Agenda - Council – February 23, 2011

Report - Standing Policy Committee on Property and Development – February 8, 2011

Item No. 6 Extension of Time – 1535 Wellington Crescent
(River Heights-Fort Garry Ward)
File DAZ 235/2004

STANDING COMMITTEE RECOMMENDATION:

On February 16, 2011, 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:

l. That the time limit to provide for the enactment of the necessary rezoning by-law under File DAZ 235/2004 not be extended.

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 – February 8, 2011

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 16, 2011, 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 February 8, 2011, 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.

Also on February 8, 2011, Doreen F. Pruden submitted a presentation dated February 8, 2011, in support of the City Centre Community Committee recommendation.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 1, 2010, the City Centre Community Committee did not concur in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME – PROPOSED REZONING ON LAND LOCATED AT 1535 WELLINGTON CRESCENT - FILE NO. DAZ 235/04**

Critical Path: **City Centre 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 the necessary rezoning by-law under File No. DAZ 235/04 be extended to March 15, 2013.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The applicant, Alec Katz, on behalf of the current owner, ViceVersa Developments Inc., will be allowed a two (2) year extension in order to complete the necessary rezoning bylaw under DAZ 235/04.

HISTORY

On June 29, 2005, Council adopted Item No. 2 of the report of the Standing Policy Committee on Property and Development dated June 7, 2005 which clause recommended approval of the subject rezoning to a "C2" COMMERCIAL DISTRICT as shown on Appendix "A" attached to allow for residential and commercial development.

Recommendation 4 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."

The By-law has not been enacted and the twenty-four (24) month time limit will expire on March 15, 2011.

On January 28, 2009, Council adopted Item No. 8 of the report of the Standing Policy Committee on Property and Development dated January 6, 2009 and approved an extension of time for the enactment of the necessary zoning by-law be extended to March 15, 2011.

On January 24, 2007, Council adopted Item No. 3 of the report of the Standing Policy Committee on Property and Development dated January 9, 2007 and approved an extension of time for the enactment of the necessary zoning by-law be extended to March 15, 2009.

The applicant, Alec Katz, 224-1400 Lynburne Place, Victoria, B.C. V9B 0A4 is requesting a further extension of time in order to complete the necessary rezoning bylaw requirements. The applicant advises that the extension is required as an application with the Province of Manitoba related to the bridge air rights over the Assiniboine River continues with no response, see attached Appendix “B”.

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:	January 25, 2011
File No.	DAZ 235/04

Appendix “A” – DAZ 235/04 map
Appendix “B” – Time extension request letter from applicant

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APPENDIX "A" – DAZ 235/04 – map

By–Law No. _____

File No. DAZ 235/04

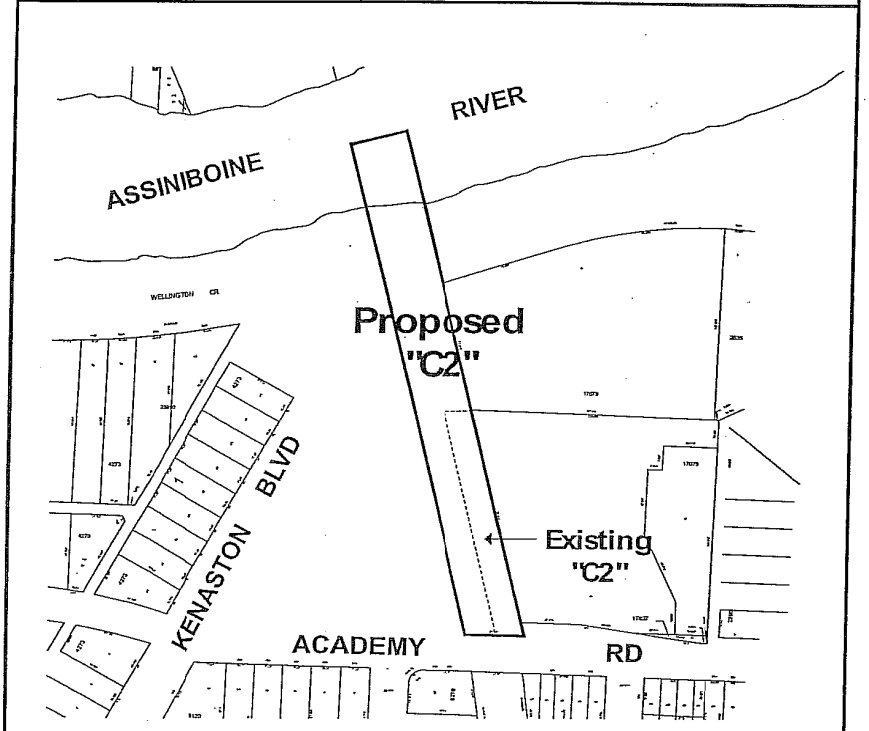
Atlas Sheet No.

N

AB20
CITY CENTRE
COMMUNITY

Explanation

Proposed zoning change to By-Law 6400/94 by rezoning the land located at 1535 Wellington Crescent from an "R1-5.5A" SINGLE-FAMILY DISTRICT and a "PR1" PARKS AND RECREATION DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX “B” – Letter from Applicant

ViceVersa Developments Inc.
224 1400 Lynburne Place
Victoria, BC, V9B 0A4

City of Winnipeg
Planning Department

Monday, November 22, 2010

Attention: Ms. Angie Savage
asavage@winnipeg.ca

Dear Ms. Savage:

Re: DAZ 235/04

Please be advised that we would like an extension on the execution of this particular application. Please extend the application to the maximum allowable. An extension is required as there is an ongoing application with the Province of Manitoba Department of Conservation on the air rights agreement related to the bridge. To date the province has not provided this response.
Upon receipt of request for payment I will ensure same is made to Cheryl McDonald in the amount of $427.00. Thank you for your assistance on this matter.

Yours truly,

Alec Katz, Architect (Retired)
President ViceVersa Developments