Minutes - Executive Policy Committee – July 20, 2005

Minute No. 514
Report - Standing Policy Committee on Property and Development – July 18, 2005

Item No. 5 Amendment to the Approval of DASZ 12/2003 (Paul Martin Drive)
File DASZ 12/2003

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That Development Agreement 12/2003 be further amended by stipulating that the Developer shall transfer 6.0 (six) metres to the City for the establishment of a walkway and emergency access rather than 9.0 (nine) metres.

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

Minutes - Executive Policy Committee – July 20, 2005

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DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That Rule 9.3 of the Procedure By-law be suspended in order that the following item, which was received too late to be placed on the regular agenda, be considered by Committee.

Carried

Moved by Councillor De Smedt,

That the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On July 18, 2005, the Standing Policy Committee on Property and Development concurred in the recommendation from the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 5, 2005, the East Kildonan-Transcona Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

COUNCIL DECISION:

On July 21, 2004, Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That Development Agreement 12/2003 be amended as follows:

    A. Reduce the amount payable in lieu of public open space dedication by the amount of $30,000.00, including G.S.T., to compensate the Developer for the City's share of the cost of services installed by the Developer in Robson Street abutting Robson Park.

Report - Standing Policy Committee on Property and Development – July 18, 2005

DECISION MAKING HISTORY (continued):

B. Delete the requirement for the Developer to transfer Lots 29 and 30, in Block 2, for development control purposes and replace same with a clause that the Developer shall transfer to the City for $1.00 the 9 (nine) metre easement across Lots 28 and 29, in Block 2, as a pedestrian walkway and emergency access. The Developer shall be required to construct a concrete sidewalk and place sod between the sidewalk and the private property lines and install bollards across both ends of the walkway, all as determined by and to the satisfaction of the Director of Public Works.

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

Re: Proposed amendment to the approval of DASZ 12/03 (Paul Martin Drive) – DASZ 12/03

Council at its meeting held on July 21, 2004 approved an amendment to September 24, 2003, approval of DASZ 12/03 being the Paul Martin Drive subdivision as follows:

1. By reducing the amount payable in lieu of public open space dedication by the amount of $30,000.00 including G.S.T. to compensate the Developer for the City's share of the cost of services installed by the Developer in Robson Street abutting Robson Park.
2. By deleting the requirement for the Developer to transfer Lots 29 and 30 in Block 2 for development control purposes and replacing same with a clause that the Developer shall transfer to the City for $1.00 the 9m easement across Lots 28 and 29 in Block 2 as a pedestrian walkway and emergency access. The Developer shall be required to construct a concrete sidewalk and place sod between the sidewalk and the private property lines and install bollards across both ends of the walkway all as determined by and to the satisfaction of the Director of Public Works.

A copy of a sketch forming part of Council's July 21, 2004 approval is attached.

Due to an oversight by the Developer's real estate agent, Lot 29, Block 2 was sold with no provision for the agreement between the City and the Developer that a pedestrian walkway and emergency access would be established on the most southerly 5.0m of Lot 29. The balance of the walkway/access to be established across Lot 28, Block 2 is still available. The Developer, following months of negotiations with the owner of Lot 29, Block 2, was able to purchase 2.0m which would be transferred to the City resulting in a 6.0m walkway rather than the 9.0m walkway initially contemplated. The Public Works Department has assessed the situation and has determined that the 6.0m walkway could also accommodate an emergency vehicular access as this width is comparable to the width of a standard lane right-of-way.

It is therefore recommended that Council's approval of July 21, 2004 be amended by stipulating that the Developer shall transfer 6.0m to the City for the establishment of a walkway and emergency access rather than 9.0m. (All other conditions of Council's July 21, 2004 approval remain unchanged.)

