Agenda - Council - January 28, 2004

Report - Standing Policy Committee on Property and Development - January 16, 2004

Item No. 10 Extension of Time - Subdivision and Rezoning - southeast corner of Inkster and Brookside Boulevards
File DASZ 7/2001

STANDING COMMITTEE RECOMMENDATION:

On January 21, 2004, 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 the necessary subdivision and rezoning by-law under File DASZ 7/2001 be extended to June 30, 2004.

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 - January 16, 2004

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 21, 2004, 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On January 16, 2004, the Standing Policy Committee on Property and Development rescinded its recommendation of December 2, 2003, and recommended to the Executive Policy Committee and Council:

1. That the time limit to provide for the enactment of the necessary subdivision and rezoning by-law under File DASZ 7/2001 be extended to June 30, 2004.

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

and submitted the matter to Executive Policy Committee and Council.

COUNCIL:

On December 17, 2003, Council referred back Item 12 of the Report of the Standing Policy Committee on Property and Development dated December 2, 2003, which recommended as follows:

1. That the request for an extension of time to provide for the enactment of the necessary subdivision and rezoning by-law under File DASZ 7/2001 to November 26, 2005, be denied.

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 - January 16, 2004

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 recommended to Council that the request for an extension of time to provide for the enactment of the necessary subdivision and rezoning by-law under File DASZ 7/2001 to November 26, 2005, be denied.

STANDING COMMITTEE RECOMMENDATION:

On December 2, 2003, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community and recommended to Council that the request for an extension of time to provide for the enactment of the necessary subdivision and rezoning by-law under File DASZ 7/2001 to November 26, 2005, be denied.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 13, 2003, the Lord Selkirk-West Kildonan Community Committee did not concur in the administrative recommendation that the time to provide for the enactment of the necessary subdivision and rezoning by-law under File DASZ 7/2001 be extended to November 26, 2005, and denied the request for the following reason:

1. The applicant will benefit financially from the rezoning of the subject property and should take responsibility and pay the costs of the Development Agreement.

RE: EXTENSION OF TIME – Proposed subdivision and rezoning on land located at the southeast corner of Inkster Boulevard and Brookside Boulevard – DASZ 7/01

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 7/01 be extended to November 26, 2005.

REASON:

Council approval is required for all extension of time applications

HISTORY:

On December 12, 2001, Council adopted Clause 3 of the report of the Standing Policy Committee on Property and Development dated November 20, 2001 which clause recommended approval of the subject subdivision and rezoning to a "C3-1" COMMERCIAL DISTRICT as shown on the attached Schedule "A" to allow for commercial development.

Recommendation V 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 will expire on December 12, 2003.

DISCUSSION:

The applicant, Colliers International, Attention: Mr. Martin McGarry, 2nd Floor – 140 Bannatyne Avenue, Winnipeg, Manitoba, R3B 3C5, acting on behalf of Steele Management is requesting a two year extension of time in order to complete the necessary subdivision and rezoning requirements. The applicants are in negotiations with a developer for the sale of the subject lands but will be unable to conclude the negotiations by December 12, 2003.

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.

THIS REPORT SUBMITTED BY:
E. Axelrod
Subdivision Officer
September 16, 2003
File: DASZ 7/01

c.c. Councillor M. O'Shaughnessy
Steele Management, 121 Girton Boulevard, Winnipeg, Manitoba, R3P 0A4
Colliers Pratt McGarry, 2nd Floor – 140 Bannatyne Avenue, Winnipeg, Manitoba, R3B 3C5

Schedule "A" to DASZ 7/01

By-Law No. _____

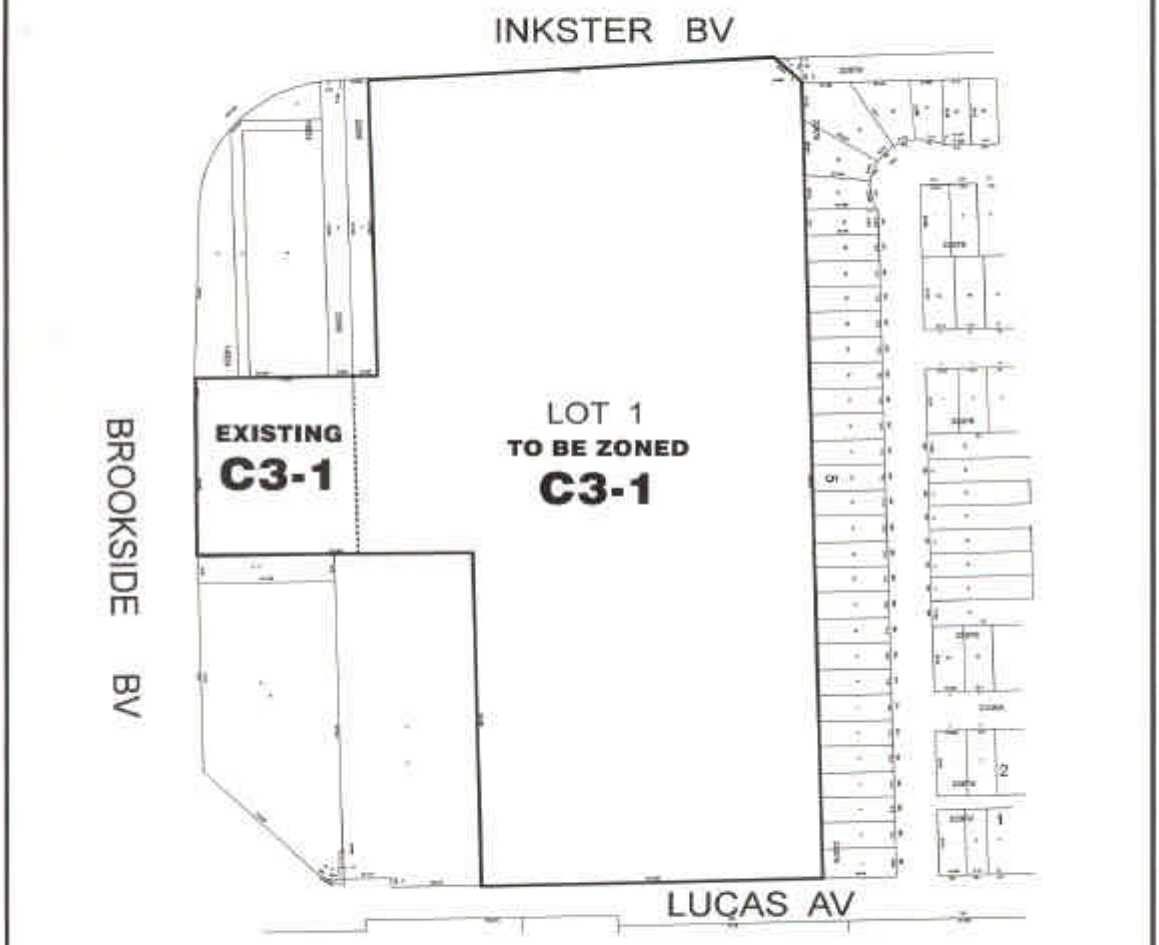
File No. DASZ 7/01

Atlas Sheet No. T18 & U18
LORD SELKIRK
WEST KILDONAN
COMMUNITY

N

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land on the south side of Inkster Boulevard east of Brookside Boulevard from an "A.5" AGRICULTURAL DISTRICT to a "C3-1" COMMERCIAL DISTRICT as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____