Agenda – Council – September 30, 2015

Report – Standing Policy Committee on Property and Development – September 15, 2015

Item No. 11 Extension of Time Request – Proposed Subdivision and Rezoning on land at 311 Grassie Boulevard (Transcona Ward) File DASZ 24/2011

STANDING COMMITTEE RECOMMENDATION:

On September 23, 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 rezoning By-law No. 101/2012 under File No. DASZ 24/2011 be extended to July 18, 2016.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Council – September 30, 2015

Report – Standing Policy Committee on Property and Development – September 15, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 23, 2015, the Executive Policy Committee concurred in the recommendations 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 15, 2015, 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 July 14, 2015, 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.

On June 16, 2015, the East Kildonan-Transcona Community Committee laid over the matter to its meeting on July 14, 2015.

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME REQUEST – PROPOSED SUBDIVISION AND REZONING ON 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/COO
K. Raban	M. Pittet		

RECOMMENDATIONS

That the time limit to provide for the coming into force of rezoning By-law No. 101/2012 under File No. DASZ 24/2011 be extended to July 18, 2016.

REASON FOR THE REPORT

Council approval is required for an extension of time.

EXECUTIVE SUMMARY

Pursuant to By-law 101/2012, the Developer is required to execute the required Development Agreement and register the Plan of Subdivision for DASZ 24/2011 at the Winnipeg Land Titles Office, thus enabling Section 3 to come into force and effect.

The Developer, 6651802 Manitoba Ltd. has requested Council approve a further extension of time in order to complete the necessary registrations. Approval of the extension of time will enable the Winnipeg Public Service and Developer to complete the processing and execution of agreements and related legal documents. 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 for DASZ 24/2011 at the Winnipeg Land Titles Office and execution of the required Development Agreement 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.

On July 18, 2012, By-Law No. 101/2012 was passed by 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.

On June 25, 2014 Council concurred with Item No. 3 of the report of the Standing Policy Committee on Property and Development dated June 10, 2014 recommending that the time limit to provide for enactment of Zoning By-law No. 101/2012 coming into force and effect be further extended for a one (1) year period to July 18, 2015.

The subject property acquired new ownership in March 2013. The owner, 6651802 Manitoba Ltd. per Dale Davis, President, has been working towards assembling the required information and has engaged the services of a new project design engineer and representative to move the project forward. The owners representative, Jessica Manness, P.Eng., of JME World Consultants has requested on behalf of the owner a further extension of time in order to complete the necessary Agreement and subdivision 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

N/A

CONSULTATION

N/A

OURWINNIPEG POLICY ALIGNMENT

In accordance with OurWinnipeg, DASZ 24/2011 is identified within an Area of Stability and further designated as a Recent Community within the Complete Communities Urban Structure Map. Areas of Stability will accommodate low to moderate density infill development to support more efficient use of land, infrastructure, and services as well as enhance housing choice and affordability. Supporting Direction and Enabling Strategies for Areas of Stability include support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics and Land Information Systems
Prepared by:	R.Deighton, P.Eng, Land Development Coordinator
Date:	May 20, 2015
File No.	DASZ 24/2011 (AG 24/11)

Appendix “A” – DASZ 24/2011 Map
Appendix “B” – Letter Requesting Extension of time

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APPENDIX "A" – DASZ 24/2011 MAP

