Agenda - Council - October 28, 2009

Report - Standing Policy Committee on Property and Development - October 8, 2009

Item No. 1 Extension of Time - Rezoning and Subdivision - north side of Bishop Grandin Boulevard east of Waverley Street (River Heights – Fort Garry Ward) File DASZ 6/2007

STANDING COMMITTEE RECOMMENDATION:

On October 21, 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 submits the following to Council:

1. That the time limit to provide for the enactment of Rezoning By-law No. 178/2007 be extended to September 26, 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 - October 8, 2009

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 21, 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 October 8, 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 September 8, 2009, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

SUBJECT: **EXTENSION OF TIME – PROPOSED REZONING & SUBDIVISION ON LAND LOCATED ON THE NORTH SIDE OF BISHOP GRANDIN BOULEVARD EAST OF WAVERLEY STREET- FILE NO. DASZ 6/2007**

Critical Path: **CITY CENTRE COMMUNITY COMMITTEE**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban	Deepak Joshi	N/A	N/A

RECOMMENDATIONS

That 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. 178/2007 be extended to September 26, 2010.

IMPLICATIONS OF THE RECOMMENDATIONS

IMPACT	YES	NO	COMMENTS
Policy		x	
Regulatory		x	
Environmental		x	
Human Resources		x	
Financial		x	
Legal (Contracts)		x	
Communications		x	
Council Priorities Direction		x	
Other, e.g. Organizational, community, etc. (Specify)			

HISTORY

On July 18, 2007, Council adopted Item No. 8 of the report of the Standing Policy Committee on Property and Development dated July 13, 2007 which clause recommended approval of the subject rezoning to an "M2" INDUSTRIAL DISTRICT, now known as “M2” MANUFACTURING GENERAL DISTRICT under Zoning By-law 200/2006.

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."

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 and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those lands 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.178/2007 was passed by Council on September 26, 2007. The enactment section of the By-law required that the Zoning Agreement caveat be registered in the Winnipeg Land Titles Office by September 26, 2009 failing which the By-law shall expire unless that date is extended by a resolution of the City Council and that registration is completed before any such extended date. This By-law has not been enacted and the twenty-four (24) month time limit is scheduled to expire on September 26, 2009.

The MMM Group, Attention: Veronica Hicks, 111-93 Lombard Avenue, Winnipeg, Manitoba, R3B 3B1 on behalf of the applicant, Hopewell Development Corporation, is requesting a one year extension of time in order to complete the necessary rezoning and subdivision requirements. See attached Appendix “A”. The applicant has indicated that the process to complete the legal discharge of existing caveats registered on the current titles has proven to be more time consuming than expected.

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.

FINANCIAL IMPACT

N/A

CONSULTATION

In preparing this Report there was consultation with:

N/A

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Development and Inspections
Prepared by:	R. Deighton, Land Development Coordinator
Date:	August 27, 2009
File No.	DASZ 6/2007

APPENDIX "A"

From: Veronica Hicks [mailto:HicksV@mmm.ca]
Sent: Wednesday, August 26, 2009 2:25 PM
To: Raban, Kim
Cc: sswityk@hopewell.com; Friedrich Aldinger
Subject: Extension for DASZ 6/2007

Hi Kim,

To follow up on our conversation re: DASZ 6/2007

On behalf of our client, Hopewell Development Corporation, MMM Group is requesting an extension of the approval granted in September 2007. This extension is required to complete the legal discharge of existing caveats registered on the current titles. This process has proven more time-consuming than originally expected.

We appreciate your consideration in the matter. Feel free to contact me at 272-2017 if you have any questions.

Sincerely,

Veronica Hicks, MCIP
Manager, Planning & Development
Associate
MMM GROUP
111-93 Lombard Ave
Winnipeg, MB R3B 3B1
T: (204) 272-2017
F: (204) 943-4948
hicksv@mmm.ca
www.mmm.ca

The information contained within this e-mail transmission is privileged and/or confidential information that is intended solely for the use of the party to which it is addressed. Its dissemination, distribution or copying is strictly prohibited. If you have received this e-mail in error, or are not named as a recipient within such e-mail, please immediately notify the sender and also destroy any and all copies you have made of this e-mail transmission.