Agenda – Council – July 17, 2013

Report – Standing Policy Committee on Property and Development – July 2, 2013

Item No. 6 Extension of Time – Subdivision and Rezoning – 1326 and 1330 Ravelston Avenue West (Transcona Ward) File DASZ 11/2011

STANDING COMMITTEE RECOMMENDATION:

On July 10, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submitted the following to Council:

1. That the time limit to provide for coming into force of rezoning By-law No. 119/2012 under File No. DASZ 11/2011 be extended to September 27, 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 – July 2, 2013

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 10, 2013, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 2, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On June 18, 2013, the East Kildonan-Transcona 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 SUBDIVISION AND REZONING OF LAND AT 1326 AND 1330 RAVELSTON AVENUE WEST- FILE NO. DASZ 11/2011**

Critical Path: **East Kildonan - Transcona 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 coming into force of rezoning By-law No. 119/2012 under File No. DASZ 11/2011 be extended to September 27, 2015.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The applicant will be granted a two (2) year extension of time in order to allow for the registration of the plan of subdivision and zoning agreement for DASZ 11/2011 at Winnipeg Land Titles to satisfy By-law No. 119/2012 coming into force requirements.

HISTORY

On March 21, 2012, Council adopted Item No. 1 of the report of the Standing Policy Committee on Property and Development dated March 6, 2012 which clause recommended approval of the subject subdivision and rezoning to a "R1-M" RESIDENTIAL SINGLE FAMILY (Medium) DISTRICT, an "RMF-M" & "RMF-L" RESIDENTIAL MULTI-FAMILY (Medium & Large) DISTRICTS and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT as shown on Appendix "A" attached to allow for future residential development including the establishment of new public rights-of-ways.

Recommendation 4 contained in said report stipulates:

> "That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two years 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 two year period and Council approves the extension."

On September 27, 2012, By-Law No. 119/2012 was enacted by the passage of City Council. Section 3, Coming into force stipulates:

> "3(1) Section 1 comes into force when The City of Winnipeg executes the Development Agreement referred to in that section, which execution notwithstanding passage of this By-law shall remain in the absolute discretion of City Council.
>
> (2) Section 2 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and Zoning Agreement DASZ 11/2011 is registered in the Winnipeg Land Titles Office by caveat against the subject land, all within one year from the date this By-law is passed, failing which this By-law expires unless that date is extended by resolution of City Council and the plan of subdivision and caveat are registered before such extended date".

By-law No.119/2012 has not come into force by the registration of the Plan of Subdivision and the registration of Zoning Agreement DASZ 11/2011 by caveat and the one year time limit will expire on September 27, 2013. Further the required Development Agreement has yet to be finalized with the Developer.

The owner's representative, Susan Russell of McGowan Russell, is requesting a two (2) year extension of time in order to complete the necessary 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:	Rob Deighton, Land Development Branch
Date:	June 10, 2013
File No.	DASZ 11/2011

Appendix “A” – DASZ 11/2011 map
Appendix “B” – Time extension request correspondence

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APPENDIX "A" – DASZ 11/2011 – map