By-Law No. _____

File No. **DASZ 24/11**

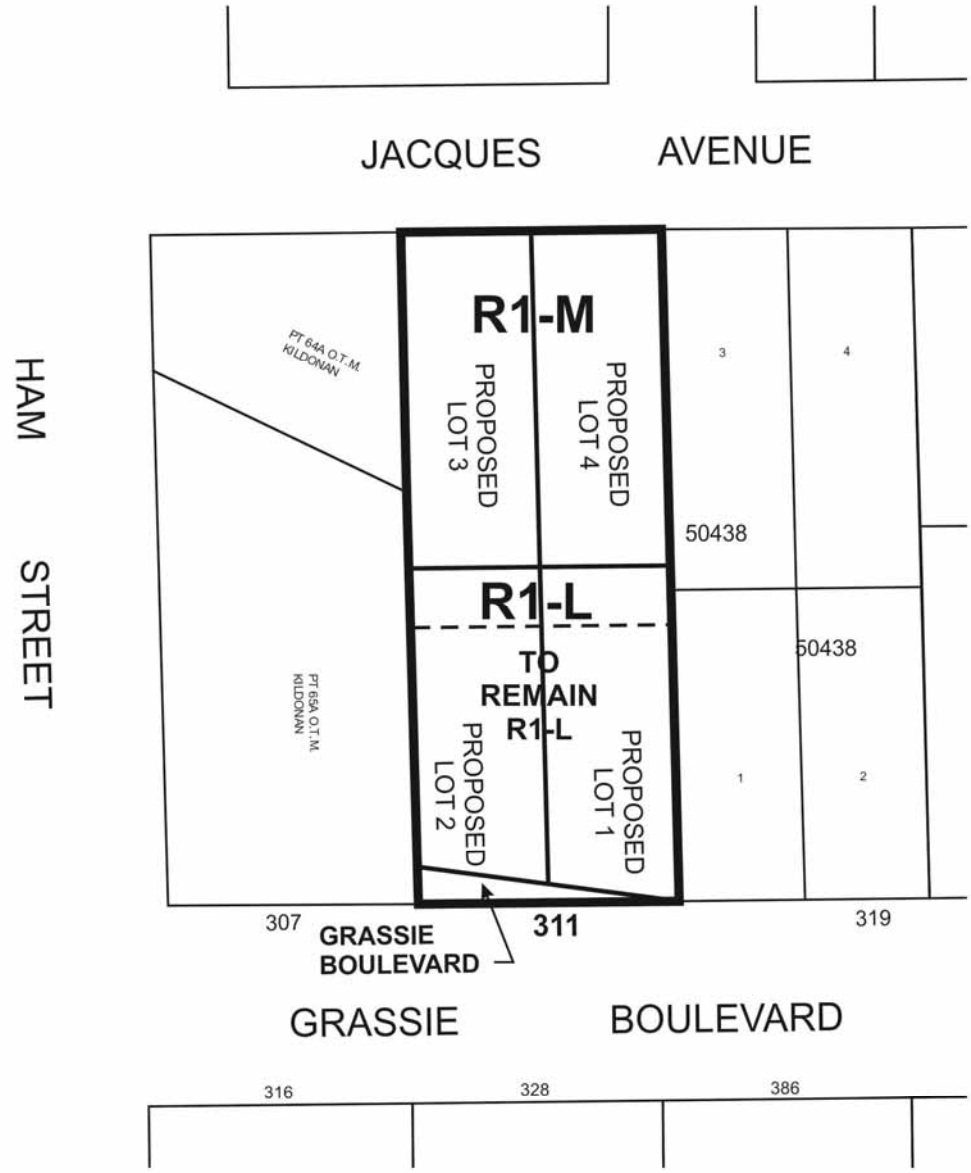
Atlas Sheet No. **W32**

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" – LETTER REQUESTING EXTENSION OF TIME

JME World Consultants
www.jme-consultants.com
Box 54 Grp 17 RR2 Dugald MB R0E 0K0

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

May 6, 2015

RE: EXTENSION OF TIME REQUEST
FILE AG 24/11 (DASZ 24/11)
311 GRASSIE

Dear Mr. Deighton,

This letter documents our request for an extension of the abovementioned subdivision and land development. It is anticipated that the associated construction works will commenced upon finalization and execution of the servicing agreement. The engineering elements which are to be included in the Agreement will be provided to your office shortly.

Please contact me directly should you wish to discuss the schedule of the project.

Yours truly,

Jessica Manness, B.Sc., P.Eng
jess@jme-consultants.com
204-330-1773

PROVINCE OF MANITOBA
J. A.
MANNESS
Member
23874
REGISTERED PROFESSIONAL ENGINEER

Issued: May 6, 2015
CC: Dale Davis