Proposed Plan of Subdivision and Rezoning - land located at 440 / 460 Elmhurst Road

File DASZ 29/2001

6. The Standing Policy Committee on Property and Development has been advised that an application has been received from Solarch Design, 3416 Parkin Avenue, Winnipeg, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning part of the subject lands from a "R1-20" Single-Family Residential District to a "R1-5.5A" Single-Family Residential District to allow for the construction of single-family dwellings.

The proposal is to subdivide the land into twelve (12) residential building lots with frontage on Bloomer Crescent. All or portions of six (6) of the lots are being subdivided from existing properties fronting Elmhurst Road. The Elmhurst Road properties and their back-lot splits are being rezoned from "R1-20A" Single Family Residential District to "R1-5.5A" Single-Family Residential District. Development charges for the six (6) lots on the south side of Bloomer are secured under Development Agreement AG 16/94. In order to collect City charges due from the Elmhurst Road back-splits, the City will enter into a Servicing Agreement with those owners. Payment for services installed by the developers of Deergrove is being handled by private agreement.

On February 19, 2002, the Assiniboia Community Committee held a public hearing to consider the subject subdivision and rezoning application. Five persons registered in support of the application, and no one registered in opposition thereto.

The Assiniboia Community Committee concurred in the recommendations contained in the report dated February 11, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The Assiniboia Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use.

On March 5, 2002, the Standing Policy Committee on Property and Development considered the Subdivision and Zoning Change Report dated February 21, 2002, from the Assiniboia Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 29/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated February 11, 2002 for File DASZ 29/2001 dated February 11, 2002, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Subdivision Agreement with the City containing therein the following conditions to be imposed on Proposed Lots 7 through 12:

1. That the City charges including dedication be paid on a lot-by-lot basis, at the prevailing rates at time of payment, at such time as building permits are requested.

2. That a $60.00 per lot (plus G.S.T.) administration fee be collected prior to each building permit being issued.

II. That the Developer be required to pay to the City ten percent (10%) cash dedication in lieu of land dedication, to be calculated on the basis of six (6) additional building sites being created.

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

IV. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

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

VII. 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, 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.

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

IX. That in the event that 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 that time.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Attachment "A" referred to in Clause 6 of the Report of the Standing Policy Committee on Property and Development dated March 5, 2002

02/12/2002 11:43 FAX 204 986 3864 CITY OF WPG, PLAN.& LAND 001

By-Law No. _____

File No. **DASZ 29/01**

Atlas Sheet No. **AD19 ASSINIBOIA COMMUNITY**

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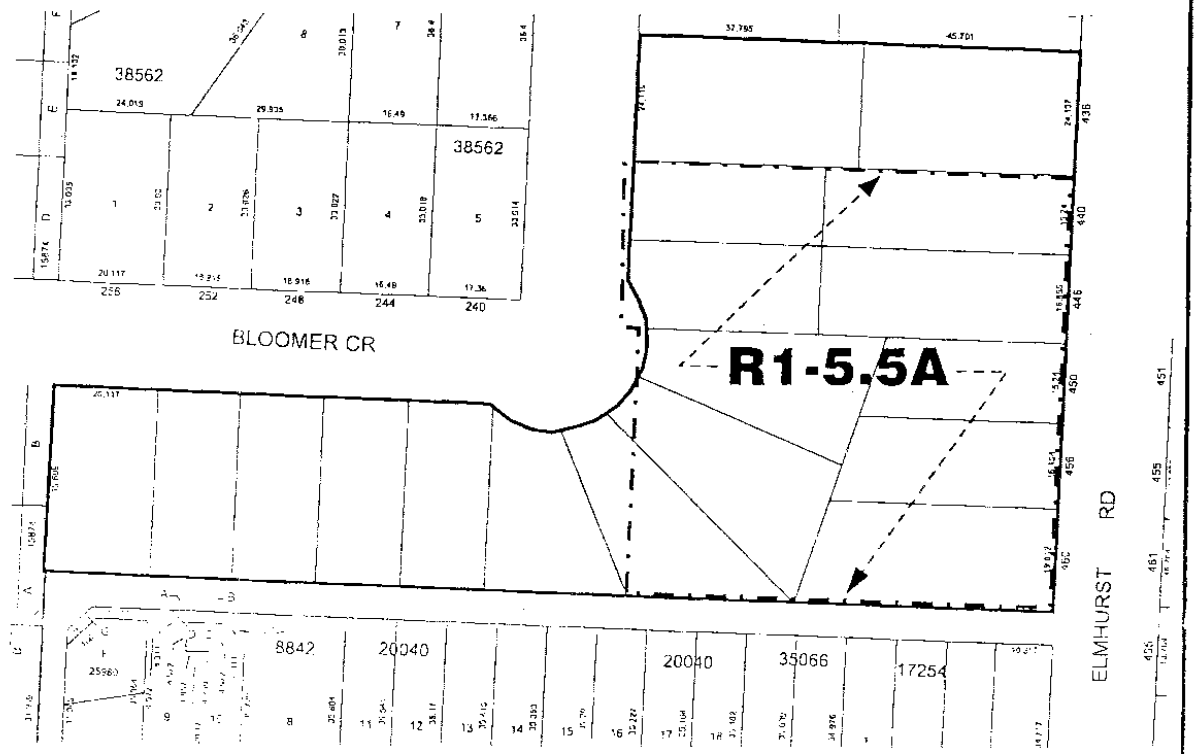
Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land on the Bloomer Crescent between Laxdal and Elmhurst Roads from an "R1-20A" SINGLE-FAMILY DISTRICT to an "R1-5.5A" SINGLE-FAMILY DISTRICT as shown outlined below.



Schedule "A" for
File DASZ 29/01
Assiniboia Community Committee
February 11, 2002

THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.