Agenda – Council – June 17, 2015

Report – Standing Policy Committee on Property and Development – June 2, 2015

Item No. 4 **Extension of Time – Proposed Subdivision and Rezoning on land located at Charleswood Road at Harte Trail – Ridgewood South Area 1**
(Charleswood - Tuxedo - Whyte Ridge Ward)
File DASZ 50/2013

STANDING COMMITTEE RECOMMENDATION:

On June 10, 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 to provide for the coming into force of the rezoning By-law No. 72/2014 under File No. DASZ 50/2013 be extended to June 30, 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 – June 2, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 10, 2015, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the Assiniboia Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 2, 2015, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 12, 2015, the Assiniboia Community Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Standing Policy Committee on Property and Development

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME – PROPOSED SUBDIVISION AND REZONING ON LAND LOCATED AT CHARLESWOOD ROAD AT HARTE TRAIL – RIDGEWOOD SOUTH AREA 1 – DASZ 50/2013**

Critical Path: **Assiniboia Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
K. Raban	M. Pittet		

RECOMMENDATIONS

That the Community Committee recommend to the Standing Policy Committee on Property and Development that it recommend to Council that the time limit to provide for the coming into force of the rezoning By-law No. 72/2014 under File No. DASZ 50/2013 be extended to June 30, 2016.

REASON FOR THE REPORT

Council approval is required for an extension of time.

EXECUTIVE SUMMARY

Pursuant to By-law 72/2014, the Developer is required to register the Plan of Subdivision and Zoning Agreement DASZ 50/2013 at the Winnipeg Land Titles Office, thus enabling Section 3 to come into force and effect.

The Developer, Ridgewood West Land Corp. has requested Council approve an extension of time in order to complete the necessary registrations. Approval of the extension of time will enable the Winnipeg Public Service to complete the processing and execution of agreements and related legal documents. Therefore, the Winnipeg Public Service has no objection to this request.

IMPLICATIONS OF THE RECOMMENDATIONS

The Developer will be granted a one (1) year extension of time to complete the registration of the Plan of Subdivision and Zoning Agreement DASZ 50/2013 at the Winnipeg Land Titles Office.

HISTORY

On February 26, 2014, Council adopted Item No. 5 of the report of the Standing Policy Committee on Property and Development dated February 18, 2014, which recommended approval of the subject development application as shown on Appendix "A" attached.

On June 25, 2014, By-law No. 72/2014 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 50/2013 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. 72/2014 has not come into force by the required registration of the Plan of Subdivision and Zoning Agreement DASZ 50/2013 by caveat. The one year time limit for registration to occur will expire on June 25, 2015.

On April 27, 2015, the Developer, Ridgewood West Land Corp., Attention: Ms. Lyne Jones 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 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 and circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OURWINNIPEG POLICY ALIGNMENT

In accordance with OurWinnipeg, DASZ 50/2013 is identified as a New Community within a Transformative Area of the Complete Communities Urban Structure Map as well as part of Precinct Q, Area 1-Ridgewood South, By-law 62/2013.

