Minute No. 169
Report – Standing Policy Committee on Property and Development – January 8, 2008

Item No. 5 **Amendment to Servicing Agreement AG 222/96 - Palliser Furniture Ltd. (North Kildonan Ward)**
File DAZ 222/96

COUNCIL DECISION:

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

1. That Servicing Agreement AG 222/96 be amended as follows:

   A. That a provision be included for outstanding payments to be satisfied on an area basis as the vacant land is developed.

   B. That the date by which outstanding payments become due and payable be extended from December 31, 2007, to December 31, 2011.

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 – January 8, 2008

DECISION MAKING HISTORY:

Moved by Councillor Swandel,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 8, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On December 10, 2007, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted its recommendation to the

INTER-OFFICE MEMORANDUM

Planning, Property and Development Department

Development and Inspections Division, Land Development Branch
Main Floor, 65 Garry Street

Winnipeg

Date: December 3, 2007

To: Carol Freeman, Community Clerk

From: E.L. Carrière, Land Development Branch

RE: **Proposed amendment to Servicing Agreement AG 222/96 Palliser Furniture**
FILE: AG 222/96(PLEASE QUOTE WHEN REPLYING)

Enclosed is a report of the Administrative Coordinating Group dated November 22, 2007 in connection with the above referenced development application being submitted for consideration by the East Kildonan-Transcona Community Committee at its meeting to be held on December 10, 2007.

_____
E.L. Carrière, P.Eng.
Land Development Engineer

ELC/cm

cc: E. Axelrod, Subdivision Officer
W.R. Stovel, Legal Services
R.J. Hartmann, P.Eng., Public Works Department
T.S. Josephson, P.Eng., Water and Waste Department
D. Overby, Planning and Land Use
Councillor Jeff Browaty
Johnn Wintrup, Planner
Palliser Furniture Ltd.

Enclosure

RE: PROPOSED AMENDMENT TO SERVICING AGREEMENT AG 222/96 – PALLISER FURNITURE

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE

E.L. Carrière
Chairman
Administrative Coordinating Group

November 22, 2007

Re: Proposed amendment to Servicing Agreement AG 222/96 – Palliser Furniture Ltd.

Under the terms of Servicing Agreement 222/96 dated July 2, 1997 as amended by Council on November 27, 1999, Palliser Furniture Ltd. (the Developer) is required to pay the land drainage trunk capacity charge (TSR) applicable to the subject land comprising approximately 57.5 acres and pay its share of the cost of existing services in Springfield Road and Gateway Road abutting the subject land. The above payments were to be made in conjunction with the issuance of building permits and to date approximately $391,000.00 including G.S.T. has been paid leaving a balance of approximately $493,000.00 based on 2006 rates. The Servicing Agreement also contains a provision that all outstanding payments shall be made on or before December 31, 2007.

In a letter dated October 18, 2007, the Developer requested that the outstanding payments be made proportionally on an area basis as the balance of the vacant lands are developed. The Developer also requested that the date by which the outstanding payments be extended by four (4) years to December 31, 2011.

The Administrative Coordinating Group has reviewed the Developer's requests and concurs therewith.

It is therefore recommended that Servicing Agreement AG 222/96 be amended as follows:

1. By including a provision that outstanding payments be satisfied on an area basis as the vacant land is developed, and

2. By extending the date by which outstanding payments become due and payable from December 31, 2007 to December 31, 2011.

EK-Trans. Community Committee
November 23, 2007
AG 222/96

THIS REPORT SUBMITTED BY:
Administrative Coordinating Group
File No. AG 222/96
November 22, 2007

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

"original signed by T. Josephson"
Water & Waste Department

"original signed by R. Hartmann"
Public Works Department