Minute No. 524
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

Item No. 18 **Development Agreement Amendment – File DASZ 50/2013 (AG 50/13)**
(Charleswood-Tuxedo-Westwood Ward)
File DASZ 50/2013

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 Clause 4 of Schedule C of Development Agreement AG 50/13 be amended to add the following:

    c) The City shall, in accordance with the Development Agreement Parameters, endeavor to recover from benefitting owners and reimburse the Developer for the costs of land drainage lateral sewer oversizing to provide capacity for adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 8, 2021

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 June 16, 2021, 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 June 9, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 28, 2021, the Assiniboia 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 50/2013 (AG 50/13)

Critical Path: Assiniboia 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		N/A	N/A

EXECUTIVE SUMMARY

On February 26, 2014, Council approved the subdivision and rezoning of land located west of Charleswood Road, south of the Harte Trail which allowed for the development and servicing of the Ridgewood West Community.

Pursuant to the above-referenced approval, the Developer entered into Development Agreement AG 50/13 with the City of Winnipeg. Clause 4 a) of Schedule C of AG 50/13 required the Developer to construct and install all land drainage sewers required to service the Planned Area, to the satisfaction of the Director of Water and Waste. The Developer subsequently oversized the land drainage sewers as necessary to accommodate adjacent lands.

The Developer has submitted a request to amend AG 50/13 to ensure the proper mechanism for repayment is included; the Public Service supports the request.

RECOMMENDATIONS

1. That Clause 4 of Schedule C of Development Agreement AG 50/13 be amended to add the following:

    c) The City shall, in accordance with the Development Agreement Parameters, endeavor to recover from benefitting owners and reimburse the Developer for the costs of land drainage lateral sewer oversizing to provide capacity for adjacent lands, as determined by and to the satisfaction of the Director of Water and Waste.

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

3.

REASON FOR THE REPORT

Council approval is required to amend a Development Agreement.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the City will endeavor to collect on behalf of Ridgewood West Inc. from benefitting property owners through future development applications, in accordance with the City's Development Agreement Parameters.

HISTORY/DISCUSSION

On February 26, 2014, Council approved the subdivision and rezoning of land located west of Charleswood Road, south of the Harte Trail which allowed for the development and servicing of the Ridgewood West Community.

As a condition of approval, the Developer was required to construct and install all land drainage sewers required to service the Planned Area, to the satisfaction of the Director of Water and Waste. The servicing design accepted by the Water and Waste Department required the Developer to install oversized land drainage lateral sewers to accommodate adjacent lands, in accordance with the Development Agreement Parameters.

The Developer has submitted a request to amend AG 50/13 to ensure the proper mechanism for repayment is included; the Public Service supports the request.

The Water and Waste Department has advised that reimbursement provisions in accordance with the Development Agreement Parameters are supported in this instance.

The Winnipeg Public Service recommends approval of this request.

FINANCIAL IMPACT

N/A

CONSULTATION

This Report has been prepared in consultation with:

Water and Waste Department

OURWINNIPEG POLICY ALIGNMENT

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: D. Trenchard
Date: April 19, 2021
File No: DASZ 50/2013

Attachments: Appendix A – Letter Request dated February 10, 2021

APPENDIX A – LETTER REQUEST

One Dr. David Friesen Drive Winnipeg, MB R3X 0G8
QUALICOCOMMUNITIES.COM

QUALICO communities

February 10, 2021

Daniel Trenchard
The City of Winnipeg
Planning, Property and Development
Main Floor, 65 Garry Street
Winnipeg, MB R3C 4K4

Dear Daniel,

Re: RidgeWood West – AG 50/13
Development Agreement Amendment

During servicing of RidgeWood West in 2015, Ridgewood West Land Corp. provided oversizing of the local lateral land drainage sewers to service Area 8 of Precinct Q as indicated on the enclosed schematic prepared by WSP Engineering.

Please accept this letter as our application for a Development Agreement Amendment that will amend Schedule "C" – Special Terms, Section I – Servicing, Clause 4 – Land Drainage Sewers contained within Development Agreement AG 50/13, to provide that the Developer will be reimbursed for all oversizing of the lateral local land drainage sewers to service the adjacent lands.

Pursuant to the City of Winnipeg's Development Agreement Parameters, "the development agreement may provide that the Developer shall construct and install all lateral local land drainage sewers complete with manholes and appurtenances thereto, required to serve the subdivision, and including services and facilities in adjacent lands for the conveyance of land drainage runoff from the subdivision to the existing land drainage collection system, if necessary. When the services benefit any adjacent lands, the City shall repay the Developer in accordance with the Developer Reimbursement section."

