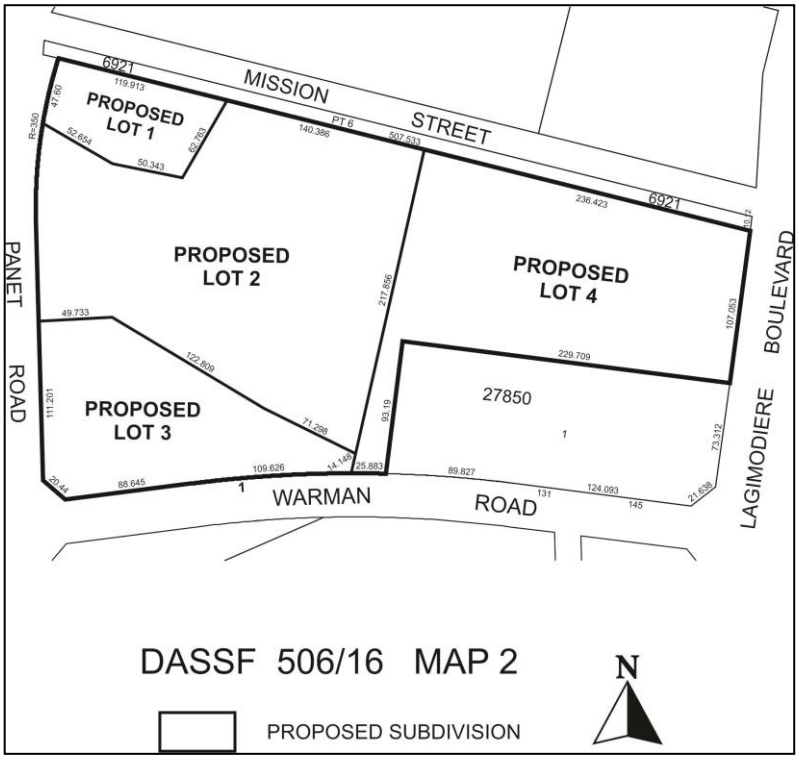
SUBMITTED BY

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 506/2016
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Schedule A – Proposed Plan of Subdivision
Schedule B – Report of the Administrative Coordinating Group

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 OF LAND LOCATED AT 1 WARMAN ROAD – DASSF 506/2016

It is recommended that the approval of DASSF 506/2016, if granted, be subject to the applicant entering into a Servicing Agreement addressing the following items:

A. ENGINEERING REPORTS

1. The Developer shall submit for approval by the Director of Public Works a Transportation Impact Study which will address the following:

    a) the impact of the proposed access points;
    b) the impact of additional traffic on the intersection of Lagimodiere and Warman, including truck traffic circulation and Transit considerations.
    c) The impact of the City restricting movements at this intersection and the new traffic patterns.
    d) A review the pedestrian and cycling facilities with recommendations provided in consultation with the Public Works Department for facilities abutting the Planned Area.
    e) A review of the existing rights-of-way and whether widenings will be required.

2. The Developer shall submit for approval by the Director of Water and Waste a Land Drainage Report for all lands under this application, prepared by a qualified municipal engineer, which shall demonstrate the satisfactory on-site control of stormwater run-off to a discharge rate of 1.3 cfs (0.036 cms).

B. AGREEMENT CONDITIONS

SECTION I – INSTALLATION OF SERVICES

1. The Developer shall, at no expense to the City, install all infrastructure works, as determined by the transportation impact study or as required by the Public Works Department, to the satisfaction of the Director of Public Works.

2. The Developer shall provide a cross-access easement to the satisfaction of the Director of Public Works.

3. The Developer shall, at no expense to the City, provide a lot grading plan and site

servicing plan with respect to land drainage, prepared by a municipal engineer and to the satisfaction of the Director of Water and Waste.

4. The Developer shall provide any easements as required by the engineer's design to the satisfaction of the Director of Water and Waste.

5. The Developer shall execute a joint services agreement, which shall obligate all present and future owners of the proposed lots to be jointly responsible for the proper use, maintenance, repair and replacement of the shared water, wastewater and/or land drainage services.

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 and the Director of Water and Waste to guarantee performance of those works described in SECTION I above and for the provision of as-built drawings as described in item 2.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. Land Drainage Trunk and Acquisition Charges

   The Developer shall, prior to the release of the subdivision mylars pay the following:

   a. The Mission District Land Drainage Trunk (TSR) charge at the prevailing rate (2016 rate = $14,300.00/acre)

   b. the Seine River Waterway Land Acquisition Charge ($145.00/acre)

4. 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.

5. 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, a lump sum administration fee of $2138.00 plus GST per acre.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASSF 506/2016
August 10, 2016

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

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

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