Agenda - Council – December 15, 2010

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

Item No. 4 Extension of Time –Rezoning – 327 Grassie Boulevard – DASZ 3/2006 (Transcona 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 East Kildonan-Transcona Community Committee and submits the following to Council:

1. That the time limit to provide for the enactment of Rezoning By-law No. 196/2006 be extended to March 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 – 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 East Kildonan-Transcona 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 East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 28, 2010, the East Kildonan-Transcona 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 327 GRASSIE BOULEVARD - FILE NO. DASZ 3/2006**

Critical Path: **EAST KILDONAN-TRANSCONA COMMUNITY COMMITTEE - STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT – COUNCIL**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban Land Development Administrator	Deepak Joshi		

RECOMMENDATION

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. 196/2006 be extended to March 31, 2011.

REASON FOR THE REPORT

Council approval is required for all extension of time applications

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 May 24, 2006 Council adopted Item 8 of the report of the Standing Committee on Property and Development dated May 2, 2008 which clause recommended approval of the subject subdivision and rezoning to "R1-5.5" SINGLE-FAMILY DISTRICT as shown on the attached Schedule "A" to allow for the creation of two additional building sites for residential development.

Recommendation 4 contained in the said report stipulates:

> "That in the event this application is not proceeded with expeditiously and the By-law is not enacted within twenty-four (24) months after adoption of this 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 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. 196/2006 was passed by Council on July 26, 2006. The enactment section of the By-law shall come into force and effect upon the execution by the City of Winnipeg of a Servicing Agreement and the registration of the Plan of Subdivision in the Winnipeg Land Titles Office.

On March 19, 2008, Council adopted a report of the Standing Policy Committee on Property and Development dated February 26, 2008 which recommended approval of an extension of time for the enactment of the Rezoning By-law 139/2007 to March 1, 2010. The By-law has not been enacted and the extended time limit has now expired.

DISCUSSION:

The applicant has now satisfied all conditions precedent to his application and is in a position to complete the application pursuant to Council's instructions, and subject to this further extension of time being granted.

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 original approval remain unchanged.

FINANCIAL IMPACT

Financial Impact Statement

Date:

Project Name:

First Year of Program

	0	1	2	3	4
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -
Additional Comments:					

original signed by

Department Controller

CONSULTATION

In preparing this report there was consultation with:

n/a

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Kim Raban
Date: September 15, 2010
File No. V:\3-Angie-SAVE\106- 2010 - REPORTS\2nd Ext of time DASZ 3_06.doc

SCHEDULE "A"

By-Law No. _____

Subsection (649)

Atlas Sheet No. **W32**

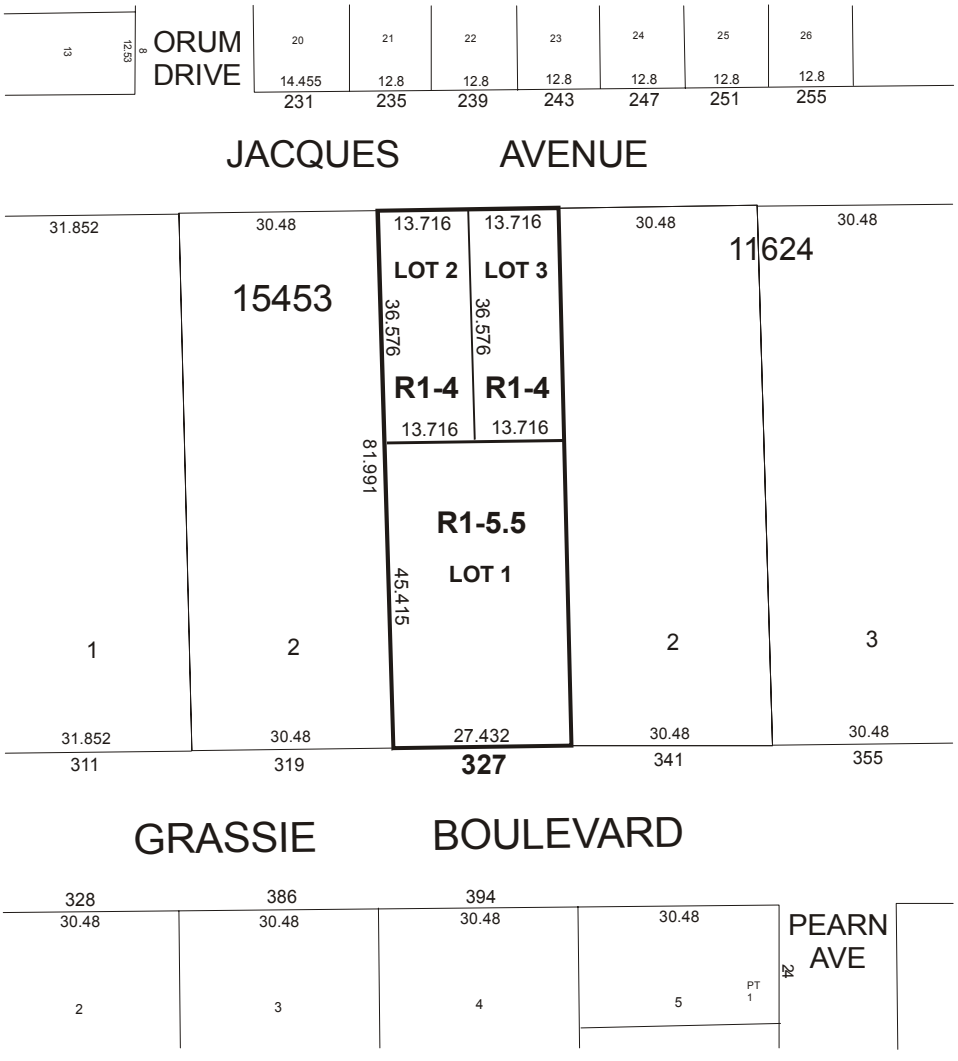
N

EAST KILDONAN TRANSCONA COMMUNITY

File No. **DASZ 3/06**

Explanation

The attached By-law approves the plan of subdivision shown outlined below and amends By-law No. 6400/94 by rezoning the land located at 327 Grassie Boulevard from an "A.5" AGRICULTURAL DISTRICT to an "R1-5.5" RESIDENTIAL DISTRICT and an "R1-4" RESIDENTIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

SCHEDULE "B"

Phillips & Stevens

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Winnipeg, Manitoba R2K 2H7
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Web www.phillipsstevens.com

Tel 204-663-2089
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Toll 888-667-9554

September 8, 2010

City of Winnipeg
Planning, Property and Development Dept.
65 Garry Street
Winnipeg, Manitoba R3C 4K4

Attention: Kim Raban

RE: DASZ 3/2006
Dueck Subdivision, 327 Grassie

Further to your email of September 2, 2009, please find enclosed cheque for $324.00 for the extension related to the above noted planning file. If you have any questions please call.

Sincerely,

Wilson Phillips, MLS, CLS

RECEIVED
SEP 10 2010