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 12/03
June 21, 2005

Enclosure

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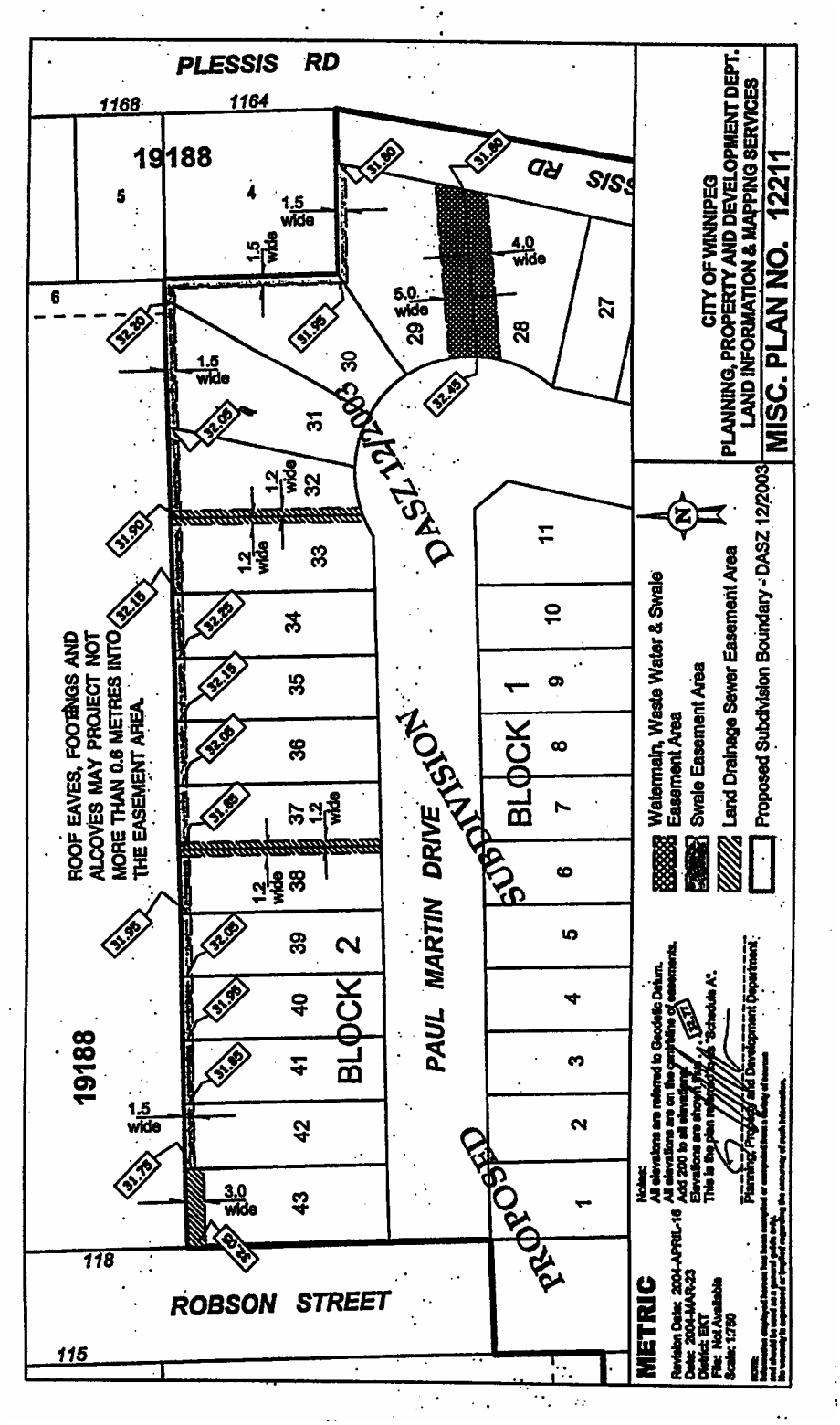
"Original signed by E.L. Carrière"
Land Development Engineer

"Original signed by R.J. Hartmann"
Public Works Department
Transportation Division


PLESSIS RD
1168
1164
19188
PROPOSED SUBDIVISION
PAUL MARTIN DRIVE
DASZ 12/2003
BLOCK 1
BLOCK 2
ROOF EAVES, FOOTINGS AND ALCOVES MAY PROJECT NOT MORE THAN 0.6 METRES INTO THE EASEMENT AREA.
ROBSON STREET
118
115
CITY OF WINNIPEG
PLANNING, PROPERTY AND DEVELOPMENT DEPT.
LAND INFORMATION & MAPPING SERVICES
MISC. PLAN NO. 12211
Watermain, Waste Water & Swale Easement Area
Swale Easement Area
Land Drainage Sewer Easement Area
Proposed Subdivision Boundary - DASZ 12/2003
METRIC