Agenda - Executive Policy Committee – July 14, 2010

Report - Standing Policy Committee on Property and Development – July 6, 2010

Item No. 4 Extension of Time - Proposed Rezoning and Subdivision of lands west of Waverley Street to Kenaston Boulevard between Lee Boulevard and Perimeter Highway
(St. Norbert Ward)
File DASZ 22/2007

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submits the following to Council:

1. That the time limit to provide for the enactment of Rezoning By-law No. 137/2009 be extended to November 25, 2021.

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

Agenda - Executive Policy Committee – July 14, 2010

Report - Standing Policy Committee on Property and Development – July 6, 2010

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On July 6, 2010, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 15, 2010, the Riel Committee Community concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: DASZ 22/2007 – Extension of Time RIEL

Issue: Proposed Rezoning & Subdivision On Lands West Of Waverley Street To Kenaston Boulevard Between Lee Boulevard And The Perimeter Highway requires extension of time.

Critical Path: Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban Land Development Administrator	N/A	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. 137/2009 be extended to November 25, 2021.

REASON FOR THE REPORT

Under rezoning By-law No. 137/2009 the coming into force section of the By-law requires that the plan of subdivision, a Zoning Agreement caveat be registered in the Winnipeg Land Titles Office and a subsequent plan of subdivision which divides blocks of the subject lands into lots by November 25, 2011 failing which the By-law expires unless that date is extended by a resolution of the City Council and the plan of subdivision, Zoning Agreement caveat, and any subsequent plans of subdivision are registered before such extended date.

The applicant, Ladco Company Limited, 200-40 Lakewood Boulevard, Winnipeg, Manitoba R2J 2M6 is requesting a ten year extension of time in order to complete the necessary registrations of the Zoning Agreement and related plan of subdivision survey mylars at the Winnipeg Land Titles Office. See attached Appendix “A”.

The Winnipeg Public Service has reviewed this request and is of the opinion that approval of the requested extension of time for a ten year period is acceptable as circumstances leading to the

original approval remain unchanged and the requested period of time is in keeping with the Waverley West Southeast Neighbourhood Area Structure Plan By-law 140/2007.

IMPLICATIONS OF THE RECOMMENDATIONS

The applicant, Ladco Company Limited, 200-40 Lakewood Boulevard, Winnipeg, Manitoba R2J 2M6 will be allowed ten years in order to complete the necessary registrations of the Zoning Agreement and related plan of subdivision survey mylars at the Winnipeg Land Titles Office.

HISTORY

On November 21, 2007, Council adopted Item No. 6 of the report of the Standing Policy Committee on Property and Development dated October 30, 2007 which recommended approval of rezoning of the subject lands. Subsequent to these approvals Council on April 23, 2008 passed rezoning By-law No. 82/2008. On November 25, 2009, Council passed rezoning By-law No. 137/2009 which by-law amended rezoning By-law 82/2008 by rezoning the land to an “R1-M” Residential Single-Family (Medium) District, an “RMF-S” Residential Multi-Family (Small) District, an “RMF-M” Residential Multi-Family (Medium) District, a “PR1” Parks and Recreation 1 (Neighbourhood) District , a “C2” Commercial Community District and a “C3” Commercial Corridor District under Zoning By-law 200/2006 as shown on Appendix "B" attached.

Recommendation 7 of the report stipulates the following:

> "That the zoning section of the by-law comes into force when the Plan of Subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement has been filed by caveat in the Winnipeg Land Titles Office against those subject 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."

Recommendation 8 further stipulates the following:

> "That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law."

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:	Rob Deighton, Land Development Coordinator
Date:	May 27, 2010
File No.	DASZ 22/2007

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APPENDIX "A"

LADCO COMPANY LIMITED
200 - 40 LAKEWOOD BOULEVARD, WINNIPEG, MANITOBA R2J 2M6
TELEPHONE (204) 982-5900 FAX (204) 255-3652

March 23, 2010

Ms. Angela Savage
Subdivision Officer
City of Winnipeg
Planning, Property and Development Department
Land Development Branch
Main Floor – 65 Garry Street
Winnipeg, Manitoba
R3C 4K4

Dear Ms. Savage:

RE: South Pointe Development (DASZ 22, 2007) - Extension of Time

Further to our discussions, Ladco Company Limited is applying for a 10 year extension of time for the enactment of By-law No. 137/2009.

The purpose of this request is to ensure that the development of South Pointe can occur in a planned and staged manner that is consistent with the intent and spirit of the Waverley West South East Neighbourhood Area Structure Plan (By-law 140/207, "the Plan").

