**Agenda – Council – September 25, 2013**

**Report – Standing Policy Committee on Property and Development – September 10, 2013**

**Item No. 10 Extension of Time – Subdivision and Rezoning - 311 Grassie Boulevard (Transcona Ward) File DASZ 24/2011**

STANDING COMMITTEE RECOMMENDATION:

On September 18, 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. 101/2012 under File DASZ 24/2011 be extended to July 18, 2014.

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 – September 10, 2013**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 18, 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 September 10, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonhan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 16, 2013, the East Kildonan-Transcona 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 OF LAND AT 311 GRASSIE BOULEVARD - FILE NO. DASZ 24/2011**

**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. 101/2012 under File No. DASZ 24/2011 be extended to July 18, 2014.

## REASON FOR THE REPORT

Council approval is required for an extension of time.

## IMPLICATIONS OF THE RECOMMENDATIONS

The applicant will be granted a one (1) year extension of time in order to allow for the registration of the plan of subdivision at Winnipeg Land Titles and execution of the required Development Agreement for DASZ 24/2011 to satisfy By-law No. 101/2012 coming into force requirements.

## HISTORY

On December 14, 2011, Council adopted Item No. 3 of the report of the Standing Policy Committee on Property and Development dated November 29, 2011 which clause recommended approval of the subject subdivision and rezoning to a "R1-L" RESIDENTIAL SINGLE FAMILY (Large) DISTICT and an "R1-M" RESIDENTIAL SINGLE FAMILY (Medium) DISTRICT as shown on Appendix "A" attached to allow for future residential development.

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 July 18, 2012, By-Law No. 101/2012 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."

By-law No.101/2012 has not come into force by the registration of the Plan of Subdivision and the one year time limit for plan registration will expire on July 18, 2013. Further the required Development Agreement has yet to be finalized with the Developer.

The subject property has acquired new ownership in March 2013. The new owner, 6651802 Manitoba Ltd., Box 12, Grp 312 RR3, Selkirk, MB, per Dale Davis, President, is requesting an extension of time in order to complete the necessary Development Agreement and plan 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 24, 2013 |
| File No. | DASZ 24/2011 |

Appendix "A" – DASZ 24/2011 map
Appendix "B" – Time extension request correspondence

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## APPENDIX "A" – DASZ 24/2011 – map

By-Law No. _____

File No. **DASZ 24/11**

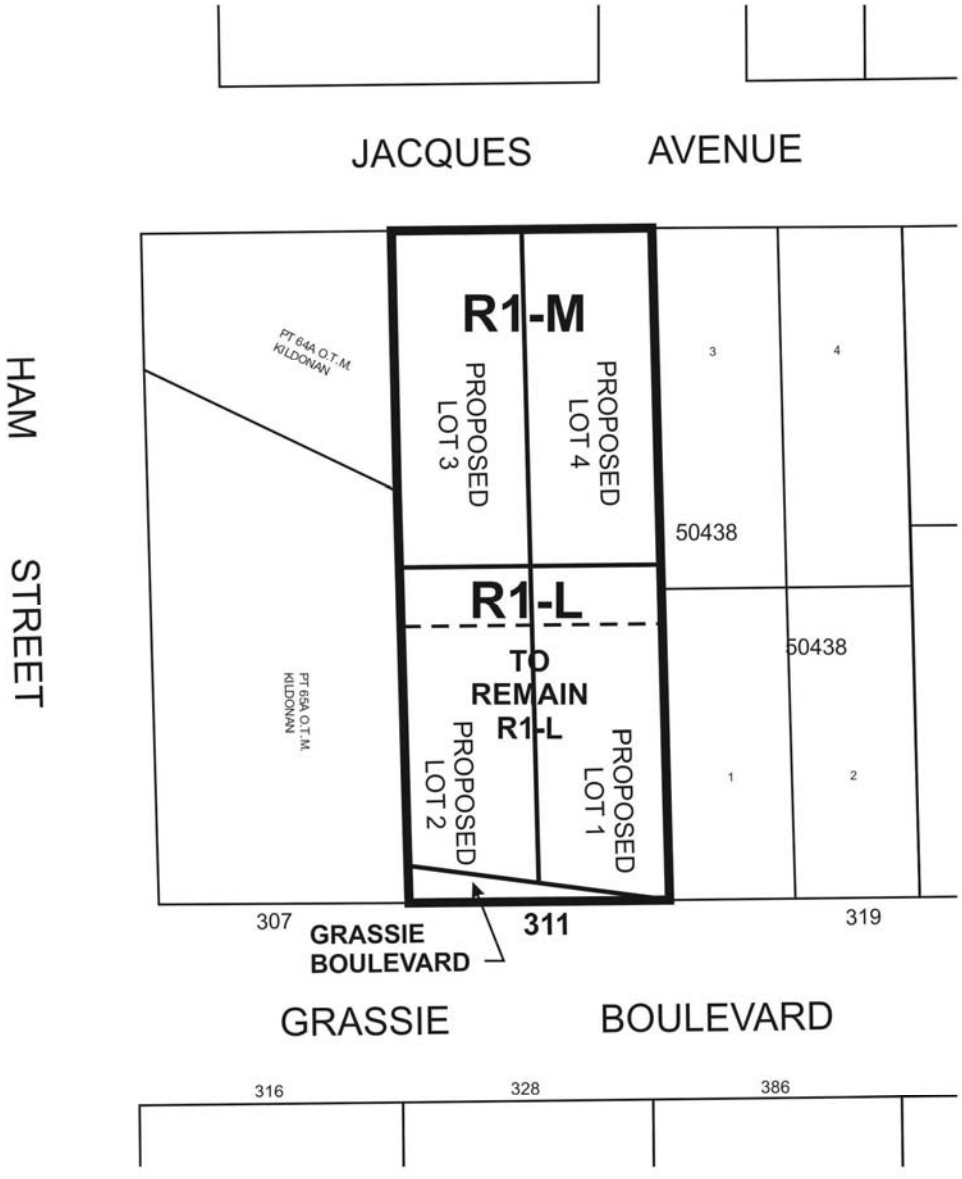
Atlas Sheet No. **W32**

N

**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 311 Grassie Boulevard from an "RR5" RURAL RESIDENTIAL 5 DISTRICT to an "R1-L" RESIDENTIAL SINGLE-FAMILY (Large) DISTRICT and an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT to allow for the creation of lots for future residential development as shown outlined below.




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

## APPENDIX "B" – Time Extension Request Correspondence

**6651802 MANITOBA LTD.**
President Dale Davis

**Phone:** 204-479-4085
**email:** dentelim65@hotmail.ca
Box 12 Grp 312 RR3 Selkirk MB R1A 2A8

To:

Rob Deighton
Land Development Coordinator
Main Floor – 65 Garry St
Winnipeg MB R3C 4K4

June 4,2013

Re Proposed subdivision and Rezoning on land located at 311 Grassie Blvd

File AG 24/11 (DASZ 24/11)

As per discussion at our meeting today we would like to apply for a 1 year extension to complete the above mentioned product.

We are engaging an engineer to proceed with the engineering and development agreement and hope to complete the project expeditiously

Please contact myself or my Agent George Hacking with any questions

Dale Davis

President
6651802 Manitoba ltd

Cc George Hacking