Report - Standing Policy Committee on Property and Development - June 7, 2005

Item No. 1 Property Acquisition and Short Form Subdivision - 704 Haney Street File DASSF 521/2005 [c/r SB-19]

STANDING COMMITTEE RECOMMENDATION:

On June 22, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended, and the Assiniboia Community Committee, as amended, and submits the following to Council:

1. That the plan of subdivision under File DASSF 521/2005 be approved subject to the following conditions:

   A. The owner shall transfer Parcels B and C to the City for a purchase price of $15,000.00 to be funded from the Land Acquisition for Future Transportation Purposes Account.

   B. Payment of ten percent (10%) cash dedication based on the creation of one additional building site:

Parcel D	60 frontage feet x $47.00 per frontage foot	$2,820.00
	7% G.S.T.	$ 197.40
		$3,017.40

   C. Payment of the Charleswood Regional Street Service Rate as follows:

Parcel D (9000 square foot maximum x $0.35)	$ 3,150.00
7% G.S.T.	$ 220.00
	$ 3,370.50

   D. Submission to the Water and Waste Department of a lot grading plan prepared by a municipal engineer to that Department's requirements, on which are indicated all required easements as necessitated by the drainage design. If a drainage easement is required it will be necessary to register an easement agreement in the Winnipeg Land Titles Office in series with the plan of subdivision. The agreement is prepared by the City.

   E. Payment of Lot Fees $ 102.00

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F. Confirmation from Manitoba Hydro that a joint easement agreement with Manitoba Hydro, MTS Netcom Inc. and Shaw Cable has been secured. Please note any removal or relocation of Manitoba Hydro's existing facilities as a result of the proposed subdivision will be at the expense of the developer and/or customer.

2. That this subdivision approval is subject to the terms and conditions of Variance File No. DAV 1186461/2005B and all the conditions attached thereto.

3. That a letter be submitted to the Planning, Property and Development Department signed by the applicant, stating that as the applicant:

   A. they understand they are responsible for the costs to install separate sewer and water lot line services from the respective mains in Haney Street to the property line to the newly created Parcels A and D, and;

   B. in the event they sell Parcels A and D, they undertake to advise the new owners of their responsibility of the above costs, and;

   C. as the vendor of Parcels A and D, they disclose to future purchasers that the properties will potentially back onto the future Charleswood parkway.

4. That the Proper Officers of the City be authorized to execute the Subdivision Agreement.

5. That the Director of Planning, Property and Development be authorized to sign and release the survey mylars for DASSF 521/2005 upon the execution of the Subdivision Agreement but that authority shall expire two (2) years after the date of approval unless extended by further resolution of the Standing Policy Committee on Property and Development.

6. That this approval shall come into force and effect upon the subdivision mylars being registered in the Winnipeg Land Titles Office in series with the Subdivision Agreement.

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DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 22, 2005, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended, namely:

- Recommendation 1.A. be amended by deleting the figure of $12,000.00 and substituting therefore $15,000.00,

and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 7, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee, as amended, namely:

- That recommendation 1 be deleted in its entirety and replaced with the following:

  That the owner shall transfer Parcels B and C to the City for a purchase price of $12,000.00 to be funded from the Land Acquisition for Future Transportation Purposes Account,

and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 10, 2005, the Assiniboia Community Committee concurred in the administrative recommendation with the following amendments, namely:

- That the word "and;" after the word "costs" be added to Recommendation 8B

- That the following recommendation be added, namely:

  "8.C. as the vendor of Parcels A and D, you disclose to future purchasers that the properties will potentially back onto the future Charleswood parkway."

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

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DECISION MAKING HISTORY (continued):

Further, the Assiniboia Community Committee requested that the administration review recommendation 1.A. for File DASSF 521/2005 and report to the Standing Policy Committee on Property and Development, at its June 7, 2005 meeting, on whether it is in the City's best interest to acquire Parcels B and C at the present time.

RE: Proposed plan of subdivision on land located at 704 Haney Street
- File No. DASSF 521/05

RECOMMENDATION:

That your Community Committee recommend to the Standing Policy Committee on Property and Development that the Plan of Subdivision under File No. DASSF 521/05 be approved subject to the following conditions:

I. That the owner be required to enter into a Subdivision Agreement with the City containing the following condition to be imposed on proposed Parcels B and C:

A. The Developer shall grant an option to the City to purchase proposed Parcels B and C for future transportation purposes in accordance with terms and conditions approved by the Standing Policy Committee on Property and Development.

II. Payment of ten percent cash dedication based on the creation of one additional building site:

Parcel D	60 frontage feet x $47.00 per frontage foot	$2,820.00
	7% G.S.T.	$ 197.40
		$3,017.40

III. Payment of the Charleswood Regional Street Service Rate as follows:

Parcel D (9000 sq. ft. max. x $0.35)	$ 3,150.00
7% G.S.T.	$ 220.00
	$ 3,370.50

IV. The Water & Waste Department requires the submission of a lot grading plan prepared by a municipal engineer to that Department's requirements, on which are indicated all required easements as necessitated by the drainage design. If a drainage easement is required it will be necessary to register an easement agreement in the Winnipeg Land Titles Office in series with the plan of subdivision. The agreement is prepared by the City.

