Agenda – Council – December 10, 2014

Report – Standing Policy Committee on Property and Development – November 25, 2014

Item No. 12 Extension of Time – Proposed Subdivision and Rezoning – 431 Haney Street (Charleswood – Tuxedo Ward) File DASZ 14/2012

STANDING COMMITTEE RECOMMENDATION:

On December 3, 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 enactment of Rezoning By-law No. 74/2013 coming into force be extended to May 29, 2015.

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 – November 25, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 3, 2014, 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 November 25, 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 November 17, 2014, the Assiniboia Community Committee concurred 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 SUBDIVISION AND REZONING ON LAND LOCATED AT 431 HANEY STREET - FILE NO. DASZ 14/2012**

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	N/A	N/A

RECOMMENDATIONS

That the time limit to provide for enactment of Rezoning By-law No. 74/2013 coming into force be extended to May 29, 2015.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The owner will be granted a one (1) year extension of time in order to complete the registration of the Plan of Subdivision at Winnipeg Land Titles Office.

HISTORY

On September 27, 2012 Council adopted Item No. 15 of the report of the Standing Policy Committee on Property and Development dated September 11, 2012 which recommended approval of the subject development application as shown on Appendix "A" attached.

On May 29, 2013 By-law No. 74/2013 was passed by Council and pursuant to The City of Winnipeg Charter s. 266(2)(a) the plan of subdivision needs to be registered in the Winnipeg Land Titles Office within one year of the passing of the by-law, failing which an extension of time approval is required to complete the required registration of the plan of subdivision in the Winnipeg Land Titles Office. To date the plan of subdivision has not been registered and the one year time limit has expired.

On November 5, 2014 the owner's lawyer, Mr. Richard Fulham, requested an extension of time to complete the required registrations advising that planning and investigations into land drainage design has recently just been finalized, see attached Appendix "B".

The Winnipeg Public Service have 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:	Land Development, Geomatics and Land Information Systems
Prepared by:	R.R. Deighton, P.Eng., Land Development Coordinator
Date:	November 7, 2014
File No.	DASZ 14/2012

Appendix "A" – DASZ 14/2014 map
Appendix "B" – Letter Requesting Extension of time

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APPENDIX "A" – DASZ 14/2012 MAP

By-Law No. _____

File No. **DASZ 14/12**

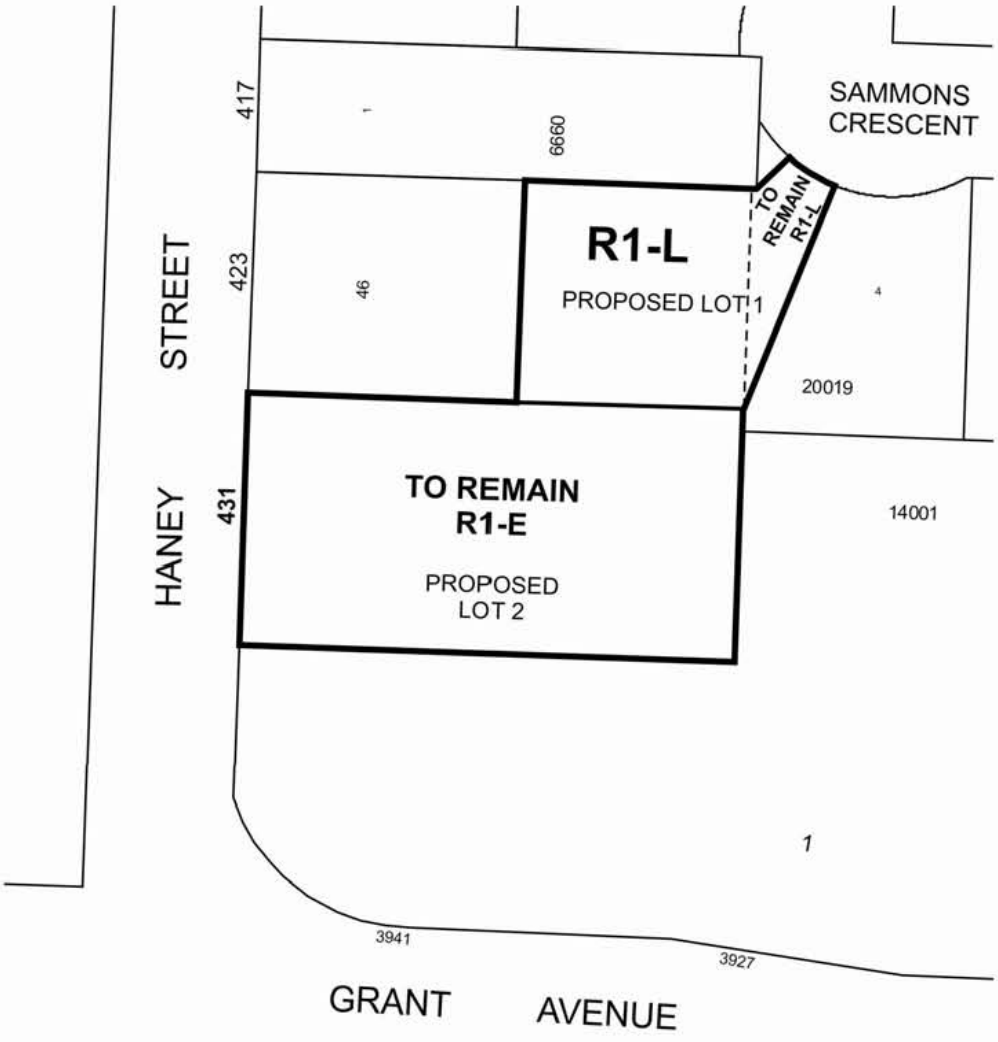
Atlas Sheet No.

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AD15
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 431 Haney Street from an "R1-E" RESIDENTIAL SINGLE-FAMILY (Estate) DISTRICT to an "R1-L" RESIDENTIAL SINGLE-FAMILY (Large) DISTRICT to allow for the creation of a residential building lot for future development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

Fulham Law Office

Barrister & Solicitor

206-424 Logan Avenue
Winnipeg, MB R3A 0R4

Phone: 204-957-1413
Fax: 204-957-1858

E-mail: lawoffice@richardfulham.com

November 5, 2014

City of Winnipeg Planning, Property & Development
Land Development Branch
Main Floor, 65 Garry Street
Winnipeg, MB
R3C 4K4

Dear Kim Raban:

RE: Planincic purchase from City of Winnipeg
LOT 5 Block 4 Plan 20019, Winnipeg, Manitoba
File Number: 2011-4604

DASZ 14/12

Please find included my cheque in the amount of $764.00 representing the application fee and mylars re-approval fee. Please be advised that I represent Mr. and Mrs. Planincic who are in the process of purchasing, subdividing and rezoning the aforementioned property from the City of Winnipeg.

Due to some ongoing planning and investigations into land drainage issues regarding the lot, which have just been recently finalized, the subdivision was not finalized within a year of the By Law passing.

My clients intend to go proceed with the subdivision and we ask for an extension of time to complete this matter. Please accept this letter as a request for an extension of time thereby enabling my clients to register the plan of subdivision.

Yours truly,

Fulham Law Office

Richard Fulham
Barrister & Solicitor