Minutes – Executive Policy Committee – October 12, 2005

PUBLIC HEARINGS

Item No. 2 Subdivision and Rezoning – 50 and 56 Dunkirk Drive
File DASZ 16/2005 [c/r DAV 129773/2005D]

ADMINISTRATIVE RECOMMENDATION:

1. That the plan of subdivision proposed under File DASZ 16/2005 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/2005 dated September 22, 2005, for registration in the Winnipeg Land Titles Office.

2. That the Developer enter into a Servicing Agreement containing the following:

    A. The Developer shall, at no expense to the City, relocate the existing watermain which traverses the property as determined by and to the satisfaction of the Director of Water and Waste, and shall grant to the City a 6m wide maintenance easement for this relocated watermain;

    B. The Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the relocation of the watermain and associated works;

    C. The Developer shall pay $1,650.00 plus 7% GST to defray the City's administration and related costs associated with the preparation and implementation of the Servicing Agreement.

3. That the Director of Planning, Property and Development be authorized to certify any documents in connection thereof.

4. That The Winnipeg Zoning By-law No. 6400/94 be amended by (1) rezoning the subject land as shown on Schedule "A" for File DASZ 16/2005, dated September 22, 2005, to an "RM-3" Multiple Family District; and (2) that the existing Zoning Agreement affecting the subject lands be withdrawn, and that the applicant enter into a new Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:

    A. That detailed plans shall be submitted showing the location, design, and materials of the proposed building, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping, and signage to the Riel Community Committee for plan approval prior to the issuance of any

building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development.

B. That no vehicular access be permitted to the subject property from Dunkirk Place.

5. That a partial discharge of Caveat No. 1500905 be provided to the developer.

6. That in the event the application is not proceed with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.

7. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

8. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement.

9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

10. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property & Development within two (2) years of the date of passage of the aforementioned by-law.

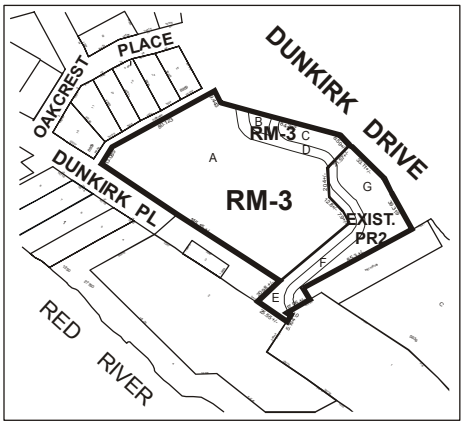
11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends the time.

Agenda – Executive Policy Committee – October 12, 2005

File: DASZ 16/2005 [c/r DAV 129773/2005D]

Applicant: Caleb Group of Companies (Matt Mann)

Subject:



Premises Affected: 50 and 56 Dunkirk Drive

Exhibits Filed:

1. Application dated May 12, 2005
2. Notification of Public Hearing dated September 21, 2005
3a. Certificate of Titles 778312, 344548, 394251, 419820, 444748, A48026, 488877, 56856, B86080
3b. Title Searches 1353001, 1353003, 1417623, 1802675, 1950038, 1950039, 1950041
4. Surveyor's Building Location Certificate and sketch dated March 15, 2005
5. Letter of authorization dated February 9, 2005 from Manager of Real Estate Division, Planning, Property and Development Department, City of Winnipeg, to Caleb Construction Ltd., Attention: Matt Mann, Vice-President, Construction Division
6. Misc. Plan Nos. 4750/19, 4750/26
7. Plans (3 pages)
8. Plans by Saunders Evans Architects Inc. (13 pages)
9. Report from the Director of Planning, Property and Development dated October 5, 2005

The Administration to advise that all statutory requirements with respect to this application have been complied with.

Moved by Councillor
That the administrative reports be taken as read.

REPRESENTATIONS:

In Support:

In Opposition:

For Information:

For the City:

Moved by Councillor
That the receipt of public representations be concluded.

Moved by Councillor
That the administrative recommendation be / not be concurred in and forwarded to the Standing Policy Committee on Property and Development.

Moved by Councillor
That the following supporting reasons be provided, namely:

Moved by Councillor
That the public hearing with respect to this application be concluded.