Agenda - Executive Policy Committee - April 13, 2005

PUBLIC HEARINGS

Item No. 2 Subdivision and Rezoning - North of Swailes Avenue Right-of-way File DASZ 53/2004

ADMINISTRATIVE RECOMMENDATION:

1. That the plan of subdivision proposed under File DASZ 53/2004 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 53/2004 dated March 29, 2005, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated March 29th, 2005;

    B. That the subdivision be phased and development be limited to the proposed street extending northerly from Swailes Avenue up to and including the cul-de-sac to the west thereof until such time as a second paved means of access is provided.

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

3. That The Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 53/2004 dated March 29, 2005, to a "R1-4" Residential District.

4. That the applicant shall purchase and close the small portion of the City-owned Swailes Avenue right-of-way shown within the proposed Lot 1 at the southwest corner of the subject property, and said land shall be included in the subject rezoning and plan of subdivision.

5. That in the event the application is not proceeded 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.

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

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

8. 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.

9. That 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.

10. 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.

Agenda - Executive Policy Committee - April 13, 2005

File: DASZ 53/2004

Applicant: North Grassie Properties Inc.

Subject:

Winnipeg

NOTICE OF PUBLIC HEARING EXECUTIVE POLICY COMMITTEE

Date: Wednesday, April 13, 2005

Time: 9:00 a.m.

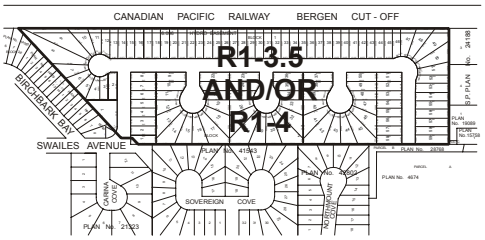
Location: West Committee Room
Council Building, 510 Main Street

Re: Proposed Rezoning & Subdivision – North of Swailes Avenue, East of Birchbark Bay DASZ 53/04

Applicant: North Grassie Properties Inc.

TAKE NOTICE that the Executive Policy Committee will hold a public hearing to consider amending The Winnipeg Zoning By-Law 6400/94 as follows and as shown outlined on the map below:

To rezone the land south of the CPR Bergen Cut-Off, east of Birchbark Bay from an "A.5" AGRICULTURAL DISTRICT to an "R1-3.5" RESIDENTIAL DISTRICT and / or "R1-4" RESIDENTIAL DISTRICT.



DASZ 53/04 MAP 2

PROPOSED SUBDIVISION

Relevant documents are available for inspection by contacting David Marsh, Planning Property and Development Department, at 986-5549.

Persons wishing to make representation at the above hearing are requested to notify Jo-Ann Park, Clerk of the Executive Policy Committee, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-3732, to assist in scheduling representations. Written submissions are requested in advance of the public hearing.

Simultaneous French/English translation will be available if requested.

Premises Affected: north of Swailes Avenue east of Birchbark Bay

Exhibits Filed:

1. Application dated December 21, 2004
2. Notification of Public Hearing dated March 23, 2005
3. Manitoba Status of Title 1123197
4. Certificate of Title E72548
5. Surveyor's Building Location Certificate and sketch dated November 2, 2004
6. Letter of authorization dated June 14, 2004 from Lincoln Properties Limited to North Grassie Properties Inc., and letter of authorization dated November 15, 2004 from North Grassie Properties Inc., to Doug Henne Planning Services
7. Zoning Development Information
8. Report from the Director of Planning, Property and Development dated April 6, 2005, which includes the Report from the Administrative Coordinating Group dated March 29, 2005
9. Communication dated April 9, 2005, from Warren Earl, D.W.E. Holdings Limited with respect to the application

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 Council.

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.