Agenda - Council - September 24, 2008

Report - Standing Policy Committee on Property and Development - September 2, 2008

Item No. 1 **Extension of Time - Subdivision and Rezoning - East of Main Street, north of Scotia Street and John Black Road, south of proposed Ridgecrest Avenue**
(Old Kildonan Ward)
File DASZ 30/2006

STANDING COMMITTEE RECOMMENDATION:

On September 17, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submits the following to Council:

1. That the time to provide for the enactment of this necessary Rezoning By-law under File No. DASZ 30/2006 be extended to September 27, 2009.

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 - September 2, 2008

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Lord Selkirk-West Kildonan Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 2, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 15, 2008, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment, namely:

- That the year be changed from 2010 to 2009,

and forwarded to the Standing Policy Committee on Property and Development Committee.

RE: EXTENSION OF TIME - Subdivision and Rezoning – East of Main Street, north of Scotia Street and John Black Road, south of proposed Ridgecrest Avenue
- File No. DASZ 30/06

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE LORD SELKIRK-WEST KILDONAN COMMUNITY COMMITTEE

K.T. Raban, P.Eng.
Land Development Administrator

July 8, 2008

RE: EXTENSION OF TIME – Subdivision and Rezoning – East of Main Street, north of Scotia Street and John Black Road, south of proposed Ridgecrest Avenue
- File No. DASZ 30/06

RECOMMENDATION:

That your Community Committee recommend to the Standing Policy Committee on Property and Development that it recommend to Council that the time to provide for the enactment of this necessary Rezoning By-law under File No. DASZ 30/06 be extended to September 27, 2010.

REASON:

Council approval is required for all extensions of time.

HISTORY:

On September 27, 2006, Council adopted Item No.11 of the report of the Standing Policy Committee on Property and Development dated September 19, 2006 which clause recommended approval of the subject subdivision and rezoning to an "RM-2 MULTIPLE FAMILY DISTRICT" and an "R1-4 SINGLE-FAMILY DISTRICT" as shown on Schedule "A" attached to allow for residential development.

Recommendation 5 contained in said report stipulates:

> "That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twelve (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 twelve (24) month period and the extension is subsequently approved by Council."

The By-law has not been enacted and the twelve (24) month time limit will expire on September 27, 2008.

DISCUSSION:

The registered owner, G.D. Macdonald and Geal Investments Ltd., 985 Roch Street, Winnipeg, Manitoba, R2K 2R2 is requesting a two-year extension of time in order to complete the necessary requirements.

The reason for the request is to allow more time to work with the adjacent property owners (Machan and Samson) in agreeing to relinquish their rights of way across the property in exchange for provision of alternative access, plus land adjacent to their properties.

The Winnipeg Public Service 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 the original approval remain unchanged.

THIS REPORT SUBMITTED BY:

K.T. Raban, P.Eng.
Land Development Administrator
July 8, 2008
File: DASZ 30/06
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c.c. G.D. Macdonald
Councillor O'Shaughnessy

Schedule "A"

By–Law No. _____

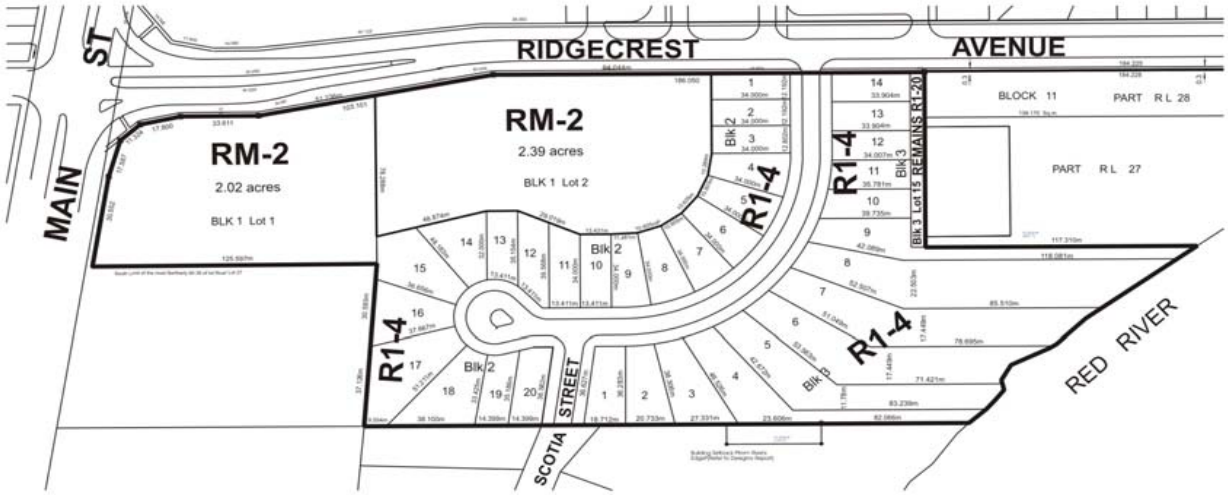
File No. **DASZ 30/06**

Atlas Sheet No. **S28**

LORD SELKIRK WEST KILDONAN COMMUNITY

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 located on the east side of Main Street, south of Ridgecrest Avenue from an "R1-20" RESIDENTIAL DISTRICT to an "R1-4" RESIDENTIAL DISTRICT and an "RM-2" MULTIPLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

6006

July 2, 2008

Michael Robinson
Planner, Planning and Land Use Division
City of Winnipeg
Unit 15, 30 Fort Street
Winnipeg, MB. R3C 4X5
Fax 986-7524

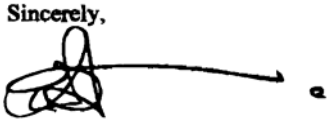
Dear Sir,

This letter is to request an extension to our Development and Zoning Agreement DASZ 30/06, File: AG 30/06 that was approved by Council at its meeting September 27, 2006.

The reason for our request is that we have had no co-operation from our neighbors (Machan and Samson) in agreeing to relinquish their rights of way across our property even though we have offered alternative access onto Ridgecrest Ave, plus land adjacent to their properties that would assist them in the possible development of their properties.

Thank you.

Sincerely,



G. D. Macdonald and Geal Investments Ltd.
Ph/fax 661-1966

Cc Kim Raban
Land Development Administrator
City of Winnipeg
Main Floor, 65 Garry Street
Winnipeg, MB.
Fax 942-3820