Agenda – Council – May 27, 2015

Report – Standing Policy Committee on Property and Development – May 12, 2015

Item No. 6 Extension of Time – Proposed Subdivision and Rezoning on Land Located on Sage Creek Boulevard (St. Boniface Ward) File DASZ 6/2014

STANDING COMMITTEE RECOMMENDATION:

On May 20, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the time limit for By-law No. 85/2014 to come into force be extended to July 28, 2016.

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 – May 12, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 20, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and the Riel Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On May 12, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 13, 2015, the Riel 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 ON LAND LOCATED ON SAGE CREEK BOULEVARD**
FILE NO. DASZ 6/2014

Critical Path: **Riel Community Committee → Standing Policy Committee on Property and Development → Executive Policy Committee → Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Raban, Acting Manager	M. Pittet, Acting Director	N/A	N/A

RECOMMENDATIONS

That the time limit for By-law No. 85/2014 to come into force be extended to July 28, 2016.

REASON FOR THE REPORT

Council approval is required for an extension of time.

IMPLICATIONS OF THE RECOMMENDATIONS

The owner will be granted a two (2) year extension of time in order to complete the registration of the Plan of Subdivision and Zoning Agreement DASZ 6/2014 at Winnipeg Land Titles Office.

HISTORY

On May 27, 2014, Council adopted Item No. 18 of the report of the Standing Policy Committee on Property and Development dated May 13, 2014, which recommended approval of the subject development application as shown on Appendix "A" attached.

On July 28, 2014, By-law No. 85/2014 was passed by Council. Section 3 of the By-law stipulates:

Coming into force

> "3(1) Section 1 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.
>
> (2) Section 2 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and Zoning Agreement DASZ 6/2014 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. 85/2014 has not come into force by the required registration of the Plan of Subdivision and Zoning Agreement DASZ 6/2014 by caveat. The one year time limit for registration to occur will expire on July 28, 2015.

On March 3, 2015 the Developer, Sage Creek Development Corporation, Attention: Mr. Elliott Hannam of One Dr. David Friesen Drive, Winnipeg, Manitoba, R3X 0G8 requested an extension of time in order to complete the required registrations, see attached Appendix "B".

The Winnipeg Public Service have reviewed the request for the extension of time and is of the opinion that approval of the subject extension of time would be 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 Systems
Prepared by:	A. Savage, Development Applications Coordinator
Date:	March 13, 2015

File No. DASZ 6/2014

Appendix “A” – DASZ 6/2014 Map
Appendix “B” – Letter Requesting Extension of time

