



Corporate Report

2004

NO: R247

COUNCIL DATE: September 27,

REGULAR COUNCIL

TO: Mayor & Council DATE: September 24, 2004
FROM: General Manager, Engineering FILE: 8702-0358-00
XC: 7802-0358-00
SUBJECT: Development Works Agreement
Works on 176 Street and 177 Street

RECOMMENDATIONS

1. That Council approve the use of a Development Works Agreement (DWA) to recover the frontender's cost of the Works along 176 Street and 177 Street in the vicinity of 68A Avenue, to a maximum \$1,310,000 from all the subsequent developers in the specified benefiting area within the North Cloverdale West Neighbourhood Concept Plan (NCP).
2. That the frontending developer pay a DWA fee of \$4,000 to cover the preparation and administration of the DWA over the next 10 years.

INTENT

The purpose of this Corporate Report is to obtain Council support for a proposed DWA for the North Cloverdale West NCP that obligates all future developers in the specified benefiting area to pay their proportionate share of the costs of Works frontended by another developer.

BACKGROUND

In order to provide access to and open up for development the North Cloverdale West NCP, the following infrastructures (the "Works") are required as shown in Figure 1:

- Road widening on 176 Street at 68A Avenue, including a left turn bay;
- Traffic signal at 176 Street and 68A Avenue; and
- Road works on 177 Street from 68A Avenue to 70 Avenue, including culvert crossings.

These works are not in the 10-Year Servicing Plan/DCC By-law; however, Parklane Ventures Ltd. has agreed to frontend the costs for the Works and have requested a DWA with the City to recover a per dwelling unit cost from each subsequent developer in the specified benefiting area. The cost estimate to implement the Works is estimated at \$1,585,000, which includes design, construction, administration, inspection and GST. However, through consultation with the benefiting area owners, Parklane has elected to set the maximum recoverable cost at \$1,310,000.

The limits of the specified benefiting area and the number of estimated potential dwelling units to be developed have been identified. This has resulted in maximum estimated cost of \$2,467.04 per dwelling unit as a DWA cost in the specified benefiting area. This cost will be confirmed once the construction of the Works has been completed and the per dwelling unit rate is adjusted to reflect the actual cost up to the maximum.

DISCUSSION

Parklane has been working with the City to undertake the DWA petitioning process, and subject to Council approving this report, will be submitting the necessary supporting documentation. These documents will be reviewed by the Engineering Department and the City Clerk to determine if the requirements of the Local Government Act and the Community Charter are satisfied. Subsequent to that, the DWA By-law will be introduced to Council.

The DWA By-law, if approved by Council, will obligate all subsequent developers in the specified benefiting area to pay an additional per dwelling unit charge, over and above the DCC for the developments, to the City prior to their Servicing Agreements being approved. The City will collect these contributions and return them to the frontending developer. The DWA will be valid for 10 years or until the frontending developer has been reimbursed for the full cost of the Works; whichever comes first.

CONCLUSION

Parklane Ventures Ltd. has requested Council's support to establish a DWA to enable recovery of implementation costs to a maximum \$1,310,000 for Works on 176 Street and 177 Street, in the vicinity of 68A Avenue, from subsequent developers in the benefiting area. The DWA will be in accordance with the North Cloverdale West NCP, and the practice as approved by Council in January 1998, and staff recommend support. The supporting documentation will be reviewed by the Engineering Department and the City Clerk to determine if the requirements of the Local Government Act and the Community Charter are satisfied.

Paul Ham, P.Eng.
General Manager, Engineering

SSL:rd

Attachment

c.c. - City Solicitor

g:\wp-docs\2004\land dev\land dev\09220942ssl.doc
KJJ 9/27/04 9:55 AM

Figure 1

