Minute No. 781
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 8, 2022

Item No. 9 **Development Agreement Amendment – File DASZ 19/2016 (AG 19/16)**
(St. Vital Ward)
File DASZ 19/2016

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 19/16 be amended as follows:

   A. Delete Clause 10 "Bishop Grandin Boulevard Improvements" of Section I – Servicing of Schedule C and replace with the following:

      "10. Bishop Grandin Boulevard Improvements

         a) The Developer shall, at no expense to the City, construct and install the following services in Bishop Grandin Boulevard between Lagimodiere Boulevard and Boulevard des Hivernants North:

            i. Two lanes of asphalt pavement complete with rural cross-section and median

            ii. Street lighting;

            iii. Boulevard and median landscaping; and,

            iv. A 3.5m wide asphaltic concrete multi-use pathway in the south boulevard,

            all as determined by and to the satisfaction of the Director of Public Works."

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COUNCIL DECISION (continued):

B. Delete Clause 12 "Traffic Control Signal" of Section I – Servicing of Schedule C and replace with the following:

"12. Traffic Control Signal

The Developer shall pay to the City, in cash, on demand, 50% of the cost of the installation of traffic control signals and all related works, including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic control signals, countdown and audible pedestrian signals at the intersection of Bishop Grandin Boulevard and Lagimodiere Boulevard, all 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.

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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 September 14, 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 September 8, 2022, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On August 30, 2022, the Riel 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 19/2016 (AG 19/16)

Critical Path: Riel 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 March 22, 2017, Council approved the subdivision and rezoning of land located at the southwest corner of Boulevard des Hivernants and Edward Turner Drive (Sage Creek Phase 8), which allowed for the development and servicing of the Sage Creek Community.

Pursuant to the above-referenced approval, the Developer entered into a Development Agreement AG 19/16 with the City of Winnipeg which required the Developer to either pay their share of the cost of improvements in Bishop Grandin Boulevard for the full length of the Planned Area, or to construct an equivalent amount of the services listed in Bishop Grandin Boulevard for the entirety of the Planned Area. The Developer was also required to pay 50% of the costs to install traffic control signals at the intersection of Bishop Grandin Boulevard and Boulevard des Hivernants.

The Public Works Department has been working with the Developer to enter into a cost sharing agreement for improvements to Bishop Grandin Boulevard and Lagimodiere Boulevard. The ultimate design and cost sharing framework conditionally agreed upon by Public Works and the Developer requires a Development Agreement Amendment to be implemented. The Public Service supports the request.

RECOMMENDATIONS

1. That Development Agreement AG 19/16 be amended as follows:

    a. Delete Clause 10 “Bishop Grandin Boulevard Improvements” of Section I – Servicing of Schedule C and replace with the following:

10. Bishop Grandin Boulevard Improvements

a) The Developer shall, at no expense to the City, construct and install the following services in Bishop Grandin Boulevard between Lagimodiere Boulevard and Boulevard des Hivernants North:

i. Two lanes of asphalt pavement complete with rural cross-section and median

ii. Street lighting;

iii. Boulevard and median landscaping; and,

iv. A 3.5m wide asphaltic concrete multi-use pathway in the south boulevard,

all as determined by and to the satisfaction of the Director of Public Works.

b. Delete Clause 12 “Traffic Control Signal” of Section I – Servicing of Schedule C and replace with the following:

12. Traffic Control Signal

The Developer shall pay to the City, in cash, on demand, 50% of the cost of the installation of traffic control signals and all related works, including, but not limited to, pedestrian and vehicular actuation and interconnection to adjacent traffic control signals, countdown and audible pedestrian signals at the intersection of Bishop Grandin Boulevard and Lagimodiere Boulevard, all 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(s) are concurred in, the Developer will design, construct and install two lanes of Bishop Grandin Boulevard between Lagimodiere Boulevard and Boulevard des Hivernants North, and all related works, and will be responsible for 50% of the costs of traffic signals, and all related works, at the intersection of Bishop Grandin Boulevard and Lagimodiere Boulevard.

HISTORY/DISCUSSION

On March 22, 2017, Council approved the subdivision and rezoning of land located at the southwest corner of Boulevard des Hivernants and Edward Turner Drive (Sage Creek Phase 8), which allowed for the development and servicing of the Sage Creek Community.

Pursuant to the above-referenced approval, the Developer entered into a Development Agreement AG 19/16 with the City of Winnipeg which required the Developer to either pay their share of the cost of improvements in Bishop Grandin Boulevard for the full length of the Planned Area, or to construct an equivalent amount of the services listed in Bishop Grandin Boulevard for the entirety of the Planned Area. The Developer was also required to pay 50% of the costs to install traffic control signals at the intersection of Bishop Grandin Boulevard and Boulevard des Hivernants.

The Public Works Department has been working with the Developer to enter into a cost sharing agreement for improvements to Bishop Grandin Boulevard and Lagimodiere Boulevard. The ultimate design and cost sharing framework conditionally agreed upon by Public Works and the Developer requires a Development Agreement Amendment to be implemented; generally requiring the Developer to construct two lanes of asphalt pavement in Bishop Grandin Boulevard between Lagimodiere Boulevard and Boulevard des Hivernants. The amendments will also require the Developer to pay 50% of the costs to install traffic signals at the intersection of Bishop Grandin Boulevard and Lagimodiere Boulevard rather than the intersection of Bishop Grandin Boulevard and Boulevard des Hivernants.

The Public Works Department has reviewed the Developer's design and cost sharing framework and is agreeable to the necessary amendments, and the Developer entering into a Roadway Improvement Agreement with the City denoting the project scope, obligations and responsibilities.

FINANCIAL IMPACT

N/A

CONSULTATION

This Report has been prepared in consultation with:

Legal Services Department
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: 2022-08-15
File No: DASZ 19/2016

Attachments: N/A