By–Law No. _____

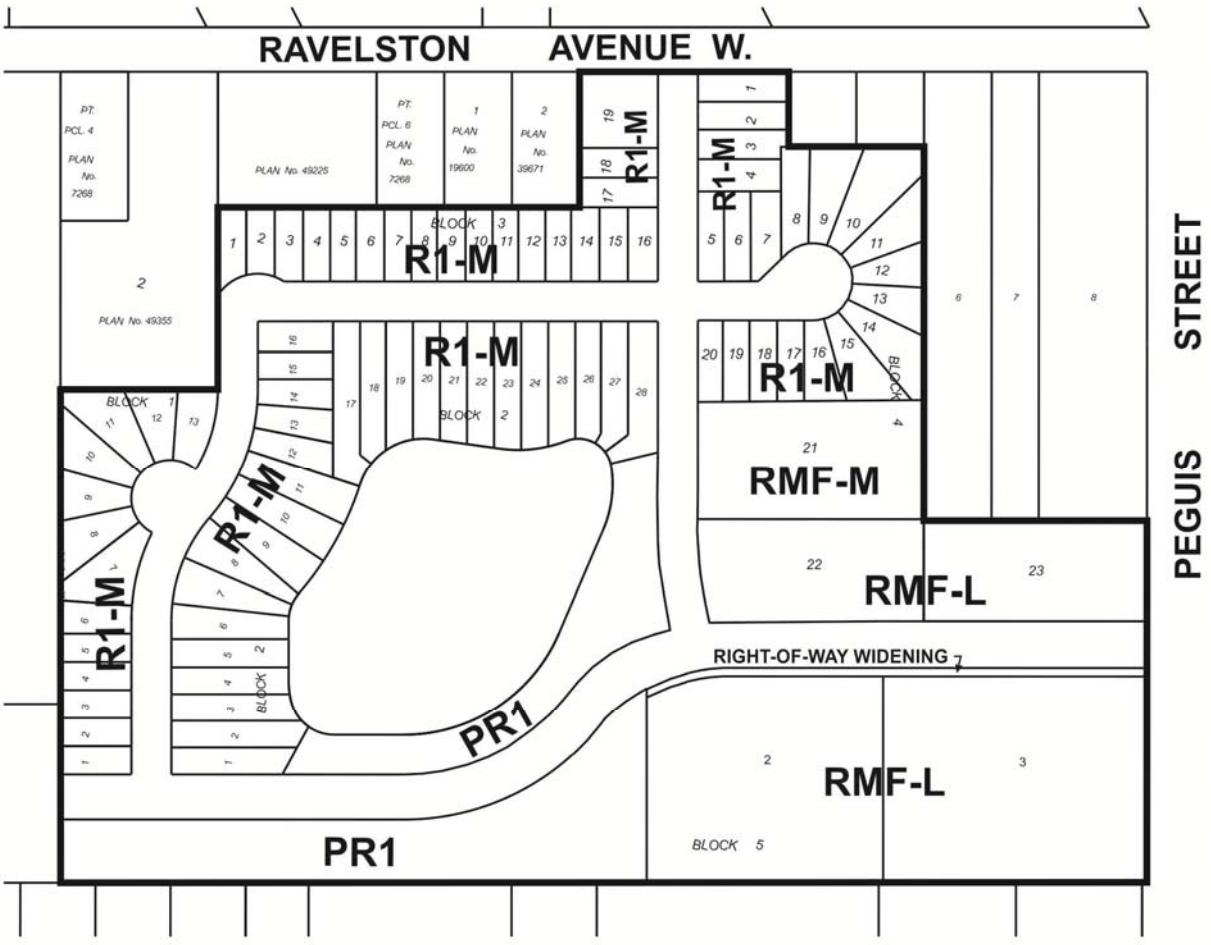
File No. **DASZ 11/11**

Atlas Sheet No. **Y31**

EAST KILDONAN TRANSCONA 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 1326 & 1330 Ravelston Avenue West from an "RR5" RURAL RESIDENTIAL DISTRICT and an "R1-L" RESIDENTIAL SINGLE-FAMILY (Large) DISTRICT to an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT, an "RMF-M" & "RMF-L" RESIDENTIAL MULTI-FAMILY (Medium & Large) DISTRICTS and a "PR1" PARKS AND RECREATION 1 (Neighbourhood) DISTRICT to allow for future residential development including the establishment of new public rights-of-ways as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – Time Extension Request Correspondence



June 7, 2013

City of Winnipeg
Planning, Property and Development Department
Land Development, Geomatics & Land Information Services Division
Land Development Branch
65 Garry Street
Winnipeg, Manitoba R3C 4K4

Dear Mr. Raban

RE: DASZ 11/11 - EXTENSION OF TIME

On behalf of North Grassie Properties, we respectfully request an extension of time to allow for registration of documents at Land Titles for File DASZ 11/2011. Extra time will be required to process the file in light of 1) amendments to the March 21, 2012 Council Decision and ACG report resulting from the SEA Agreement not being enacted and 2) it is our understanding that the Development Agreement still has not been finalized. With respect to Council Decision, Council Minutes March 21, 2012 and the Standing Policy Committee on Property and Development Report of March 6, 2012, we would like to request a 2 year extension, for items noted in paragraph 4, 7 and 8, to September 30, 2015.

Please call should you have any questions or require additional information.

Thank you

MCGOWAN RUSSELL GROUP INC.

S. Russell

Susan Russell, M.A.L.A., C.S.L.A.
President

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