Report - Standing Policy Committee on Property and Development - May 6, 2003

Minute No. 253
Item No. 5 **Request for Extension of Time - Proposed Rezoning - 689 Wellington Avenue**
File DAZ 216/2000

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the time limit to provide for the enactment of Rezoning By-law No. 7688/2000 be extended to April 30, 2004.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Report - Standing Policy Committee on Property and Development - May 6, 2003

DECISION MAKING HISTORY:

Moved by Councillor Vandal,

That the recommendation of Standing Policy Committee on Property and Development be concurred in and forwarded to Council.

Carried

STANDING COMMITTEE RECOMMENDATION:

On May 6, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee, and submitted its recommendation to Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 8, 2003, the City Centre Community Committee concurred in the administrative recommendation, and submitted its recommendation to the Standing Policy Committee on Property and Development.

RE: EXTENSION OF TIME - Proposed rezoning of land located at 689 Wellington Avenue - File No. DAZ 216/00

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE CITY CENTRE COMMUNITY COMMITTEE

(Original Signed by E. Axelrod)
E. Axelrod
Subdivision Officer

March 3, 2003

RE: EXTENSION OF TIME - Proposed rezoning of land located at 689 Wellington Avenue - File No. DAZ 216/00

RECOMMENDATION:

That your 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. 7688/00 be extended to April 30, 2004.

REASON:

The applicant, Mr. Byung Jae Park, 689 Wellington Avenue, Winnipeg, Manitoba, R3E 0H6 has advised the Planning Property and Development Department that they did not proceed with the requirements necessary to proceed with the registration of the Zoning Agreement Caveat because of their lack of understanding with the process. City officials have now been in contact with the applicant and they have made the payments required to proceed with the completion of the application. Therefore they are requesting a one year extension in order to complete the subject rezoning application.

HISTORY:

On September 20, 2000 Council adopted Clause 5 of the report of the Standing Committee on Property and Development dated August 29, 2000 which clause recommended approval of the subject rezoning to a "C1" COMMERCIAL DISTRICT as shown on the attached Schedule "A" to reflect the existing land use (grocery store) subject to the execution of a zoning agreement.

Recommendation III 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 24 months after adoption of this report by Council the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time."

Recommendation V further stipulates the following:

> "That the Rezoning By-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office provided that the said effective date occurs within 12 months from the date that the said Rezoning By-law is adopted by Council"

The rezoning By-law No. 7688/2000 was passed by Council on September 20, 2000. The enactment section of the By-law required that the Zoning Agreement caveat be registered in the Winnipeg Land Titles Office by September 20, 2002, 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.

DISCUSSION:

The Administration has reviewed the applicant's request and is of the opinion that approval for an extension of time would be acceptable in view of the fact that the City's interest's remain secured and circumstances leading to the original approval remain unchanged?

THIS REPORT SUBMITTED BY:

E. Axelrod
Subdivision Officer
March 3, 2002
File: DAZ 216/00

c.c. Councillor Smith
Byung Jae Park, 689 Wellington Avenue, Wpg., R3E 0H6

SCHEDULE "A" FOR THE REPORT TO THE
CITY CENTRE COMMUNITY COMMITTEE
FOR FILE NO. DAZ 216/00
DATED: MARCH 3, 2003

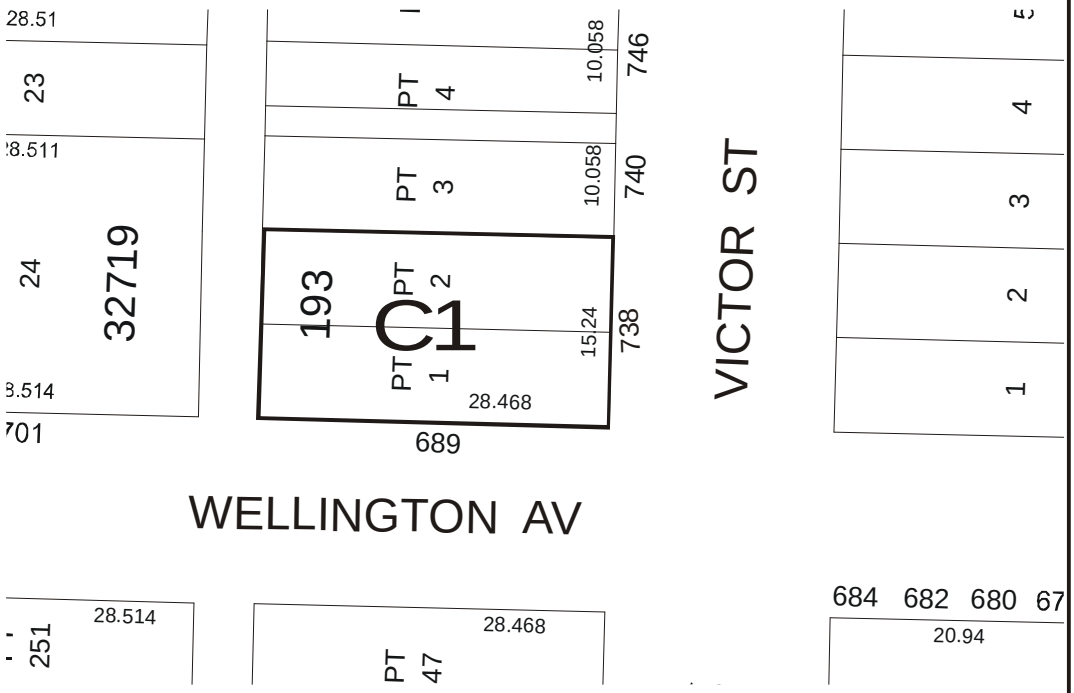
By-Law No. _____

File No. **DAZ 216/00**

Atlas Sheet No. **Y23**
CITY CENTRE COMMUNITY

N

Explanation
A propsed zoning change to By-law No. 6400/94 by rezoning the land located at 689 Wellington Avenue from an "R2-T" TRANSITIONAL DISTRICT to a "C1" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____