Agenda - Council – September 22, 2010

Report - Standing Policy Committee on Property and Development – September 14, 2010

Item No. 4 Extension of time - Rezoning and Subdivision on land located on the north side of Bishop Grandin Boulevard east of Waverley Street (River Heights-Fort Garry Ward)
File DASZ 6/2007

STANDING COMMITTEE RECOMMENDATION:

On September 15, 2010, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the City Centre Community 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, 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 – September 14, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 15, 2010, 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 September 14, 2010, 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 July 13, 2010, 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.

ADMINISTRATIVE REPORT

Title: **DASZ 6/2007 – Extension of Time - City Centre**

Issue: **Proposed Rezoning & Subdivision on Land located on the north side of Bishop Grandin Boulevard east of Waverley Street requires extension of time.**

Critical Path: **City Centre 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. 178/2007 be extended to September 26, 2011.

REASON FOR THE REPORT

Under rezoning By-law No.178/2007, passed by Council on September 26, 2007, the enactment section of the By-law required that the plan of subdivision and 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, the twenty-four (24) month time limit was scheduled to expire on September 26, 2009 however this time period was extended by Council that is now set to expire on September 26, 2010.

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 further 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 been time consuming and their client is working with the adjacent land owner to complete this process.

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 as circumstances leading to the original approval remain unchanged.

IMPLICATIONS OF THE RECOMMENDATIONS

The applicant, Hopewell Development Corporation, will be allowed a further one (1) year 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 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. Appendix “B” – sketch of subject area attached for information.

Recommendation 5 contained in said report states:

> "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 says 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."

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:	June 18, 2010
File No.	DASZ 6/2007

Appendix A – Request letter
Appendix B – Sketch of Subject Area

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APPENDIX "A"

MMM GROUP

MMM Group Limited
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www.mmm.ca

June 2, 2010

Ref. No.: 5541509.103.710

K.T. (Kim) Raban, P.Eng.
Land Development Administrator
Planning, Property & Development Department
Development and Inspections Division
Land Development Branch
65 Garry St, Main Floor
Winnipeg, MB R3C 4K4

Dear Mr. Raban:

RE: Extension of Approval Granted Pertaining to DASZ 6/2007

On behalf of our client, Hopewell Development Corporation, MMM Group Limited is requesting an extension of the approval granted in September 2007 for DASZ 6/2007. Council granted an extension in September 2009 to allow additional time to complete some of the legal requirements including the discharge of existing caveats. We are requesting an additional one year extension to finalize this process and secure tenants. This process has proven more time-consuming than originally expected and our client is working with the adjacent owner to complete the discharge of the caveat.

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

Yours sincerely,

MMM Group Limited

Veronica Hicks, MCIP
Manager, Planning & Development

LD/dt

41509 Ltr of Ext to Winnipeg June 2-10

COMMUNITIES
TRANSPORTATION
BUILDINGS
INFRASTRUCTURE

APPENDIX "B" – SKETCH OF SUBJECT AREA

