Agenda – Council – September 24, 2014

Report – Standing Policy Committee on Property and Development – September 16, 2014

Item No. 6 Extension of Time – Subdivision and Rezoning – 3977 Portage Avenue (St. Charles Ward) File DASZ 43/2011

STANDING COMMITTEE RECOMMENDATION:

On September 17, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the time limit to provide for the enactment of the necessary rezoning by-law under File No. DASZ 43/2011 be extended to September 30, 2015.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Council – September 24, 2014

Report – Standing Policy Committee on Property and Development – September 16, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 17, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On September 16, 2014, 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 July 8, 2014, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service be concurred in and forwarded to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME REQUEST – PROPOSED SUBDIVISION AND REZONING OF LAND AT 3977 PORTAGE AVENUE - FILE NO. DASZ 43/2011**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	Barry Thorgrimson, Director	N/A	N/A

RECOMMENDATIONS

That the time limit to provide for the enactment of the necessary rezoning by-law under File No. DASZ 43/2011 be extended to September 30, 2015.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The applicant will be granted one (1) year extension of time in order to allow for the enactment of the necessary rezoning by-law under File No. DASZ 43/2011.

HISTORY

On September 27, 2012, Council adopted Item No. 14 of the report of the Standing Policy Committee on Property and Development dated September 11, 2012 which clause recommended approval of the subject subdivision and rezoning to a "C4" COMMERCIAL REGIONAL DISTICT as shown on Appendix "A" attached to allow for future commercial development.

Recommendation 5 contained in said report stipulates:

> "That in the event the matter 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 the twenty-four (24) month period and the extension is subsequently approved by Council."

The necessary by-law has not been enacted and the twenty-four (24) month period will expire on September 27, 2014.

The Applicant, Shindico Realty Inc., Attention: Mr. John Pearson, 200 – 1355 Taylor Avenue, Winnipeg, Manitoba, R3M 3Y9, on behalf of the registered owner, The Red River Exhibition Association, is requesting a one (1) year extension of time in order to satisfy all conditions of approval by the enactment of the necessary by-law, execution of agreements and registrations. 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 is 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:	Land Development, Geomatics, and Land Information Services
Prepared by:	Angie Savage, Land Development Branch
Date:	June 12, 1014
File No.	DASZ 43/2011

Appendix "A" – DASZ 43/2011 map
Appendix "B" – Time extension request correspondence

