Agenda - Council - March 19, 2008

Report - Standing Policy Committee on Property and Development - February 26, 2008

Item No. 1 Extension of Time - Subdivision and Rezoning on land located at 327 Grassie Boulevard (Transcona Ward) File DASZ 3/2006

STANDING COMMITTEE RECOMMENDATION:

On March 12, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the time limit to provide for the enactment of Rezoning By-law No. 196/2006 be extended to March 1, 2010.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report - Standing Policy Committee on Property and Development - February 26, 2008

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 12, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 26, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 11, 2008, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, namely, that the Standing Policy Committee on Property and Development be requested to recommend to Council that the time limit to provide for the enactment of Rezoning By-law No. 196/2006 be extended to March 1, 2010.

RE: EXTENSION OF TIME - Proposed subdivision and rezoning on land located at 327 Grassie Boulevard - File No. DASZ 3/06

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE

E. Axelrod
Subdivision Officer

March 18, 2008

RE: EXTENSION OF TIME - Proposed subdivision and rezoning on land located at 327 Grassie Boulevard - File No. DASZ 3/06

RECOMMENDATION:

That your Community Committee recommend to the Standing Policy Committee on Property and Development that it recommend to Council that the time limit to provide for the enactment of Rezoning By-law No. 196/2006 be extended to March 1, 2010.

REASON:

Council approval is required for all extension of time applications.

HISTORY:

On May 24, 2006 Council adopted Item 8 of the report of the Standing Committee on Property and Development dated May 2, 2008 which clause recommended approval of the subject subdivision and rezoning to "R1-5.5" SINGLE-FAMILY DISTRICT as shown on the attached Schedule "A" to allow for the creation of two additional building sites for residential development.

Recommendation 4 contained in the said report stipulates:

> "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 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."

Recommendation 8 further stipulates the following:

> "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."

The rezoning By-law No. 196/2006 was passed by Council on July 26, 2006. The enactment section of the By-law shall come into force and effect upon the execution by the City of Winnipeg of a Servicing Agreement and the registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

The By-law has not been enacted and the 24 month time limit will expire on July 26, 2008.

DISCUSSION:

Mr. Brandon Dueck, acting on behalf of his grandparents, the registered owners of the subject property is requesting a two-year extension of time in order to complete the necessary subdivision and rezoning requirements. Due to economic conditions and other commitments the applicants were not able to complete all of the conditions pursuant to Council's instructions and are therefore requesting a two-year extension of time to March 1, 2010, to complete the subdivision application.

The administration has reviewed the request for the extension of time and is of the opinion that approval of the subject extension of time would be acceptable and circumstances leading to original approval remain unchanged.

THIS REPORT SUBMITTED BY:

E. Axelrod
Subdivision Officer
January 17, 2008
File: DASZ 23/06
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c.c. Brandon Dueck
Councillor Wyatt

By-Law No. _____

Subsection (649)

Atlas Sheet No. **W32**

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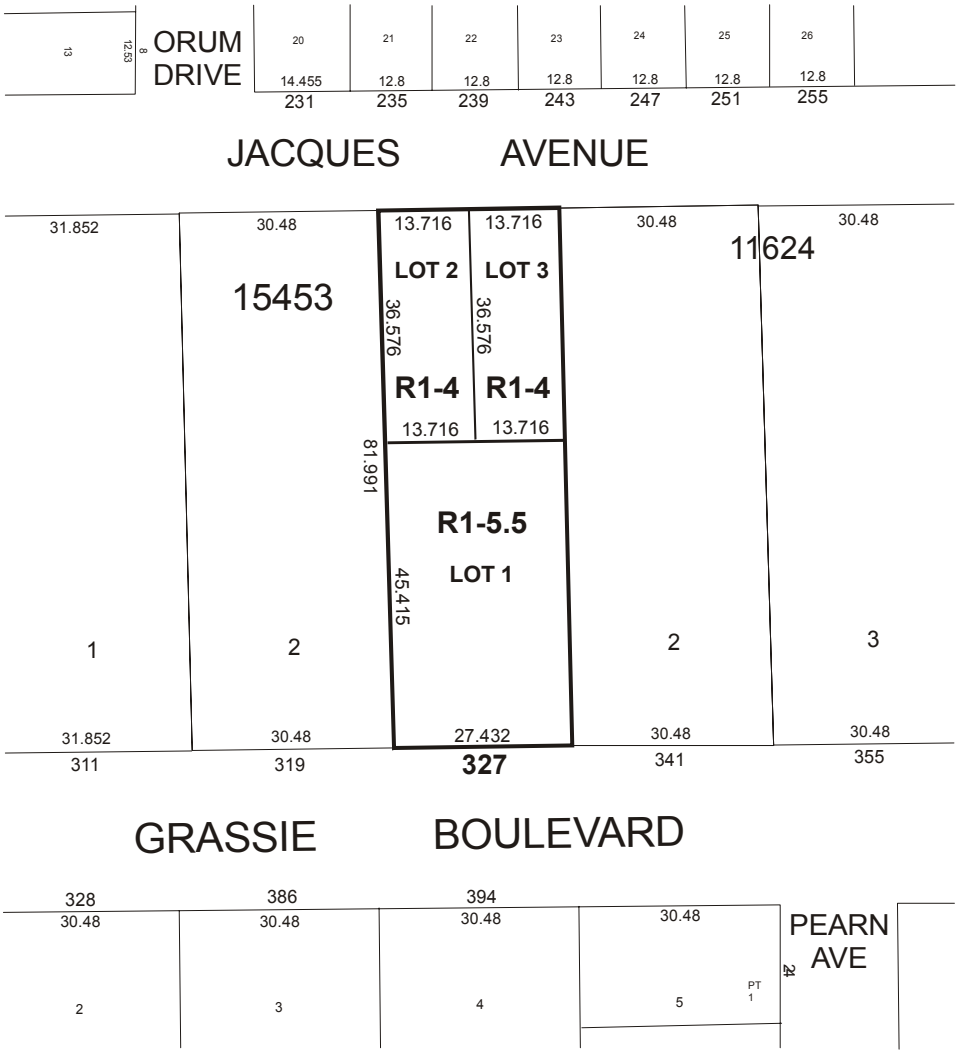
EAST KILDONAN TRANSCONA COMMUNITY

File No. **DASZ 3/06**

Explanation

The attached By-law approves the plan of subdivision shown outlined below and amends By-law No. 6400/94 by rezoning the land located at 327 Grassie Boulevard from an "A.5" AGRICULTURAL DISTRICT to an "R1-5.5" RESIDENTIAL DISTRICT and an "R1-4" RESIDENTIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "A" FOR THE REPORT TO THE EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE FOR FILE NO. DASZ 3/06

DATED: JANUARY 16, 2008