The intent of the Plan - as stated in Section 8.1.6 - is to enable the registration of plans of subdivision and zoning in a series of stages as the development of the neighbourhood progresses. In keeping with the intent of the Plan, but to include a defined time frame (as opposed to an open ended process), a period of 10 years has been proposed by the City Administration.

Ladco supports an extension of time, which is consistent with other recently approved development time frames (in particular the Ikea development) and believes that at current market rates, this time frame should be sufficient for the completion of the residential development.

... /2

Find enclosed the payment of $320 for the administration of this application.

Please contact me at anytime should there be any comments or questions pertaining to this request.

Sincerely,

LADCO COMPANY LIMITED

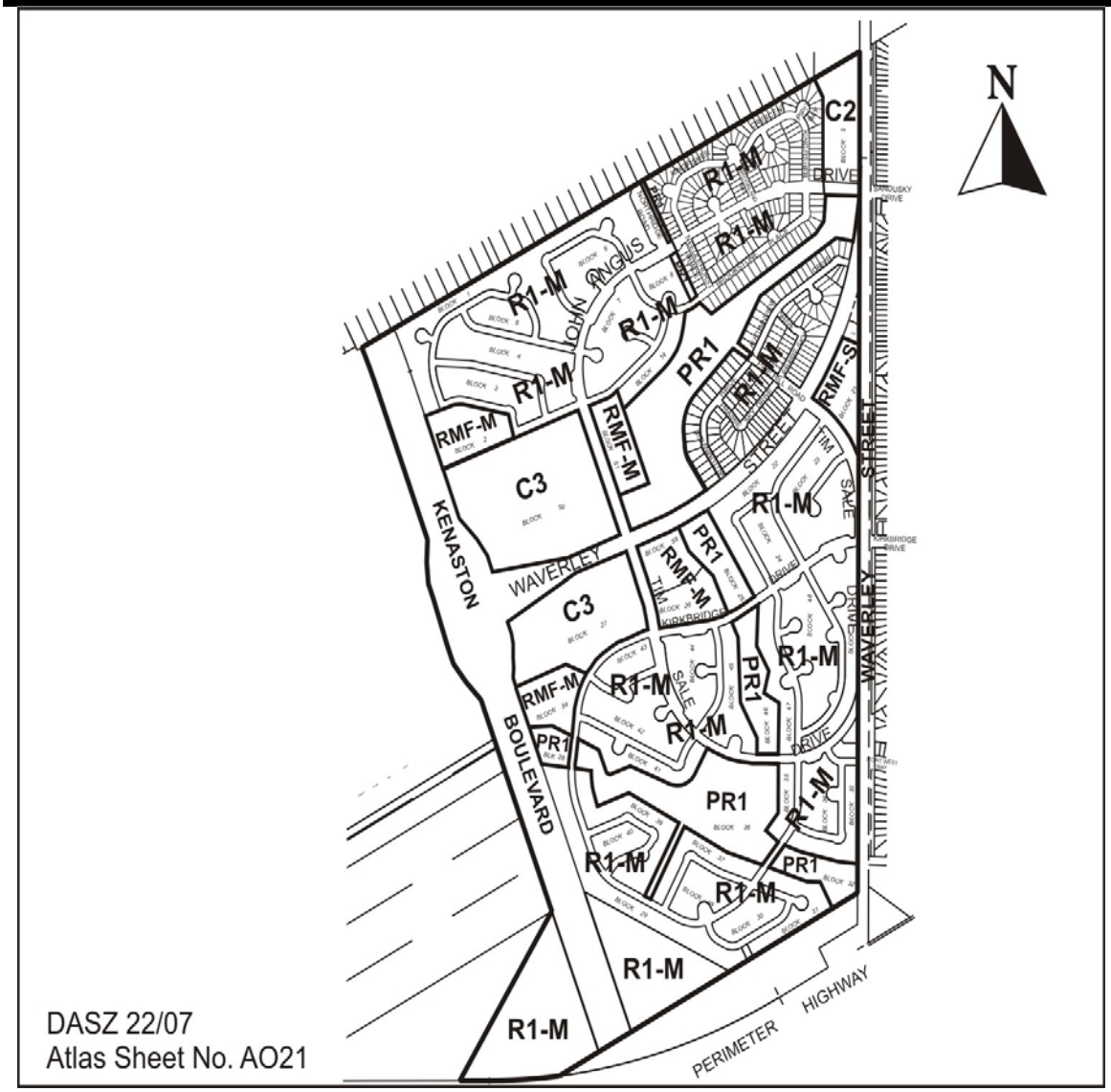
Per:

Michael Carruthers, MCIP
Development Officer

MC/lc

Enc.

APPENDIX "B"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PERIMETER
HIGHWAY
DASZ 22/07
Atlas Sheet No. AO21