Agenda – Council – June 25, 2014

Report – Standing Policy Committee on Property and Development – June 10, 2014

Item No. 3 Extension of Time – 311 Grassie Boulevard
(Transcona Ward)
File DASZ 24/2011

STANDING COMMITTEE RECOMMENDATION:

On June 18, 2014, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development 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 further extended to July 18, 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 – June 10, 2014

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 18, 2014, 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 June 10, 2014, 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 May 20, 2014, 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 REQUEST #2 – 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 further extended to July 18, 2015.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The applicant will be granted a further 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 expired on July 18, 2013. Further the required Development Agreement has yet to be finalized with the Developer.

On September 25, 2013 Council concurred with Item No. 10 of the report of the Standing Policy Committee on Property and Development dated September 10, 2013 recommending that the time limit to provide for enactment of Zoning By-law No. 101/2012 coming into force and effect be extended for a one (1) year period to July 18, 2014.

The subject property was acquired by new ownership in March 2013. The new owner, 6651802 Manitoba Ltd., Box 12, Grp 312 RR3, Selkirk, MB, per Dale Davis, President, has been working towards assembling the required information and is requesting a second 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:	May 12, 2014
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**

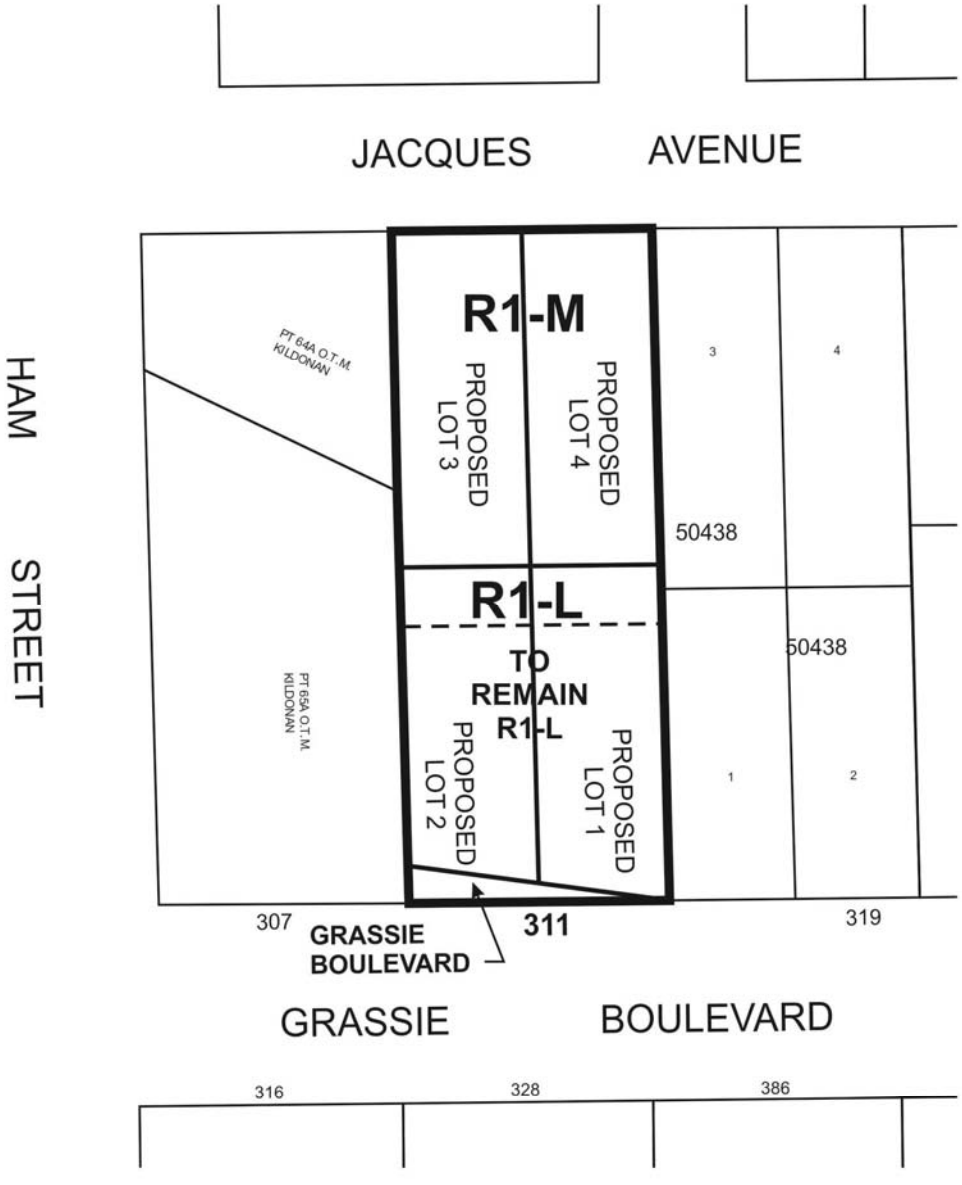
Explanation

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.

Atlas Sheet No. **W32**

N

EAST KILDONAN TRANSCONA COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – Time Extension Request Correspondence

To:

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

MAY 8 2014

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

File AG 24/11 (DASZ 24/11)

I would like to apply for another year time extension to complete the above mentioned product.

I am trying to get an agreement on the Catch Basin agreement with the neighbour.
It is the only delay at this time.

Please contact myself if you have any questions.

Dale Davis
President
6651802 Manitoba ltd
Phone: 204 479 4085
email: dentelim65@hotmail.ca
Box 12 Grp 312 RR3 Selkirk Mb. R1A 2A8