Agenda - Council - May 19, 2004

Report - Standing Policy Committee on Property and Development - April 27, 2004

Item No. 7 Amendment to Servicing Agreement AG 26/94 between the City and Tuxedo Park Development Ltd.
File DASZ 26/94

STANDING COMMITTEE RECOMMENDATION:

On May 12, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submits the following to Council:

1. That Servicing Agreement AG 26/94 be amended by deleting Clause 7, namely:

   "7. Lot 3, i.e. site 3 of the proposed condominium project shall not be developed until an addendum to the Agreement dealing with the cost-sharing of the improvements in Brockville Street has been executed."

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

Report - Standing Policy Committee on Property and Development - April 27, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 12, 2004, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 27, 2004, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 13, 2004, 2004, the City Centre Community Committee concurred in the administrative recommendation and submitted its recommendation to the Standing Policy Committee on Property and Development.

Re: Meadows of Lindenwoods Phase 3 – AG 26/94

Under the terms of Servicing Agreement AG 26/94, commonly referred to as Meadows of Lindenwoods, development was contemplated to occur in three phases as shown on the attached sketch. To date Phases 1 and 2 have proceeded and Ventura Homes has acquired an option to purchase Phase 3. This last phase is located immediately south of 1010 Wilkes Avenue which is the condominium project recently approved under DAZ 242/03 and Phase 3 has frontage on Brockville Street.

Servicing Agreement AG 26/94 contains a clause stipulating that building permits for Phase 3 not be issued until an Addendum to the Servicing Agreement dealing with the cost-sharing of the future improvements in Brockville Street has been executed.

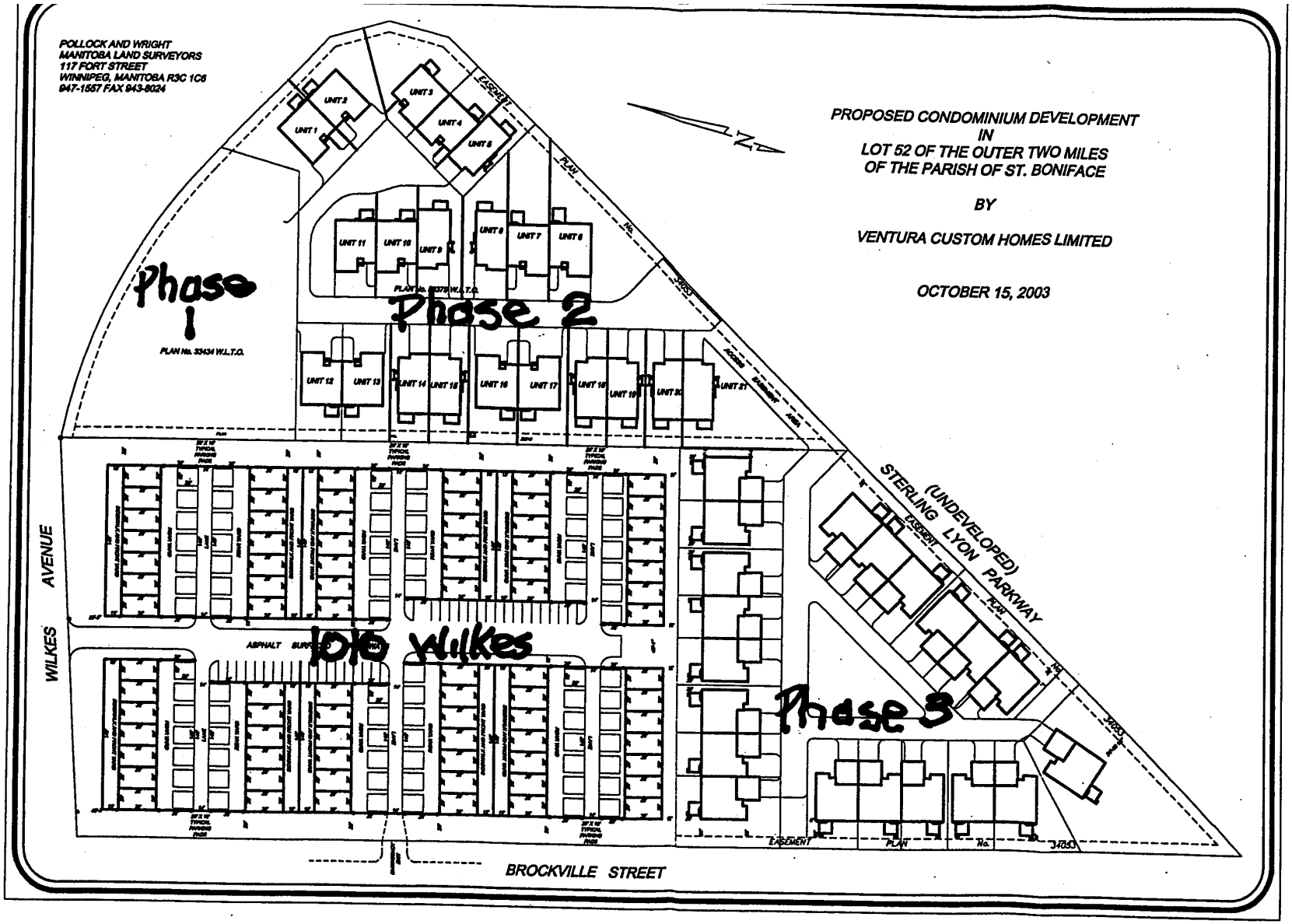
In view of the fact that under DAZ 242/03, it was the decision of the City Centre Community Committee, Standing Policy Committed on Property and Development and Council that the Developer not be charged for the cost of future improvements in Brockville Street abutting 1010 Wilkes Avenue, it is therefore recommended that the requirement for an Addendum to Servicing Agreement AG 26/94 dealing with the cost-sharing of the future improvements in Brockville Street be deleted.

THIS REPORT SUBMITTED BY:

Administrative Coordinating Group
File No. AG 26/94
April 7, 2004

Enclosure

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POLLOCK AND WRIGHT
MANITOBA LAND SURVEYORS
117 FORT STREET
WINNIPEG, MANITOBA R3C 1C8
947-1557 FAX 943-8024
PROPOSED CONDOMINIUM DEVELOPMENT
IN
LOT 52 OF THE OUTER TWO MILES
OF THE PARISH OF ST. BONIFACE
BY
VENTURA CUSTOM HOMES LIMITED
OCTOBER 15, 2003
Phase 1
PLAN No. 53434 W.L.T.O.
Phase 2
PLAN No. 53278 W.L.T.O.
Phase 3
1016 Wilkes
WILKES AVENUE
STERLING LYON PARKWAY
(UNDEVELOPED)
BROCKVILLE STREET
EASEMENT
PLAN No. 34053