V. Payment of Lot Fees $ 102.00

VI. Confirmation from Manitoba Hydro that a joint easement agreement with Manitoba Hydro, MTS Netcom Inc. and Shaw Cable has been secured. Please note any removal or relocation of Manitoba Hydro's existing facilities as a result of the proposed subdivision will be at the expense of the developer and/or customer. For information on electrical service to new subdivisions or questions regarding the aforementioned agreement please contact Ms Louise Willison, Manitoba Hydro at 474-4038 for information.

VII. This Subdivision approval is subject to the terms and conditions of Variance File Order No. DAV 05-1186461/B and all the conditions attached thereto.

VIII. A letter submitted to this office signed by yourself stating that:

a) you understand that you are responsible for the costs to install separate sewer and water lot line services from the respective mains in Haney Street to the property line to the newly created Parcels A and D, and;
b) in the event that you sell Parcels A and D, that you undertake to advise the new owner's of their responsibility of the above costs.

IX. That the proper officers of the City be authorized to execute the Subdivision Agreement.

X. That the Director of Planning, Property and Development be authorized to sign and release the survey mylars for DASSF 521/05 upon the execution of the Subdivision Agreement but that authority shall expire two years after the date of approval unless extended by further resolution of the Standing Policy Committee on Property and Development.

XI. This approval shall come into force and effect upon the subdivision mylars being registered in the Winnipeg Land Titles Office in series with the Subdivision Agreement.

REASON:

Approval is required by the Standing Policy Committee for conditions of approval that require a Subdivision Agreement.

DISCUSSION:

An application has been received from Pollock & Wright, Attn: Mr. Don Bourgeois, 117 Fort Street, Winnipeg, Manitoba, R3C 1C6. The applicant is proposing to subdivide the land shown on Schedule "A" attached by creating four (4) parcels as shown on Schedule "B" attached.

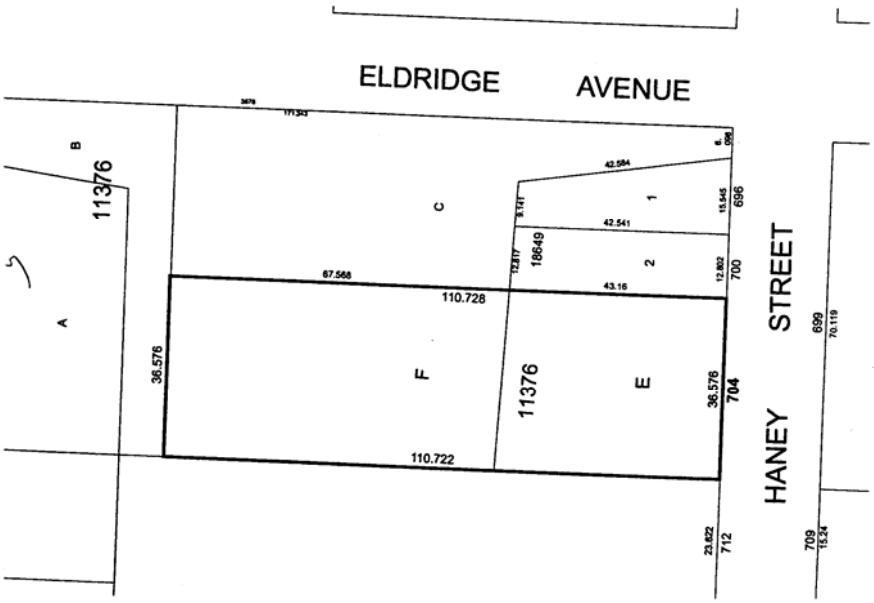
Approval is recommended subject to a caveat being registered on proposed Parcels B and C to ensure that the Developer grants an option to the City to purchase this lot for future transportation purposes.

In order to implement the aforementioned Subdivision Agreement a recommendation of approval of this subdivision proposal is being sought from your Committee. This matter will subsequently be sent for the approval of the Standing Policy Committee on Property and Development to allow for the execution of an agreement and approval of this application.

THIS REPORT SUBMITTED BY:

E. Axelrod
Subdivision Officer
May 2, 2005
File: DASSF 521/05

C.C. Pollock & Wright, Don Bourgeois, 117 Fort Street, Wpg., R3C 1C6
R. J. Hartmann - Public Works
K. Raban - Water & Waste
Councillor Clement



DASSF 521/05 MAP 1

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SUBJECT PROPERTY

SCHEDULE "A" FOR THE REPORT TO THE
ASSINIBOIA COMMUNITY COMMITTEE
FOR FILE NO. DASSF 521/05

DATED: MAY 2, 2005

SCHEDULE "B" FOR THE REPORT TO THE
ASSINIBOIA COMMUNITY COMMITTEE
FOR FILE NO. DASSF 521/05

DATED: MAY 2, 2005