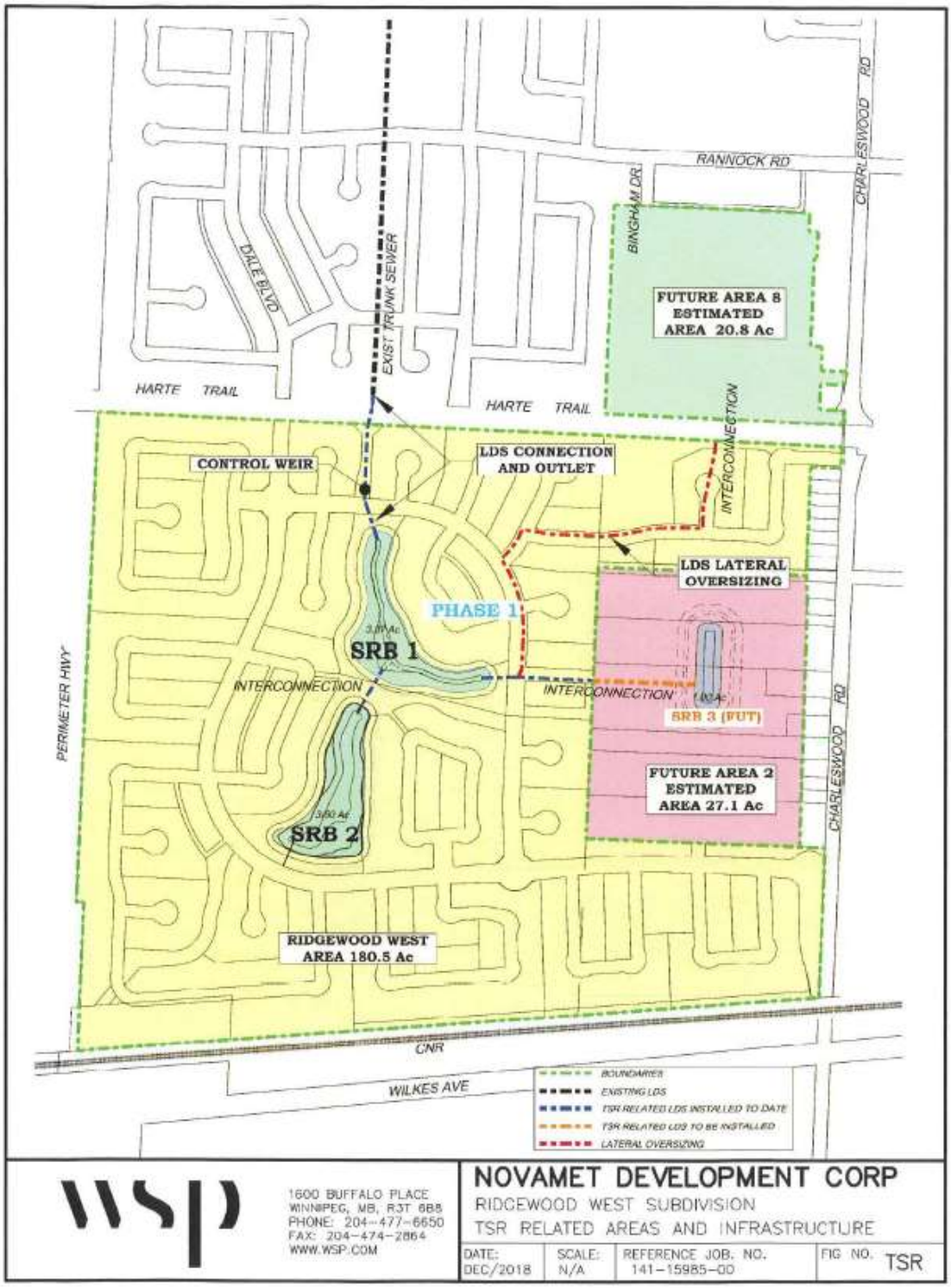
Enclosed please find our cheque in the sum of $829.50, representing the fee of $790.00 plus $39.50 GST for this Development Agreement Amendment. If you have any questions or require additional information please do not hesitate to contact us.

Yours truly,

RIDGEWOOD WEST LAND CORP.

Bryan Ward
Vice-President,
Community Development Winnipeg

/lj
Enclosure(s)


RANNOCK RD
CHARLESWOOD RD
BINGHAM DR
DALE BLVD
EXIST TRUNK SEWER
FUTURE AREA 8
ESTIMATED
AREA 20.8 Ac
HARTE TRAIL
HARTE TRAIL
INTERCONNECTION
CONTROL WEIR
LDS CONNECTION
AND OUTLET
LDS LATERAL
OVERSIZING
PHASE 1
3.0 Ac
SRB 1
INTERCONNECTION
INTERCONNECTION
0.4 Ac
SRB 3 (FUT)
PERIMETER HWY
FUTURE AREA 2
ESTIMATED
AREA 27.1 Ac
CHARLESWOOD RD
3.0 Ac
SRB 2
RIDGEWOOD WEST
AREA 180.5 Ac
CNR
WILKES AVE
BOUNDARIES
EXISTING LDS
TSR RELATED LDS INSTALLED TO DATE
TSR RELATED LDS TO BE INSTALLED
LATERAL OVERSIZING
wsp
1600 BUFFALO PLACE
WINNIPEG, MB, R3T 6B8
PHONE: 204-477-6650
FAX: 204-474-2864
WWW.WSP.COM
NOVAMET DEVELOPMENT CORP
RIDGEWOOD WEST SUBDIVISION
TSR RELATED AREAS AND INFRASTRUCTURE
DATE: DEC/2018
SCALE: N/A
REFERENCE JOB. NO. 141-15985-00
FIG NO. TSR