Minute No. 171
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 17, 2022

Item No. 3 Development Agreement Amendment
(Transcona Ward)
File DASZ 10/2017 (AG 10/17)

COUNCIL DECISION:

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

1. That Development Agreement AG 10/17 be amended as follows:

   A. Delete Clause 8 (a) to Section I of Schedule C and replace with the following:

      (a) The Developer shall, at no expense to the City, construct 3.5m wide asphalt multi-use pathways and 1.5m and/or 1.8m wide Portland cement concrete sidewalks, and all related works, on the standard alignment, 0.3m from the property line and/or on an alignment as determined by the Director of Public Works, as conceptually shown in Schedule "G", all to the satisfaction of the Director of Public Works.

   B. Add the following Clause 8 (h) to Section I of Schedule C:

      (h) The Developer shall, at no expense to the City, grant any snow storage easements as may be necessitated by the sidewalk alignment, 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.

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DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

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 January 19, 2022, 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 January 17, 2022, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 4, 2022, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

ADMINISTRATIVE REPORT

Title: Development Agreement Amendment – File DASZ 10/2017 (AG 10/17)

Critical Path: East Kildonan – Transcona Community Committee – Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Jasper			

EXECUTIVE SUMMARY

On December 13, 2017, Council approved the subdivision and rezoning of land located at the southeast corner of Ravenhurst Street and Pandora Avenue East, which allowed for the development and servicing of the Canterbury Crossing Community.

Pursuant to the above-referenced approval, the Developer entered into a Development Agreement AG 10/17 with the City of Winnipeg. Schedules “C” and “G” of AG 10/17 required the Developer to construct 1.5m concrete sidewalks within the development, on the standard alignment, 0.3m from the property line, to the satisfaction of the Director of Public Works.

The Developer has submitted a request to amend AG 10/17 (Appendix A) to allow for the construction of curb-adjacent sidewalks where private approaches will conflict with the fronting sidewalk at property line. The Public Service supports the request.

RECOMMENDATIONS

1. That Development Agreement AG 10/17 be amended as follows:

    a. Delete Clause 8 (a) to Section I of Schedule C and replace with the following:

        (a) The Developer shall, at no expense to the City, construct 3.5m wide asphalt multi-use pathways and 1.5m and/or 1.8m wide Portland cement concrete sidewalks, and all related works, on the standard alignment, 0.3m from the property line and/or on an alignment as determined by the Director of Public Works, as conceptually shown in Schedule “G”, all to the satisfaction of the Director of Public Works.

b. Add the following Clause 8 (h) to Section I of Schedule C:

(h) The Developer shall, at no expense to the City, grant any snow storage easements as may be necessitated by the sidewalk alignment, as determined by and to the satisfaction of the Director of Public Works.

2. That the proper officers of the City by authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

Council Approval is required to amend a Development Agreement.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the Developer will construct and install concrete sidewalks on an alignment as determined by the Director of Public Works. It is expected that sidewalk construction on Desrosiers Drive will be shifted from the standard alignment, 0.3m from the property line, to a curb-adjacent alignment. The curb-adjacent alignment will require a 1.8m concrete sidewalk, and snow storage easements will be required on the adjacent private lots.

HISTORY/DISCUSSION

On December 13, 2017. Council approved the subdivision and rezoning of land located at the southeast corner of Ravenhurst Street and Pandora Avenue East, which allowed for the development and servicing of the Canterbury Crossing Community.

Pursuant to the above-referenced approval, the Developer entered into a Development Agreement AG 10/17 with the City of Winnipeg. Schedules “C” and “G” of AG 10/17 required the Developer to construct 1.5m concrete sidewalks within the development, on the standard alignment, 0.3m from the property line, to the satisfaction of the Director of Public Works.

The Developer has submitted a request (Appendix A) to amend AG 10/17 to allow for the construction of curb-adjacent sidewalks where private approaches will conflict with the fronting sidewalk at property line. The Developer has indicated that conflicts between sidewalk grading, boulevard grading, lot grading, and driveway slopes make installation of sidewalks on the standard alignment difficult.

The Public Works Department has reviewed the Developer’s request and is agreeable to realignment of the sidewalk to curb-adjacent, subject to the Developer amending AG 10/17 to allow for construction of 1.8m wide sidewalks, and the Developer granting, at no expense to the City, snow storage easements to accommodate the curb-adjacent sidewalks.

FINANCIAL IMPACT

N/A

CONSULTATION

This Report has been prepared in consultation with:

Public Works Department

OURWINNIPEG POLICY ALIGNMENT

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: D. Trenchard
Date: 2021-12-20
File No: DASZ 10/2017

Attachments: Appendix A – Letter Request dated December 3, 2021

APPENDIX A – LETTER REQUEST

McGOWAN•RUSSELL

December 3, 2021

City of Winnipeg
Planning, Property and Development Department
Zoning and Permits Branch
31 – 30 Fort Street
Winnipeg, Manitoba R3C 4X7

RE: DEVELOPMENT AGREEMENT ADDENDUM AMENDMENTS FILE NO. AG 10/17

On behalf of Ravenhurst Developments Inc. we are hereby requesting the following amendments to addendum to Development Agreement File No. AG 10/17:

1. Replace Desrosiers 1.5m wide detached sidewalk with 1.8m wide 'attached' sidewalk or curb adjacent sidewalk as noted in the attached plan.
   The project engineer (Stantec) advised that the detached sidewalks are fine on local street flankages. However, they do not work where there are a lot of lots fronting due to timing of driveways, swale grading, cross fall slopes (builders tend to go steeper on driveways – which makes the detached sidewalks difficult).

2. We are of the understanding that PWD will consent to the back of curb sidewalk provided snow storage easement agreements are registered concurrently with the mylars.

Please contact the undersigned should you have any questions or require additional information.

Thank you,
MCGOWAN RUSSELL GROUP INC.

S. Russell

Susan Russell, M.A.L.A., C.S.L.A.
President

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