Agenda - Council - June 23, 2004

Report - Standing Policy Committee on Property and Development - June 8, 2004

Item No. 28 Amendment to Development Agreement AG 42/87 - Canterbury Park Phase 2
File DASZ 42/87

STANDING COMMITTEE RECOMMENDATION:

On June 16, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the phasing plan approved by Council on August 2, 1989, be amended to allow Phase 2a. to be registered and developed as shown on Map 3.

2. That Development Agreement AG 42/87 be amended as required to allow the servicing of Phase 2a. and the prorating of the development costs associated with Phase 2.

3. That Development Agreement AG 42/87 be amended to provide that:

    A. Dual 8.0m in width concrete pavement be installed in Ravenhurst Street by the Developer from its current terminus to Pandora Avenue within one (1) year from the issuance of building permits within Phase 2a.

    B. Appropriate security as determined by the Director of Public Works be posted by the Developer prior to the issuance of building permits within Phase 2a. to ensure that Ravenhurst Street is constructed within the specified time period.

    C. The Developer be reimbursed for the City's share of the cost of extending Ravenhurst Street one (1) year following completion of the work within Phase 2a.

4. That Development Agreement AG 42/87 be amended as follows:

    A. By deleting the requirement for the Developer to widen the Pandora Avenue pavement between Redonda Street and Ravenhurst Street.

    B. By deleting the requirement for the Developer to pay fifty (50) percent of the cost of constructing a land drainage sewer in Pandora Avenue between Redonda Street and Ravenhurst Street.

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C. By adding a clause that the City shall pay fifty percent (50%) of the cost of constructing wastewater sewers in Kildare Avenue from Day Street to Wayoata Street to accommodate development of Canterbury Park once the capacity of the existing system has been reached.

D. By deleting the requirement that the Developer finance and construct pavement improvements at the intersection of Dugald Road and Ravenhurst Street and replacing same with the requirement that the Developer shall pay twenty (20) percent of the cost of those works to be done by the City.

5. 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:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 16, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 8, 2004, the Standing Policy Committee on Property and 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 May 4, 2004, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation, amended as follows:

- Add the following recommendations, namely:

"3. That Development Agreement AG 42/87 be amended to provide that:

A. Dual 8.0m in width concrete pavement be installed in Ravenhurst Street by the Developer from its current terminus to Pandora Avenue within one (1) year from the issuance of building permits within Phase 2a.

B. Appropriate security as determined by the Director of Public Works be posted by the Developer prior to the issuance of building permits within Phase 2a. to ensure that Ravenhurst Street is constructed within the specified time period.

C. The Developer be reimbursed for the City's share of the cost of extending Ravenhurst Street one (1) year following completion of the work within Phase 2a.

4. That Development Agreement AG 42/87 be amended as follows:

A. By deleting the requirement for the Developer to widen the Pandora Avenue pavement between Redonda Street and Ravenhurst Street.

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DECISION MAKING HISTORY (continued):

B. By deleting the requirement for the Developer to pay fifty (50) percent of the cost of constructing a land drainage sewer in Pandora Avenue between Redonda Street and Ravenhurst Street.

C. By adding a clause that the City shall pay fifty (50) percent of the cost of constructing wastewater sewers in Kildare Avenue from Day Street to Wayoata Street to accommodate development of Canterbury Park once the capacity of the existing system has been reached.

D. By deleting the requirement that the Developer finance and construct pavement improvements at the intersection of Dugald Road and Ravenhurst Street and replacing same with the requirement that the Developer shall pay twenty (20) percent of the cost of those works to be done by the City."

and submitted its recommendation to the Standing Policy Committee on Property and Development.

Re: Canterbury Park Phase 2 – DASZ 42/87

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE

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

April 26, 2004

Re: Canterbury Park Phase 2 – DASZ 42/87

Council at its meeting held on May 31, 1989 approved DASZ 42/87 being an application by Novamet Development Corporation to subdivide and rezone approximately 240 acres of land located south of Kildare Avenue and east of Redonda Street. A copy of the approved plan is attached hereto and identified as Map 1. At the Developer's request, Council at its meeting held on August 2, 1989, approved the registration of the approved plan of subdivision in phases in accordance with the plan attached hereto and identified as Map 2. To date the following portions of the approved plan of subdivision have been registered:

i) All of Phase 1,
ii) The Public Reserve southeast of Murdoch MacKay Collegiate,
iii) 20 lots on Chadwick Crescent in 1999,
iv) 13 lots on Redonda Street in 1999.
v) 40 lots on William Gibson Bay and Sherbo Cove in 2001,
vi) 58 lots on William Gibson Bay, John Duncan Drive and Edmund Gale Drive in 2003.

