Minute No. 694
Report "A" - Standing Policy Committee on Property and Development – June 6, 2006

Item No. 1 **Servicing Agreement - Land located on Sterling Lyon Parkway - Bridge Brand Food Services Ltd.**
File EP-2.1

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the Servicing Agreement for land located on Sterling Lyon Parkway be approved as follows:

   A. That Bridge Brand Food Services Ltd. (the Developer), prior to the issuance of a building permit, enter into a Servicing Agreement containing the following provisions:

      i. That the Developer shall, at no expense to the City, install a wastewater sewer in Sterling Lyon Parkway from Whidden Gate to serve the proposed development as determined by and to the satisfaction of the Director of Water and Waste.
      ii.. That the City will endeavour to recover from benefiting privately-owned land a portion of the cost of constructing the wastewater sewer as determined by the Director of Water and Waste.
      iii. That the Developer shall pay its share of the cost of wastewater sewers oversized in Lindenwoods and benefiting the proposed development as determined by the Director of Water and Waste.

   B. That the Developer shall, at no expense to the City, construct a watermain in Sterling Lyon Parkway from Whidden Gate plus a watermain in Lorimer Boulevard connecting to the existing watermain in Wilkes Avenue all as determined by and to the satisfaction of the Director of Water and Waste.

   C. That the Developer shall pay its share of the cost of land drainage trunk and sub-trunk facilities installed by the City and benefiting the proposed development as determined by the Director of Water and Waste.

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COUNCIL DECISION (continued):

D. That the Developer shall:

i. At no expense to the City construct a westbound left turn storage land and an eastbound right turn lane on Sterling Lyon Parkway at its intersection with Lorimer Boulevard as determined by and to the satisfaction of the Director of Public Works.

ii. Upon demand by the City pay 50% of the cost of installing traffic control signals at the intersection of Sterling Lyon Parkway and Lorimer Boulevard when and as determined by the Director of Public Works.

iii. Pay its share of the cost of surface improvements installed or to be installed by the City in Sterling Lyon Parkway abutting the proposed development as determined by the Director of Public Works.

E. That the Developer shall pay the cost of engineering services provided by or on behalf of the City in connection with the installation of watermains, wastewater sewers and turning lanes required to serve the proposed development.

F. That the Developer shall pay $10,000.00 to defray the City's administration and related costs associated with the preparation and implementation of the servicing agreement.

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

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DECISION MAKING HISTORY:

Moved by Councillor De Smedt,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 19, 2006, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 6, 2006, the Standing Policy Committee on Property and 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 16, 2006, the Assiniboia Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

Re: Proposed Servicing Agreement for land located on Sterling Lyon Parkway – Bridge Brand Food Services Ltd. – AG 400/06

Bridge Brand Food Services Ltd. has recently purchased approximately 23 acres of land located on the south side of Sterling Lyon Parkway opposite Lorimer Boulevard and has made an application for the issuance of a building permit to erect a distribution building on the site. The subject property is described as Parcels C and D, Plan 44752 and a separate Certificate of Title was created for the subject land following registration of the Sterling Lyon Parkway Road Plan in the Land Titles Office on February 20, 2006. A sketch showing the subject property is attached as Schedule "A" to this report. The subject land will take access off Sterling Lyon Parkway opposite its intersection with Lorimer Boulevard and will be serviced by land drainage sewers which were installed in conjunction with the construction of the concrete pavement in Sterling Lyon Parkway. There are currently no watermain and wastewater sewer facilities in Sterling Lyon Parkway to serve the subject property.

It is therefore recommended that Bridge Brand Food Services Ltd. (the Developer), prior to the issuance of a building permit, enter into a Servicing Agreement containing the following provisions:

1. a) The Developer shall, at no expense to the City, install a wastewater sewer in Sterling Lyon Parkway from Whidden Gate to serve the proposed development as determined by and to the satisfaction of the Director of Water and Waste.

   b) The City will endeavour to recover from benefiting privately-owned land a portion of the cost of constructing the wastewater sewer as determined by the Director of Water and Waste.

   c) The Developer shall pay its share of the cost of wastewater sewers oversized in Lindenwoods and benefiting the proposed development as determined by the Director of Water and Waste.

2. The Developer shall, at no expense to the City, construct a watermain in SterlingLyon Parkway from Whidden Gate plus a watermain in Lorimer Boulevardconnecting to the existing watermain in Wilkes Avenue all as determined by and to the satisfaction of the Director of Water and Waste.

3. The Developer shall pay its share of the cost of land drainage trunk and sub-trunk facilities installed by the City and benefiting the proposed development as determined by the Director of Water and Waste.

4. a) The Developer shall, at no expense to the City construct a westbound left turn storage land and an eastbound right turn lane on Sterling Lyon Parkway at its intersection with Lorimer Boulevard as determined by and to the satisfaction of the Director of Public Works.

