

ITEM 20

MANAGER'S REPORT NO. 25

COUNCIL MEETING Apr. 2/73

20. Re: Restrictive Covenant
Subdivision Reference #230/71

Following is a report from the Director of Planning regarding a Restrictive Covenant to guarantee that no development will take place on a consolidated lot, 7092 East Broadway, and that two lots on Bainbridge will be connected to a future sanitary sewer (see attached sketch).

RECOMMENDATION:

THAT the recommendation of the Director of Planning be adopted.

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PLANNING DEPARTMENT
29 MARCH, 1973

SUBJECT: SUBDIVISION REFERENCE #230/71
RESTRICTIVE COVENANT TO GUARANTEE THAT NO DEVELOPMENT
WILL TAKE PLACE ON A CONSOLIDATED LOT, 7092 EAST BROADWAY,
AND THAT TWO LOTS ON BAINBRIDGE WILL BE CONNECTED TO A
FUTURE SANITARY SEWER

A. BACKGROUND

On 21 March, 1973, the Approving Officer granted preliminary approval of subdivision for the purpose of consolidation with the following requirement:

The applicant is required to enter into a covenant to guarantee that no development will take place on the consolidated lot, 7092 East Broadway, and that the two lots on Bainbridge will be connected to sanitary sewer when available in the future."


On 20 December, 1972, the Chief Public Health Officer stated that "...the 120 feet on the remaining two lots on Bainbridge would be adequate for the proper functioning of a septic tank system until such time as (the) area (is) sewered".

On 23 September, 1972, the developer stated that he is "... simply preparing the acreage for the best possible development when it is rezoned to single family use".

B. RECOMMENDATION

THAT the Council authorize the Municipal Legal Department to prepare a restrictive covenant, as per Section 24A of the Land Registry Act, guaranteeing that no development will take place on the consolidated lot, 7092 East Broadway, and that the two lots on Bainbridge will be connected to sanitary sewer when available in the future. The cost of preparing this agreement is to be assessed to the applicant.

Respectfully submitted,


A. L. Parr,
DIRECTOR OF PLANNING

PB:ea

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LOTS: N $\frac{1}{2}$ & S $\frac{1}{2}$ OF PCL. 1 OF LOT "B"
EP. 11992

S.D. REF. # 230/71

LOT "B" EXCEPT PCL. 1. EP 11992

ZONE: A2 SMALL
HOLDINGS.

BLOCK: 1

DL: 59/136/137

PLAN: 7048

2627 & 2647 BAINBRIDGE AVE. &
7092 E BROADWAY

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