Agenda - Council – December 15, 2010

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

Item No. 3 Extension of Time – Rezoning on Land - 2416 Portage Avenue – DAZ 217/2008 (St. James-Brooklands Ward)

STANDING COMMITTEE RECOMMENDATION:

On December 8, 2010, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submits the following to Council:

1. That the time limit to provide for the enactment of Rezoning By-law No. 153/2008 be extended to October 30, 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 – December 6, 2010

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 8, 2010, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

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

COMMUNITY COMMITTEE RECOMMENDATION:

On November 16, 2010, the Assiniboia 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: **EXTENSION OF TIME – PROPOSED REZONING ON LAND LOCATED AT 2416 PORTAGE AVENUE - FILE NO. DAZ 217/2008**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
Kim Raban Land Development Administrator	Deepak Joshi, Director	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. 153/2008 be extended to October 30, 2011.

REASON FOR THE REPORT

Council approval is required to extend the enactment date identified under Rezoning By-law No. 153/2008.

IMPLICATIONS OF THE RECOMMENDATIONS

The owner, CRA Medical Management Ltd., will be allowed a one (1) year extension in order to complete the necessary registrations of the Zoning Agreement for DAZ 217/2008 by way of caveat at the Winnipeg Land Titles Office.

HISTORY

On September 24, 2008, Council adopted Item No. 2 of the report of the Standing Policy Committee on Property and Development dated September 2, 2008 which clause recommended approval of the subject rezoning to a “C1” Commercial District under Zoning By-law 200/2006 as shown on Appendix "A" attached.

Recommendation 3 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 5 further stipulates the following:

> "That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed."

The rezoning By-law No. 152/2008 was passed by Council on October 22, 2008. The enactment section of the By-law required that the Zoning Agreement caveat be registered in the Winnipeg Land Titles Office by October 22, 2009 failing which the By-law shall expire unless that date is extended by a resolution of City Council and that registration is completed before any such extended date. This By-law has not been enacted and the one (1) year time limit as provided under the by-law has now expired.

The owner, CRA Medical Management Ltd., Attention: Richard Winogrodzki, 3507 Vialoux Drive, Winnipeg, Manitoba, R3R 0A5 has requested an extension of time in order to complete the necessary registrations of the Zoning Agreement. The applicant has advised of overlooking the required timelines due to personal reasons, see attached Appendix “B” request letter.

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

There is no financial impact associated with this recommendation.

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 Branch
Date:	November 2, 2010
File No.	DAZ 217/08

Appendix “A” – DAZ 217/08 map
Appendix “B” – Request letter from CRA Medical Management Ltd.

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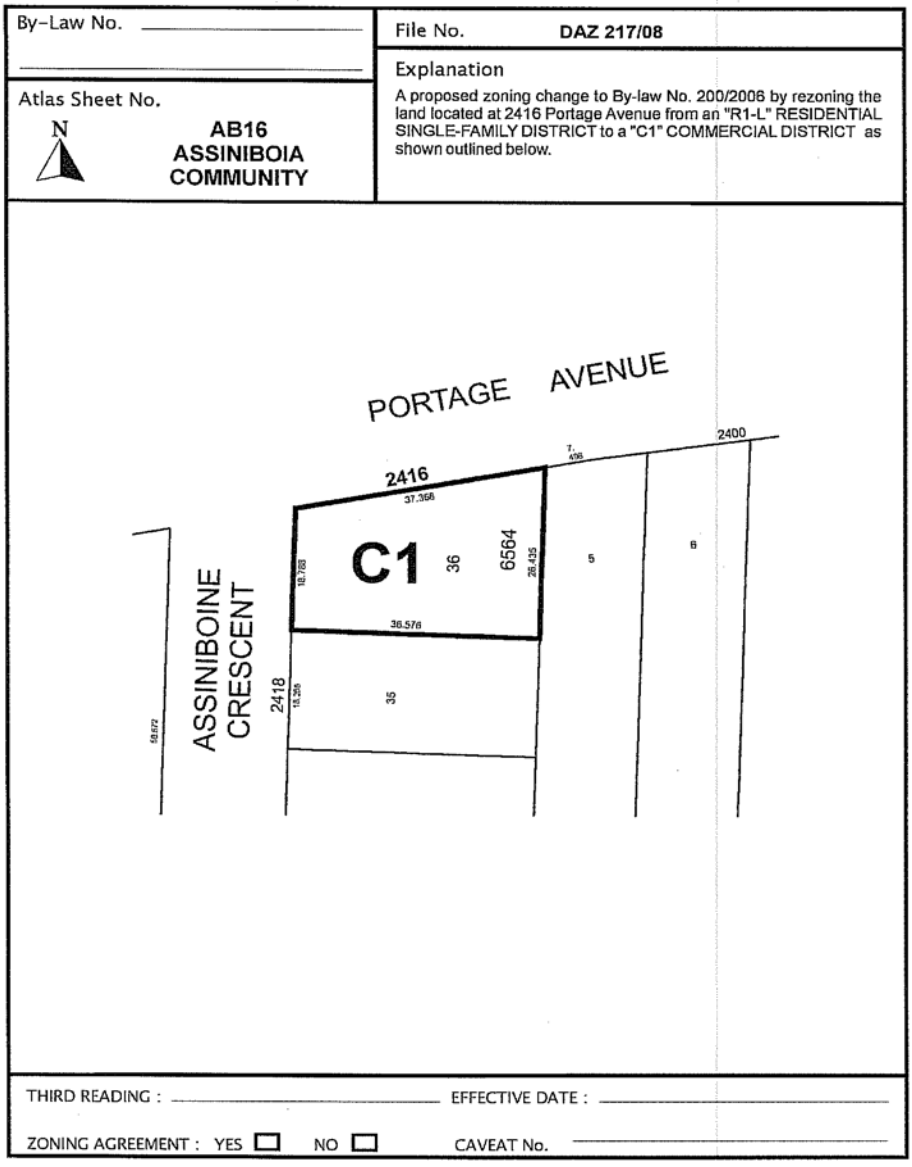
APPENDIX "A" – DAZ 217/08 – map



APPENDIX "B" – Request letter from owner

Richard Winogrodzki
CRA Medical Management Ltd.
3507 Vialoux Drive
Winnipeg, Manitoba
R3R 0A5

Winnipeg, 1-Nov-2010

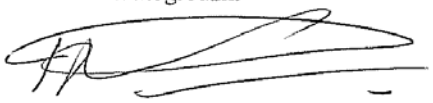
Ms. Angela Savage
Land Development Subdivision Officer
City of Winnipeg
Planning, Property and
Development Department
65 Garry Street
Winnipeg, Manitoba
R3C 4K4

Re: DAZ 217/08

Dear Ms. Savage,

Please extent the date by which we are allowed to register with the Winnipeg Land Titles Office a caveat against the subject lands located at 2416 Portage Avenue in Winnipeg, Manitoba.
The original date of 22 October 2009 was overlooked by us due to personal reasons.
Should you require any additional information please contact me directly.

Richard Winogrodzki



CRA Medical Management Ltd