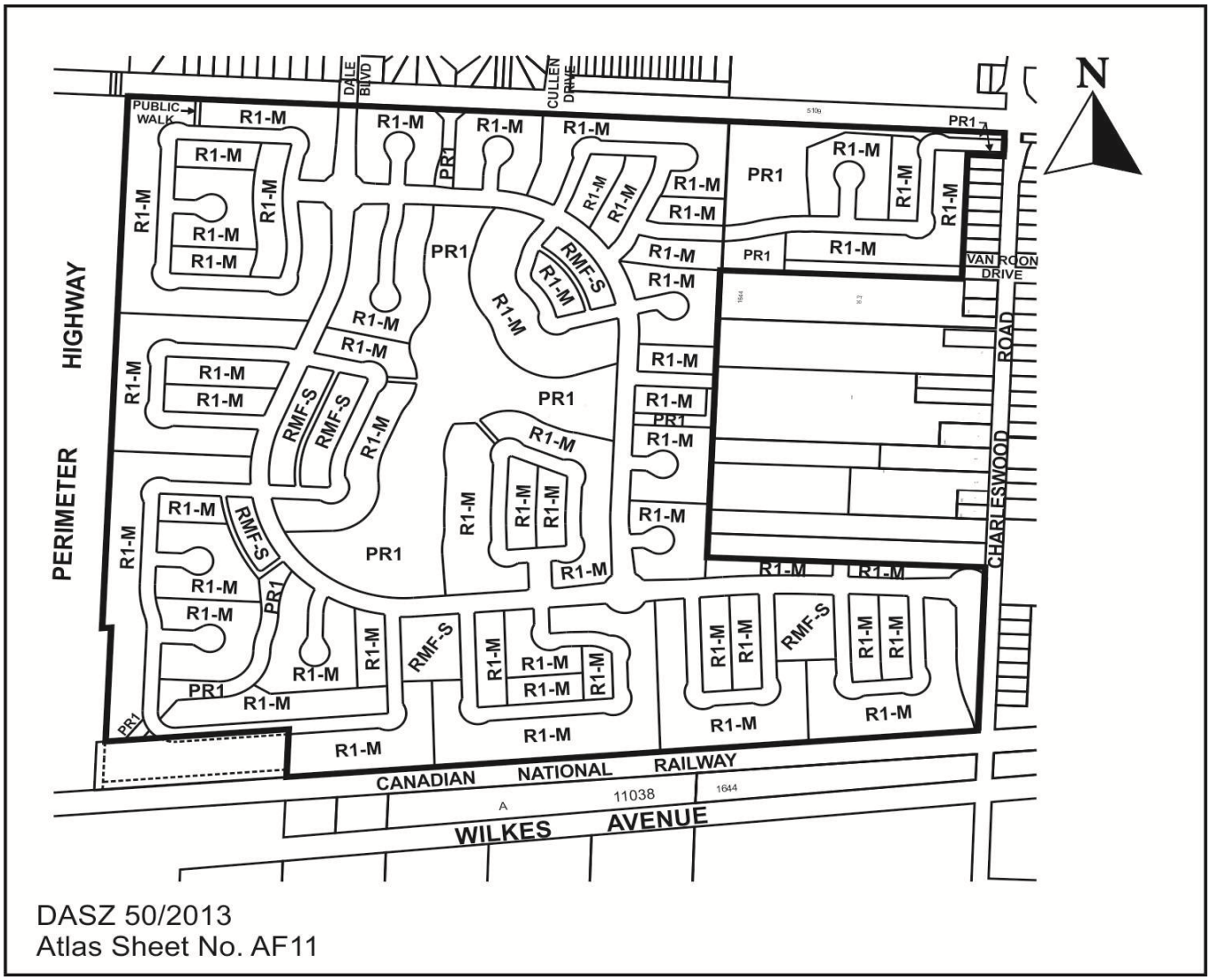
SUBMITTED BY

Department: Planning, Property and Development
Division: Land Development, Geomatics and Land Information Systems
Prepared by: A. Savage, Development Applications Coordinator
Date: April 28, 2015
File No. DASZ 50/2013

Appendix "A" – DASZ 50/2013 Map
Appendix "B" – Letter Requesting Extension of time

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APPENDIX "A" – DASZ 50/2013 MAP



DASZ 50/2013
Atlas Sheet No. AF11

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

One Dr. David Friesen Drive Winnipeg, MB R3X 0G8
QUALICOCOMMUNITIES.COM

QUALICO communities

April 27, 2015

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

Ridgewood West
Extension of Time for Coming Into Force section of By-law 72/2014

Dear Angie,

At its meeting held on June 25, 2014, City of Winnipeg Council passed By-law 72/2014 to approve the plan of subdivision applied for under application DASZ 50/2013.

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

At this time we will be unable to meet the one year deadline for registration of the plan at WLTO, and would like to request a one year extension for the coming into force section of By-law 72/2014.

A number of unexpected delays have happened with this application which has resulted in City of Winnipeg not being able to provide us with a final version of the Development Agreement, Zoning Agreement and required Easement Agreements for execution and release of the subdivision mylars in order to register at the Winnipeg Land Titles Office. As the final version of these agreements have not yet been received by us, and we are unable to predict the time required for registration at WLTO we are hereby requesting the above noted extension.

Please charge the necessary fees for this application to the Qualico Land Development account (#04-117161 TR)

I trust this letter will meet your requirements for requesting the one year extension for By-law 72/2014, should you require more information please let me know.

Yours truly,

Ridgewood West Land Corp.

Lyne Jones
Development Manager

Enclosure(s): As Noted