STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

MOTIONS

Minute No. 172
Moved by Councillor De Smedt,
Seconded by Councillor Steeves,

WHEREAS on June 14, 2004, the Riel Community Committee convened a Public Hearing to consider an application for a Zoning Agreement Amendment for property located on the west side of St. Anne's Road between Compark Road and Southglen Boulevard under File ZAA 10/2004;

AND WHEREAS a portion of the intention of the Community Committee was to amend the Zoning Agreement to clearly indicate that any future loading zone area, buffered from neighbouring residential areas to the west by a solid noise attenuation barrier/wall, was to be included in the setback of 50 feet along the west property line of the land;

AND WHEREAS the applicant has agreed to enter into a Servicing Agreement with the City to provide for the construction of a pedestrian sidewalk on the south side of Compark Road between the northwest and northeast corners of the subject property, at the applicant's expense, to be located in the north setback of 25 feet, effectively reducing the setback to 19 feet along the north property line of the land;

AND WHEREAS a revised Report dated June 7, 2004, from the Manager of Planning and Land Use was submitted to and considered by the Community Committee at the Public Hearing but was not officially entered into the record;

THEREFORE BE IT RESOLVED that Council reconsider Item9 of the Report of the Standing Policy Committee on Property and Development dated July 9, 2004, as adopted by Council on July 21, 2004;

AND BE IT FURTHER RESOLVED that Council rescind its decision of July 21, 2004, with respect to Recommendation 1A. of Item 9 of the Report of the Standing Policy Committee on Property and Development dated July 9, 2004, by deleting Recommendation 1A. in its entirety and substituting therefore the following, namely:

1. That Zoning Agreement Caveat No. 249458 under File DASZ 40/85A dated February 5, 1986, (By-law No. 4314/86 be amended as follows:

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A. No buildings shall be constructed, erected or placed within fifty (50) feet of the west property line of the land, with the exception of any future loading zone area which is to be buffered from neighbouring residential areas to the west by a solid noise attenuation barrier/wall, within twenty-five (25) feet of the south property line of the land, within nineteen (19) feet of the north property line of the land, and, that there be a zero setback for buildings along the east property line of the land.

2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 40/85A (By-law No. 4314/86) dated February 5, 1986, as approved in aforesaid recommendation 1.

3. That the Proper Officers of the City be hereby authorized to execute said Amending Agreement and do all things necessary for implementation of the above."

The Speaker ruled automatic referral to the Standing Policy Committee on Property and Development in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor De Smedt,

That the rule be suspended to allow consideration of the motion at this time.

The motion to suspend the rule was put and declared carried.

The motion was put and declared carried.