Minute No. 782
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 8, 2022

Item No. 10 Development Agreement Amendment – File DASZ 30/2012 (AG 30/12)
(St. Vital Ward)
File DASZ 30/2012

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 30/12 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. Pathway lighting for the 3.5m multi-use pathway on the south side of Route 165 (Bishop Grandin 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 30/2012 (AG 30/12)

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 January 30, 2013, Council approved the subdivision and rezoning of land located north and east of Edward Turner Drive, south of Bishop Grandin Boulevard to the east City limit (Sage Creek Phase 7), 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 30/12 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 west of the Planned Area.

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 30/12 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. <u>Bishop Grandin Boulevard Improvements</u>

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. Pathway lighting for the 3.5m multi-use pathway on the south side of Route 165 (Bishop Grandin Boulevard).

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

b) The City and the Developer hereby acknowledge that the construction of the services noted above will satisfy the Developer's obligations with respect to services in Bishop Grandin Boulevard east of Boulevard des Hivernants.

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 absolved of any further costs or improvements within Bishop Grandin Boulevard east of Boulevard des Hivernants North.

HISTORY/DISCUSSION

On January 30, 2013, Council approved the subdivision and rezoning of land located north and east of Edward Turner Drive, south of Bishop Grandin Boulevard to the east City limit (Sage Creek Phase 7), 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 30/12 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 west of the Planned Area.

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 install pathway lighting for the asphalt multi-use pathway in lieu of payment for a sidewalk east of 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 30/2012

Attachments: N/A