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b) The Developer shall upon demand by the City pay 50% of the cost of installing traffic control signals at the intersection of Sterling Lyon Parkway and Lorimer Boulevard when and as determined by the Director of Public Works.

c) The Developer shall pay its share of the cost of surface improvements installed or to be installed by the City in Sterling Lyon Parkway abutting the proposed development as determined by the Director of Public Works.

5. The Developer shall pay the cost of engineering services provided by or on behalf ofthe City in connection with the installation of watermains, wastewater sewers and turning lanes required to serve the proposed development.

6. The Developer shall pay $10,000.00 to defray the City's administration and related costs associated with the preparation and implementation of the servicing agreement.

Enclosure

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 400/06
April 25, 2006

_____
Land Development Engineer

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Water and Waste Department

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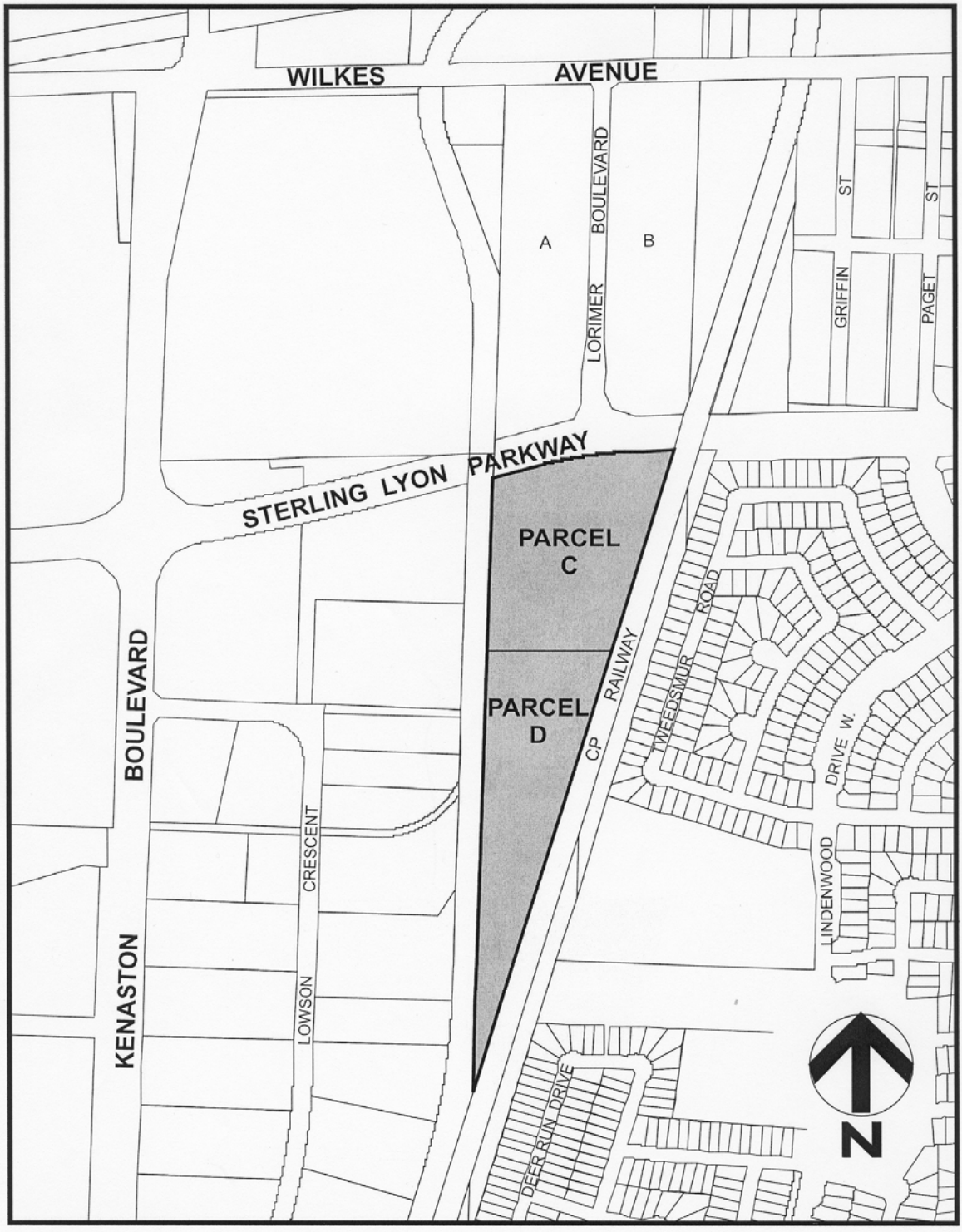
Public Works Department
Transportation Division

SCHEDULE 'A'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