Minute No. 212
Report - Standing Policy Committee on Property and Development - February 3, 2004

Item No. 2 **Development Agreement Amendment - Construction of Sidewalks on Royal Mint Drive**
File DASZ 25/80

COUNCIL DECISION:

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

1. That the Developer's request to delete the requirement for the construction of sidewalks on Royal Mint Drive between Blue Mountain Road/Linmar Way and Dawson Road be denied for a period of five (5) years.

2. That the Administration be directed to report back at the end of the five (5) year time period with respect to the status of the requirement for sidewalks on Royal Mint Drive between Blue Mountain Road/Linmar Way and Dawson Road at that time.

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

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DECISION MAKING HISTORY:

Moved by Councillor Vandal,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 18, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 3, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee, with the following amendments, namely:

- add the words “for a period of five (5) years” at the end of Recommendation 1.

- add the following recommendation as Recommendation 2:

  That the Administration be directed to report back at the end of the five (5) year time period with respect to the status of the requirement for sidewalks on Royal Mint Drive between Blue Mountain Road/Linmar Way and Dawson Road at that time.

and submitted the matter to the Executive Policy Committee and Council.

Further, on February 3, 2004, the Standing Policy Committee on Property and Development directed the Planning, Property and Development Department to provide to the Standing Policy Committee on Property and Development, on an annual basis, a report outlining the then current status of the following accounts:

1. the Developer Deposits Advance Payment Services Advance;

2. the List of Securities in place to guarantee future requirements and obligations under Development Agreements; and

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DECISION MAKING HISTORY (continued):

3. the Charleswood Regional Streets Charge,

the first of such reports to be provided to the Standing Policy Committee as soon as same is available.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 20, 2004, the Riel Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development

Re: Sidewalks on Royal Mint Drive - AG 25/80.

Under the terms of the Southland Park Development Agreement AG 25/80, the Developer, Royal Mint Properties Inc., is required to construct sidewalks on both sides of Royal Mint Drive from East Mint Place to Dawson Road. Initially Development Agreement AG 25/80 required the Developer to construct a full range of services in Royal Mint Drive northerly to Fermor Avenue but an April 25, 2001, Council approved an amendment to the Agreement whereby the section of Royal Mint Drive between Dawson Road and Fermor Avenue would be constructed by the City at the appropriate time.

In August, 2003, the Developer attempted to construct the sidewalks on both sides of Royal Mint Drive between Blue Mountain Road/Linmar Way and Dawson Road. Due to complaints of the adjacent homeowners, the Developer was instructed by the City's administration to stop construction. The Developer was advised, however, that his obligation to construct the sidewalks was not being cancelled and that he could either secure this obligation by posting a letter of credit or make a cash prepayment for the value of the deferred works estimated at $4,300.00.

In a letter dated November 17, 2003, a copy which is attached, the Developer requested that he not be required to "pay the City for sidewalks that will likely never be constructed".

It is the administration's recommendation that the Developer's request be denied as the subject sidewalks will be required when Royal Mint Drive is connected to Fermor Avenue in the future.

enclosure

THIS REPORT SUBMITTED BY:
Administrative Coordinating Group
File No. AG 25/80
December 16, 2003

"original signed by E.L. Carrière, P.Eng."
Land Development Engineer

v/acgreports/80ag25 b-report

ROYAL MINT PROPERTIES INC.

27 Hagen Drive
Winnipeg, MB R3K 1Y5

Telephone: 204 889 6887

November 17, 2003

E.L. Carriere
city of Winnipeg
Planning, Property & Development
Main Floor – 65 Garry Street
WINNIPEG, MB R3C 4K4

Dear Sir:

Re: Southland Park
Sidewalks Royal Mint Drive
Your File No: AG 25/80

This is in response to your fax of October 31st, 2003 requesting $4,300.00 with respect to the sidewalks on the east and west side of Royal Mint Drive, north of Blue Mountain and Linmar Way. A copy of your fax is attached for your reference.

As you are aware, we were in the process of constructing these sidewalks, and in fact, pegged the locations. The residents were furious and complained so vehemently to their city councillor, that you instructed us not to proceed with the construction.

It is our position that the homeowners flanking these proposed sidewalks will never want the sidewalks constructed. Accordingly, we feel that it is inappropriate for Royal Mint Properties to pay the City for sidewalks that will likely never be constructed.

Yours truly,

ROYAL MINT PROPERTIES INC

PER:

KEN KROTCH
GENERAL MANAGER

cc Ted Hawley
Planning, Property & Development

cc Duboff Edwards Haight & Schachter
Attn: J. Dudeck

RECEIVED
NOV 19 2003
LAND DEVELOPMENT BRANCH

11/03/03 MON 11:35 FAX PLANNING, PROP. &DEV. 001

Winnipeg

Planning, Property & Development Department • Service de l'urbanisme, des biens et de l'aménagement

Development and Inspections Division • Division de l'aménagement et des inspections
Land Development Branch • Direction de l'aménagement du terrain

FACSIMILE TRANSMISSION

To:	Ken Krolch	**From:**	E.L. Carrière
Company:		**Phone:**	(204) 986-5114
Fax:	957-7776	**Fax:**	(204) 942-3820
Date:	October 31, 2003	**No. of pages:**	1, including this page

Re: Sidewalks on Royal Mint Drive

On or about August 27 2003, we advised you and Stantec that the sidewalks on both sides of Royal Mint Drive, north of the Blue Mountain Road/Linmar Way intersection not be installed at this time.

In order that a Letter of Credit not have to be maintained until the sidewalk is required, you have the option to pay the cost the deferred sidewalk construction based on the prices bid for the work in 2003. Stantec has provided us with information that "construction estimates that were submitted to do the works this year ranged from $36.00 to $37.50/sq. m." Stantec has also advised us that the sidewalks comprise approximately 115 sq. m. Therefore in order to pay out the deferred sidewalk construction will cost you $4,300.00 i.e. $37.50 x 115.

When Royal Mint Drive is extended beyond Dawson Road to connect to Fermor Avenue, the City will construct the required sidewalk.

Ted Hawley is aware of the above arrangement and it will be reflected in the next security requirements review.

E.L. Carrière

E.L. Carrière, P.Eng.
Land Development Engineer

ELC/ld

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Original to follow: Yes ___ No ___ If there are any problems please call the sender.

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