Minute No. 430
Report - Standing Policy Committee on Property and Development - June 2, 2009

Item No. 2 **Extension of Time - Subdivision and Rezoning - 1530 Grant Avenue (River Heights - Fort Garry Ward)**
File DASZ 45/2006

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the time to provide for the enactment of the necessary rezoning by-law under File DASZ 45/2006 be extended to May 31, 2011.

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 – June 2, 2009

DECISION MAKING HISTORY:

Moved by Councillor Fielding,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 10, 2009, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 2, 2009, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 5, 2009, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

RE: EXTENSION OF TIME - PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1530 GRANT AVENUE - FILE NO. DASZ 45/2006

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE CITY CENTRE COMMUNITY COMMITTEE

"Original Signed by A. Savage"
A. Savage
Subdivision Officer

April 23, 2009

RE: EXTENSION OF TIME - PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT 1530 GRANT AVENUE - FILE NO. DASZ 45/2006

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 the necessary rezoning by-law under File No. DASZ 45/2006 be extended to May 31, 2011.

REASON:

Council approval is required for all extensions of time.

HISTORY:

On May 16, 2007, Council adopted Item No. 6 of the report of the Standing Policy Committee on Property and Development dated May 1, 2007 which clause recommended approval of the subject rezoning to an "RM-3" RESIDENTIAL MULTI-FAMILY DISTRICT as shown on Schedule "A" attached.

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 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."

The applicant has not provided the necessary documentation to allow for the preparation of the rezoning By-law in order for this application to proceed expeditiously. Therefore, the twenty-four (24) month time limit for the application to proceed is scheduled to expire on May 16, 2009.

DISCUSSION:

The registered owner of the subject property and applicant, Karma Development Corp. (Mr. Myles Kraut & Mr. Mark Kipnes) are requesting a two year extension of time in order to complete the necessary application requirements. The applicant has indicated that the subject property is in the process of being sold and the approval of this extension of time is a condition of sale. The applicant has also indicated that should the sale of lands not proceed, Karma Development Corp. will fulfill their obligations to proceed with the application expeditiously.

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 the original approval remain unchanged.

THIS REPORT SUBMITTED BY:

A. Savage
Subdivision Officer
April 23, 2009
File: DASZ 45/2006

c.c. Councillor John Orlikow
Karma Development Corp., Attention: Myles Kraut & Mark Kipnes, 6886 Roblin Blvd., Winnipeg, MB., R4H 1A2

By-Law No. _____

_____

File No. **DASZ 45/06**

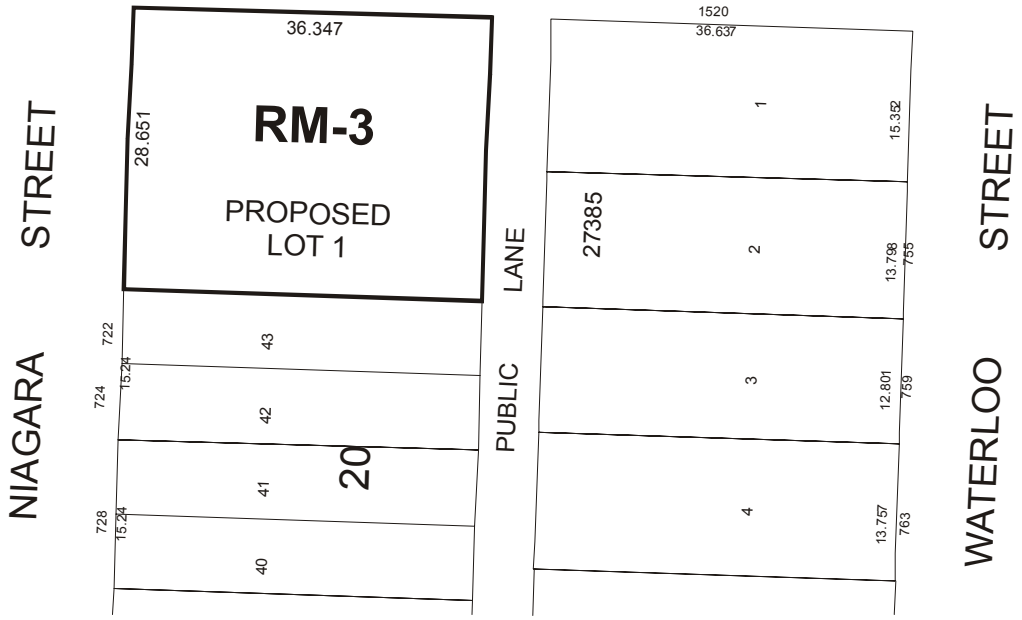
Atlas Sheet No.

N

AE21
CITY CENTRE
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 at 1530 Grant Avenue from a "C1" COMMERCIAL DISTRICT to an "RM-3" MULTIPLE-FAMILY DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "A" FOR THE REPORT TO THE CITY CENTRE COMMUNITY COMMITTEE FOR FILE NO. DASZ 45/06
DATED: APRIL 23, 2009