Report - Standing Policy Committee on Property and Development - December 2, 2003

Item No. 11 Extension of Time - Subdivision and Rezoning - 5606/5610 Roblin Boulevard
File DASZ 13/99

STANDING COMMITTEE RECOMMENDATION:

On December 10, 2003, 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 to provide for the enactment of the necessary subdivision and rezoning by-law under File DASZ 15/99 be extended to November 26, 2005.

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

Report - Standing Policy Committee on Property and Development - December 2, 2003

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 10, 2003, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On December 2, 2003, 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 18, 2003, the Assiniboia 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 subdivision and rezoning on land located at 5606/ 5610 Roblin Boulevard - File No. DASZ 13/99

FOR SUBMISSION TO THE CHAIRPERSON AND MEMBERS OF THE ASSINIBOIA COMMUNITY COMMITTEE

Original Signed by E. Axelrod
E. Axelrod
Subdivision Officer

October 17, 2003

RE: EXTENSION OF TIME - Proposed subdivision and rezoning on land located at 5606/ 5610 Roblin Boulevard - File No. DASZ 13/99

RECOMMENDATION:

That your Community Committee recommend to the Standing Policy Committee on Property and Development that it recommend to Council that the time to provide for the enactment of the necessary Subdivision and Rezoning By-law under File No. DASZ 15/99 be extended to November 26, 2005.

REASON:

Council approval is required for all extension of time applications.

HISTORY:

On November 17, 1999 Council adopted Clause 20 of the report of the Standing Policy Committee on Property and Development dated October 26, 1999 which clause recommended approval of the subject rezoning to a "C1" COMMERCIAL DISTRICT as shown on Schedule "A" to allow for the establishment of an accessory parking area.

Recommendation VI contained in 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."

The By-law has not been enacted and the 24 month time limit expired on November 17, 2001.

DISCUSSION:

The applicant, Anatex Development, Attention: Mr. Fred Meinzer, 5630 Roblin Boulevard, Winnipeg, Manitoba, R3R 0H2 is requesting a two-year extension of time in order to complete the necessary subdivision and rezoning requirements.

The applicant did not proceed with the rezoning and subdivision because they felt that it was not economically feasible to proceed with the establishment of the parking lot, given the fact that the zoning on the site would only be granted for five years. The applicant has applied for a Zoning Agreement Amendment (ZAA 13/03 to have Clause V. C deleted. If successful the applicant will proceed to finalize the above referenced application

The Administration 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 in view of the fact that the City's interests remain secured and circumstances leading to the original approval remain unchanged.

Past practice has been for the Planning, Property and Development Department to accept applications for the extensions of time after the expiry date stipulated by Council. However a recent interpretation by the Legal Services Department has indicated that the application for the extension require that all extensions of time be made prior to the expiry date, and be processed and approved by all necessary committees prior to that date. All ongoing applications will now be processed in this manner, however this matter is now being brought forward based on past practice.

THIS REPORT SUBMITTED BY:

E. Axelrod
Subdivision Officer
September 24, 2003
File: DASZ 13/99

c.c. Councillor Clement
Anatex Development, Attn: Fred Meinzer, 5630 Roblin Blvd, Wpg., R3R 0H2

By-Law No. _____

_____

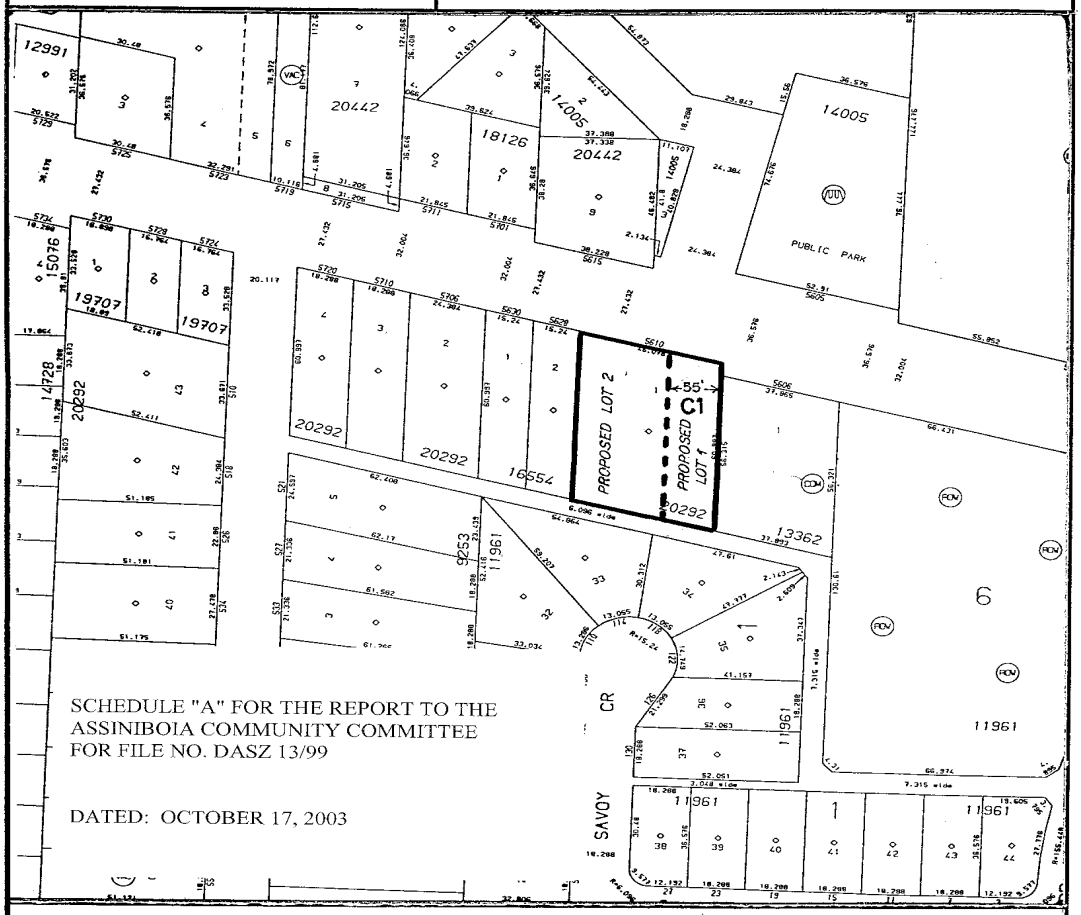
Atlas Sheet No. AD 13

ASSINIBOIA

File No. DASZ 13/99

Explanation:

A proposal to subdivide the land shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land at 5606/5610 Roblin Boulevard from an "R1-6" SINGLE-FAMILY DISTRICT to a "C1" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING: _____ EFFECTIVE DATE: _____

ZONING AGREEMENT: YES ☐ NO ☐ CAVEAT No. _____