

APPENDIX B

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED AT 355-415 CENTRE STREET

The Administrative Coordinating Group (ACG) has reviewed the servicing requirements for DASZ 49/2025. It is recommended that approval of DASZ 49/2025, if granted, be subject to the applicant executing a Cross Access Easement Agreement as outlined below:

Section I – General Comments

1. The Water and Waste Department (WWD) advises that there is adequate servicing capacity for the proposed development based on the submitted development plans. Should the development plans change, WWD will need to review the revised proposal.

Section II- Conditions of Approval

1. Cross Access Easement Agreement

The Developer and all successors in title to the lots in the subdivision shall enter into, and register at the Winnipeg Land Titles Office (WLTO) under Section 76 of the Real Property Act, and maintain in perpetuity by way of instrument (right-of-way agreement, easement agreement or declaration) against the titles to the lots, a private cross-access agreement with the owners of the other lots so as to ensure vehicular access to every lot at all times, via streets or internal roads.

The instrument must contain the substance of the following terms:

“User” means and includes any Owner and the tenants of any Owner and, with the permission or consent (expressed or implied) of any Owner, each and all of their respective agents, employees, customers, licensees, invitees, suppliers, contractors, servants or workmen, and any other occupier for the time being on the land of any Owner; and the term “Users” shall have the same meaning as the context permits or requires, mutatis mutandis.

Declarant, for itself and its successors and assigns, hereby irrevocably agrees and declares that from and after the date of registration of this Declaration in the Winnipeg Land Titles Office an easement and right of way is hereby created over the Lands for the purposes of ingress and egress that shall permit common usage of driveways, vehicular passageways, entrances and exits leading to one or more private approaches on and from St. Mary’s Road as they may exist from time to time to ensure access (but for no other purpose whatsoever) to every such lot on the Lands at all times by Users and vehicles.

The rights, liberties and easements herein granted shall be construed as running with the Lands and shall attach to and run with each and every part to which the Lands or any part thereof as may hereafter be subdivided, but no part of the Lands shall pass to or be vested in any other Owner simply by virtue of these presents.

As it is the intent that the burden of all rights, liberties and easements declared herein shall run with the Lands, it is declared that the rights, liberties and easements hereby declared shall enure to the benefit of every Owner and, without limiting the generality of the foregoing, shall enure to the benefit of the successors and/or assigns of any part or parts of the Lands and shall bind the successors in title of Declarant, and each of their respective successors in title, and the owners or occupiers for the time being of the Lands or any part or parts thereof.

The cross-access agreement shall be reviewed and approved by the Public Works Department prior to registration at WLTO.

THIS REPORT SUBMITTED BY:

Administrative Co-ordinating Group
File No. DASZ 49/2025
March 30th, 2026

"Original Signed by K. Kowalyk"

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