APPENDIX "A" – DASZ 43/2011 – map

By–Law No. _____

File No. **DASZ 43/11**

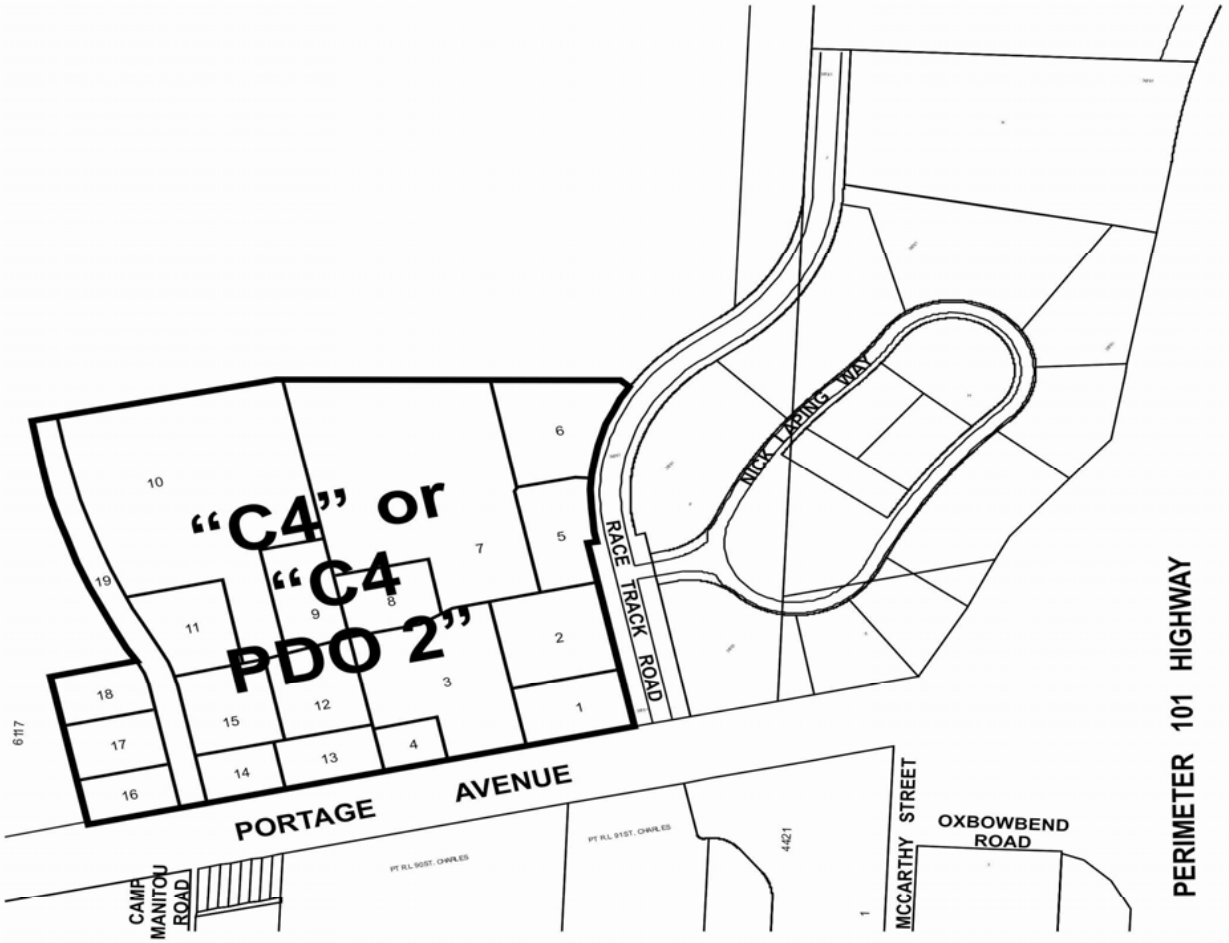
Atlas Sheet No.

N

AA10
ASSINIBOIA
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 3977 Portage Avenue from "A" AGRICULTURIAL DISTRICT to a "C4" COMMERCIAL REGIONAL DISTRICT or a "C4 PDO 2-WESTPORT FESTIVAL REGIONAL MIXED USE CENTRE" COMMERCIAL REGIONAL DISTRICT PLANNED DEVELOPMENT OVERLAY-2 to allow for employment, office, institutional, commercial, agri-business, recreational and/or cultural land-uses as well as a broad mix of complementary uses, at medium-to-high densities as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – Time Extension Request Correspondence

Shindico
Succeeding By Helping Others Succeed

June 6, 2014

Kim Raban
City of Winnipeg
Main Floor - 65 Garry Street
Winnipeg, MB R3C 4K4

Dear Kim:

Proposed Subdivision and Rezoning of Land Located at 3977 Portage Avenue
Assiniboine Community
Your File No. DASZ 43/11

As you are aware, we have been diligently pursuing the conditions of the subdivision and rezoning, however it appears that we will not be in a position to satisfy all the conditions prior to the expiry of the approval. Therefore, we are requesting an extension..

Enclosed is our cheque in the amount of $520 payable to the City of Winnipeg which is the required extension fee.

We appreciate your assistance and look forward to your confirmation of the amended deadline date for our Subdivision and Rezoning

Yours truly,

SHINDICO REALTY INC.
On behalf of 71185 Manitoba Limited

John Pearson
IC & I Properties

H:\Properties\Winnipeg\231 - Portage Ave, 3977 - Westport Festival\Legal & Development\Subdivision & Zoning\extension ltr - subdivision - Westport Festival - 2014 Jun.doc

200 – 1355 Taylor Avenue, Winnipeg, MB Canada R3M 3Y9 • Tel: (204) 474-2000 • Fax: (204) 284-7115 • www.shindico.com