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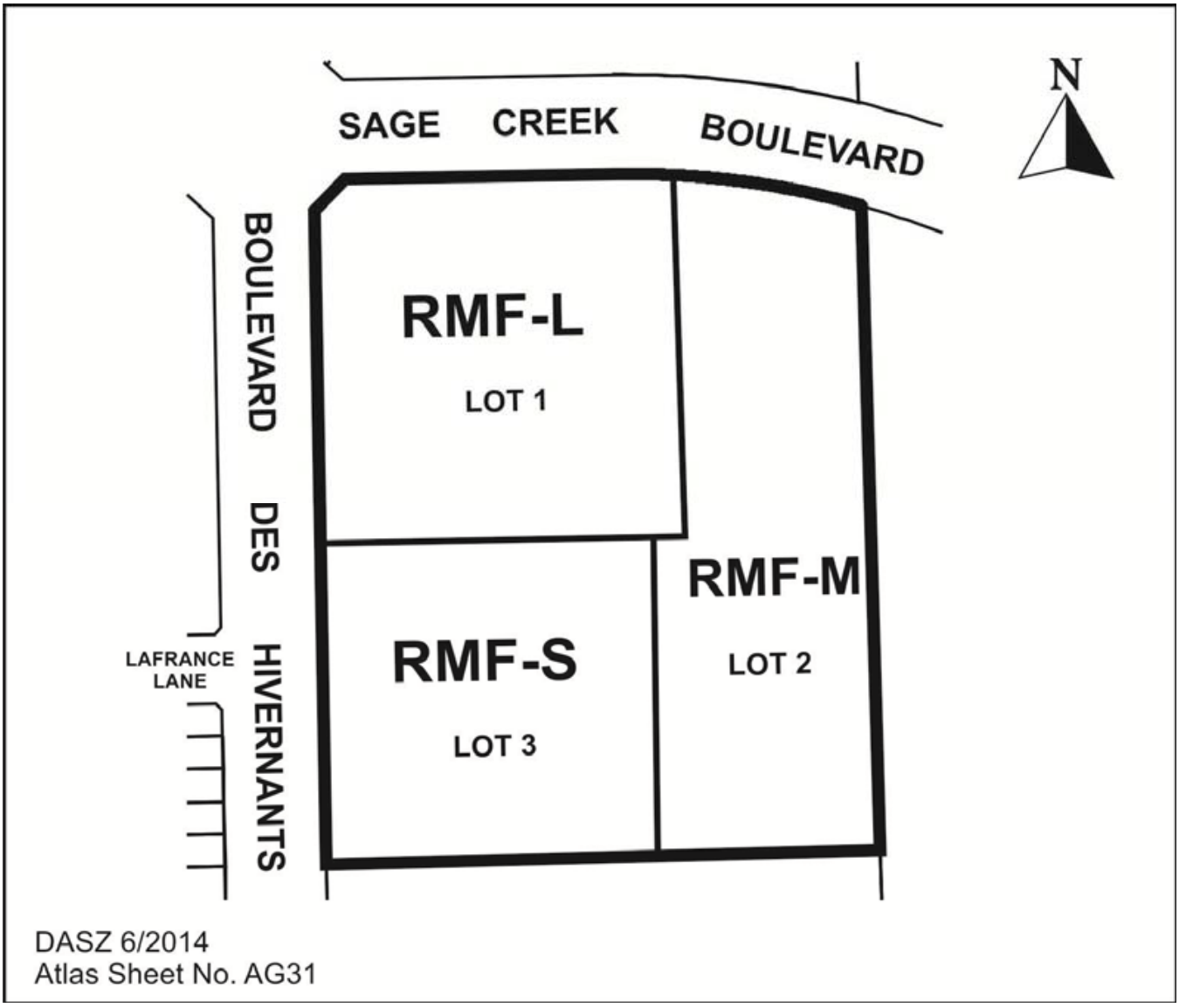
APPENDIX "A" – DASZ 6/2014 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

SAGE CREEK DEVELOPMENT CORPORATION

One Dr. David Friesen Drive
Winnipeg, Manitoba R3X 0G8
Tel: 204.233.2451
Fax: 204.233.2965

March 3, 2015

RECEIVED
MAR - 6 2015

Greg Jasper
The City of Winnipeg
Planning, Property and Development
Main Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Sage Creek Phase 2
Extension of Time for Coming Into Force section of By-law 85/2014

Dear Greg,

At its meeting held on July 16, 2014, City of Winnipeg Council passed By-law 85/2014 to approve the plan of subdivision applied for under application DASZ 6/2014.

Clause 3(2) of Council's approval of this plan of subdivision outlines the requirement that the plan of subdivision and Zoning Agreement are registered at the Winnipeg Land Titles Office within one year of the date the By-law was passed by Council.

At this time the Sage Creek Development Corporation will be unable to meet the one year deadline for registration of the plan at WLTO, and would like to request a two year extension for the coming into force section of By-law 85/2014. Market conditions have left us unable to finalize agreements with the end users of the lots being created through this plan, and in turn unable to finalize the location of cross-access agreement between proposed lots one and two as required by the Zoning Agreement.

Enclosed with this letter is a cheque in the amount of $785.75 representing payment of $535.00 plus GST for extension of time, and $224.00 for re-approval of Mylars extending registration date.

I trust this letter will meet your requirements for requesting the two year extension for By-law 85/2014, should you require more information please let me know.

Yours truly,

SAGE CREEK DEVELOPMENT CORPORATION

Elliott Hannam
Land Development Officer

Enclosure(s): As Noted