Agenda – Council – March 25, 2015

Report – Standing Policy Committee on Property and Development – March 10, 2015

Item No. 9 Extension of Time – Rezoning of Land Located at 956 Notre Dame Avenue (Daniel McIntyre Ward) File DAZ 240/2012

STANDING COMMITTEE RECOMMENDATION:

On March 18, 2015, 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 for enactment of rezoning bylaw for DAZ 240/2012 be extended to February 27, 2018.

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 – March 10, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 18, 2015, 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 March 10, 2015, 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.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 17, 2015, the City Centre 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 OF LAND LOCATED AT 956 NOTRE DAME AVENUE - FILE NO. DAZ 240/2012**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
K.Raban	Marc Pittet	N/A	N/A

RECOMMENDATIONS

That the time limit for enactment of rezoning bylaw for DAZ 240/2012 be extended to February 27, 2018.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The owner will be granted a three (3) year extension of time to complete the enactment by Council of the rezoning by-law for DAZ 240/2012.

HISTORY

On February 27, 2013 Council adopted Item No. 2 of the report of the Executive Policy Committee dated February 22, 2013 which recommended approval of the subject rezoning application as shown on Appendix "A" attached.

Recommendation 3 contained in the Council Decision 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 rezoning bylaw has not been enacted by Council and the twenty-four (24) month period will expire on February 27, 2015.

On January 5, 2015 the Developer, nightingale956, c/o 545791 BC Ltd., 3148 Terraview Court, Burlington, Ontario applied for a three (3) year extension of time in order to complete the necessary by-law enactment for DAZ 240/2012 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:	February 3, 2015
File No.	DAZ 240/2012

Appendix "A" – DAZ 240/2012 map
Appendix "B" – Letter Requesting Extension of time

V:\3-Angie-SAVE\111-2015 - REPORTS\DAZ 240-12 Extension of Time Request - By-law not enacted - rd.doc

APPENDIX "A" – DAZ 240/2012 MAP

By-Law No. _____

File No. **DAZ 240/12**

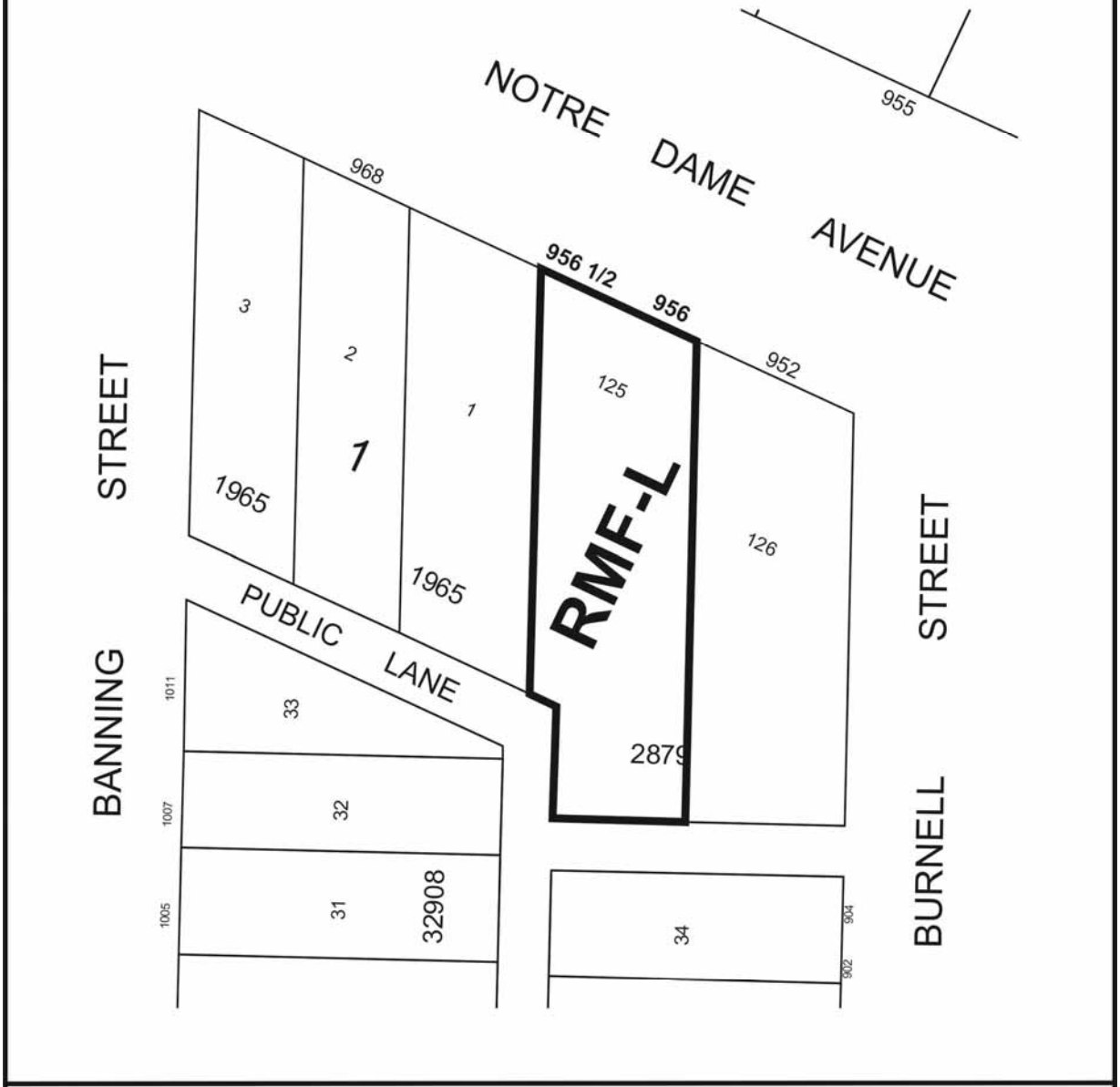
Atlas Sheet No.

N

Y22
CITY CENTRE
COMMUNITY

Explanation

A proposed zoning change to By-law No. 200/2006 by rezoning the land located at 956 Notre Dame Avenue from an "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY DISTRICT to allow for the construction of a multiple family dwelling (18 units) as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

nightingale956
community building & legacy

05 January 2015

City of Winnipeg
Planning, Property and Development Department
Development and Inspections Division
Land Development Branch
Main Floor – 65 Garry Street
Winnipeg, MB
R3C 4K4

ATTN: Mr. Greg Jasper, Acting Land Development Administrator

Good Afternoon Mr. Jasper,

Re: File DAZ 240/2012 [c/r DAV 176016/2012D]

Due to the recent and sudden passing of my Mother 15NOV13, sixteen months after my late Father 19JUL12, and a culmination of unanticipated legal matters as Trustee;

Requesting a three year extension of the Zoning Permit/Variance application granted 27FEB13 (http://www.winnipeg.ca/CLKDMIS/ViewDoc.asp?DocId=12522&SectionId=&InitUrl=) as supported by Michael Robinson.

Your assistance with this request is greatly appreciated.

Best regards,

Tali Zhiubritskaya
Developer, nightingale956
rMasterWork.com
905.630.3291