None of the lots described in iii) to vi) were within Phase 2 and approval by the Community Committee and Council was obtained in order to deviate from the approved phasing plan.

On August 9, 1995, Council enacted By-law 6680/95 which authorizes the registration of a plan of subdivision within Phase 2 of the plan of subdivision and related phasing plan approved by Council on May 31, 1989 and August 2, 1989, respectively. On April 1, 2004, the Developer advised the Planning, Property and Development Department that it would like to proceed with the registration and development of a portion of Phase 2 as shown on the plan attached hereto and identified as Map 3. The Developer's proposal was reviewed by the administration and found reasonable from a servicing and vehicular access perspective.

It is therefore recommended that:

1. The phasing plan approved by Council on August 2, 1989 be amended to allow Phase 2a) to be registered and developed as shown on Map 3, and
2. Development Agreement AG 42/87 be amended as required to allow the servicing of Phase 2a) and the prorating of the development costs associated with Phase 2.

THIS REPORT SUBMITTED BY:

E.L. Carrière, P.Eng.
Land Development Engineer
File No. AG 42/87
April 26, 2004
Enclosures
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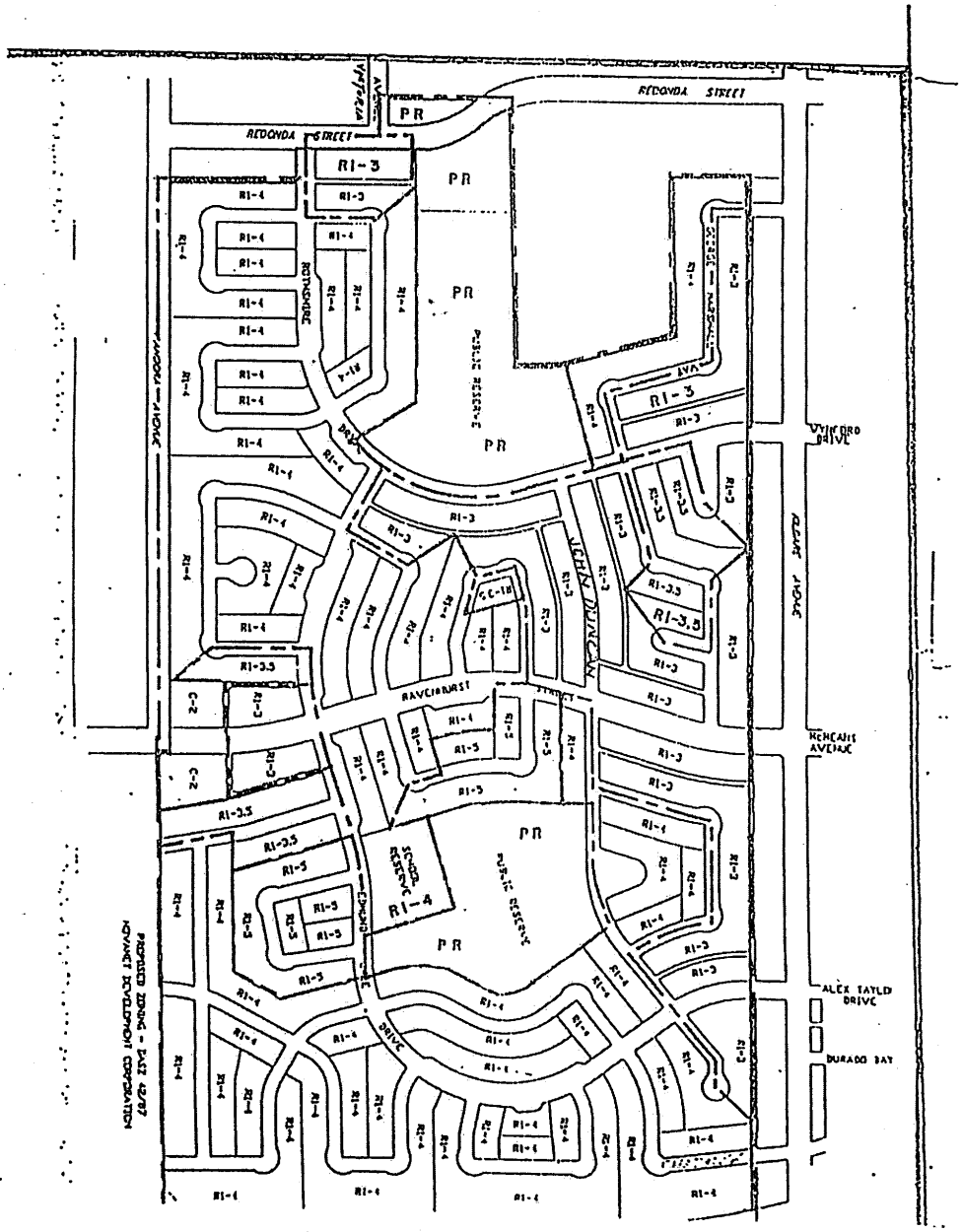
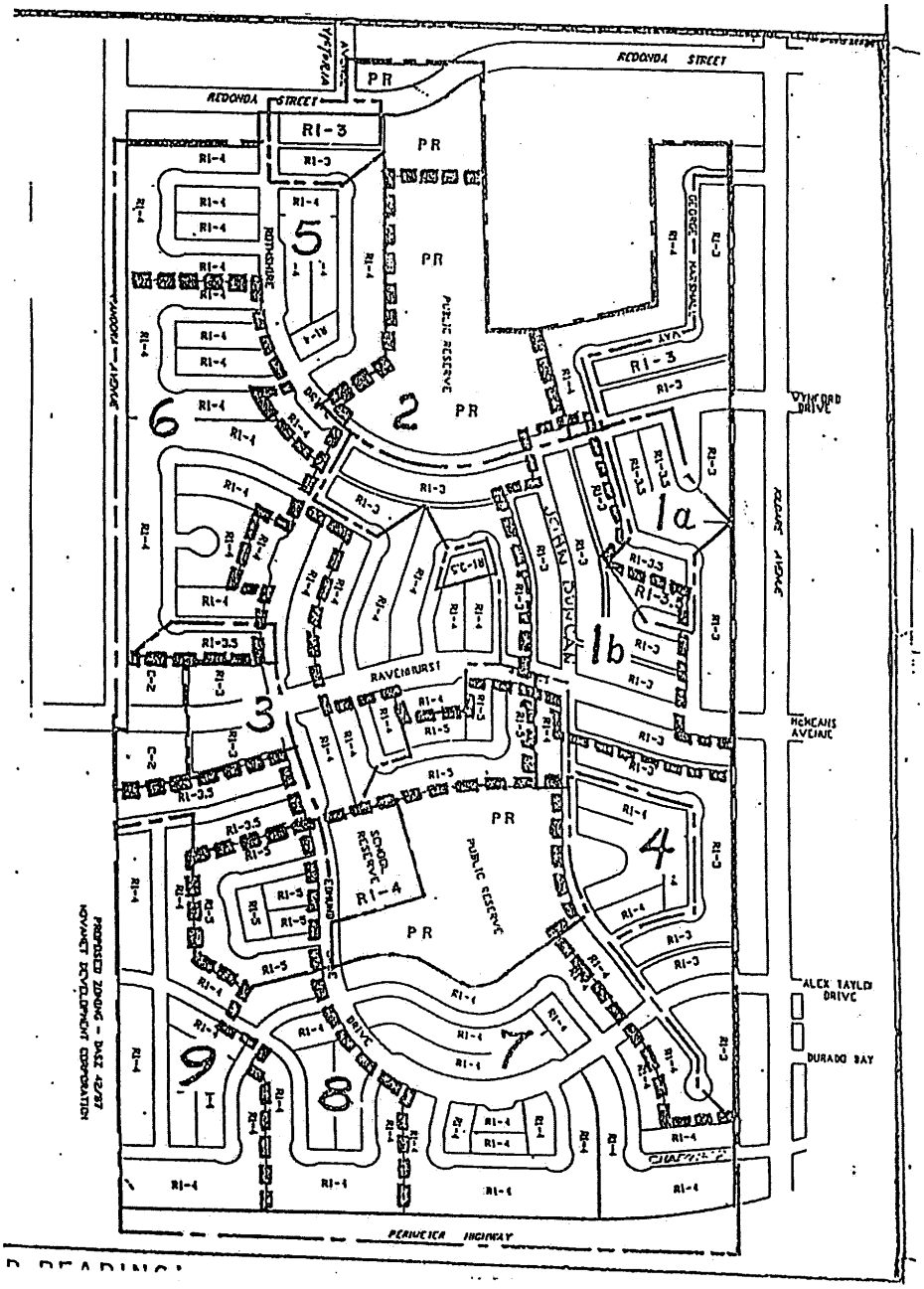
Map 1 to Report dated April 26, 2004 for AG 42/87



Map 2 to Report dated April 26, 2004 for AG 42/87



Map 3 to Report dated April 26, 2004 for AG 42/87

