Agenda – Council – December 9, 2015

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 30, 2015

Item No. 7 Extension of Time – Proposed Subdivision and Rezoning for the Sugar Beet Major Redevelopment Site; North of Bishop Grandin, West of the Manitoba Hydro Corridor (River Heights-Fort Garry Ward) File DASZ 3/2014

STANDING COMMITTEE RECOMMENDATION:

On December 2, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown 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.14/2015 under File No. DASZ 3/2014 be extended to February 25, 2017.

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, Heritage and Downtown Development – November 30, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 2, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the City Centre Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2015, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 10, 2015, the City Centre Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded the matter to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME – PROPOSED SUBDIVISION AND REZONING FOR THE SUGAR BEET MAJOR REDEVELOPMENT SITE; NORTH OF BISHOP GRANDIN, WEST OF THE MANITOBA HYDRO CORRIDOR FILE NO. DASZ 3/2014**

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	N/A

RECOMMENDATIONS

That 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.14/2015 under File No. DASZ 3/2014 be extended to February 25, 2017.

REASON FOR THE REPORT

Council approval is required for an extension of time.

EXECUTIVE SUMMARY

Pursuant to By-law 14/2015, the Developer is required to execute a required Development Agreement for Servicing and a Zoning Agreement with the City.

The Developer, Hopewell (Bishop Grandin) Development Inc. has requested Council approve a one (1) year extension of time in order to complete the necessary Agreements and further register the Plan of Subdivision for DASZ 3/2014 and Zoning Agreement at the Winnipeg Land Titles Office, thus enabling the by-law to come into force and effect.
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, Hopewell (Bishop Grandin) Development Inc. will be allowed a one (1) year extension in order to allow for completion of the required Development Agreement for Servicing, Zoning Agreement and registrations of documents at the Winnipeg Land Titles Office, thus facilitating the coming into force of rezoning By-law 14/2015 under DASZ 3/2014.

HISTORY

On May 27, 2014, Council adopted Item No. 3 of the report of the Standing Policy Committee on Property and Development dated May 13, 2014 which recommended approval of the subject subdivision and rezoning under DASZ 3/2014 from an "M2" Manufacturing District to a "RMU" Residential Mixed Use District, a "CMU" Commercial Mixed Use District, a "PR1" Parks and Recreation District, a "PR2" Parks and Recreation District, and a "M2" Manufacturing District under Zoning By-law 200/2006 as shown on Appendix "A" attached.

Recommendation 5 contained in the said report stipulates:

> "That in the event the application is not proceeded with expeditiously and the by-law is not enacted within thirty-six (36) months 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 this thirty-six (36) month period and the extension is subsequently approved by Council."

On February 25, 2015, By-law No. 14/2015 was enacted by the passage of City Council. Section 1 of the By-law stipulates:

> "1 The plan of subdivision shown below is approved, subject to a Development Agreement for Servicing being entered into between The City of Winnipeg and the registered owner or persons entitled to be registered owner of the subject land."

Additionally, Section 3 of the By-law stipulates:

> "3(1) Section 1 comes into force when the plan of subdivision is registered in Winnipeg Land Titles Office.
>
> (2) Section 2 comes into force when Zoning Agreement DASZ 3/2014 is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date this By-law is passed, failing which this By-law will expire unless an extension of time is applied for prior to expiry, Council approves the extension, and the plan and caveat are registered before the extended date."

By-law No.14/2015 has not come into force by the execution of the Development Agreement for Servicing, execution of the Zoning Agreement caveat and the registration of documents at Winnipeg Land Titles. The current time limit for such registrations is set to expire on February 25, 2016.

The applicant, McGowan Russell Group Inc., 825 St.Joseph Street, Winnipeg, MB R2H 3A8 is requesting a one (1) year extension of time in order to complete the Development Agreement and necessary registration of documents and caveats at Winnipeg Land Titles, 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

There is no financial impact associated with this recommendation.

CONSULTATION

In preparing this Report there was consultation with:
n/a

OURWINNIPEG POLICY ALIGNMENT

The subdivision and rezoning under DASZ 3/2014 has been supported by the Winnipeg Public Service as being consistent with the Bishop Grandin Crossing Master Plan and Major Redevelopment Site policies in Complete Communities and Our Winnipeg.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics, and Land Information Services
Prepared by:	R.R. Deighton, P.Eng., Land Development Branch
Date:	October 16, 2015
Filename:	Extension of Time DASZ 3 2014 North of Bishop Grandin East of Waverley.doc

Appendix “A” – DASZ 3/2014 map
Appendix “B” – Time extension request letter from applicant

APPENDIX "A" – DASZ 3/2014 – Map

By-Law No. _____

File No. **DASZ 3/14**

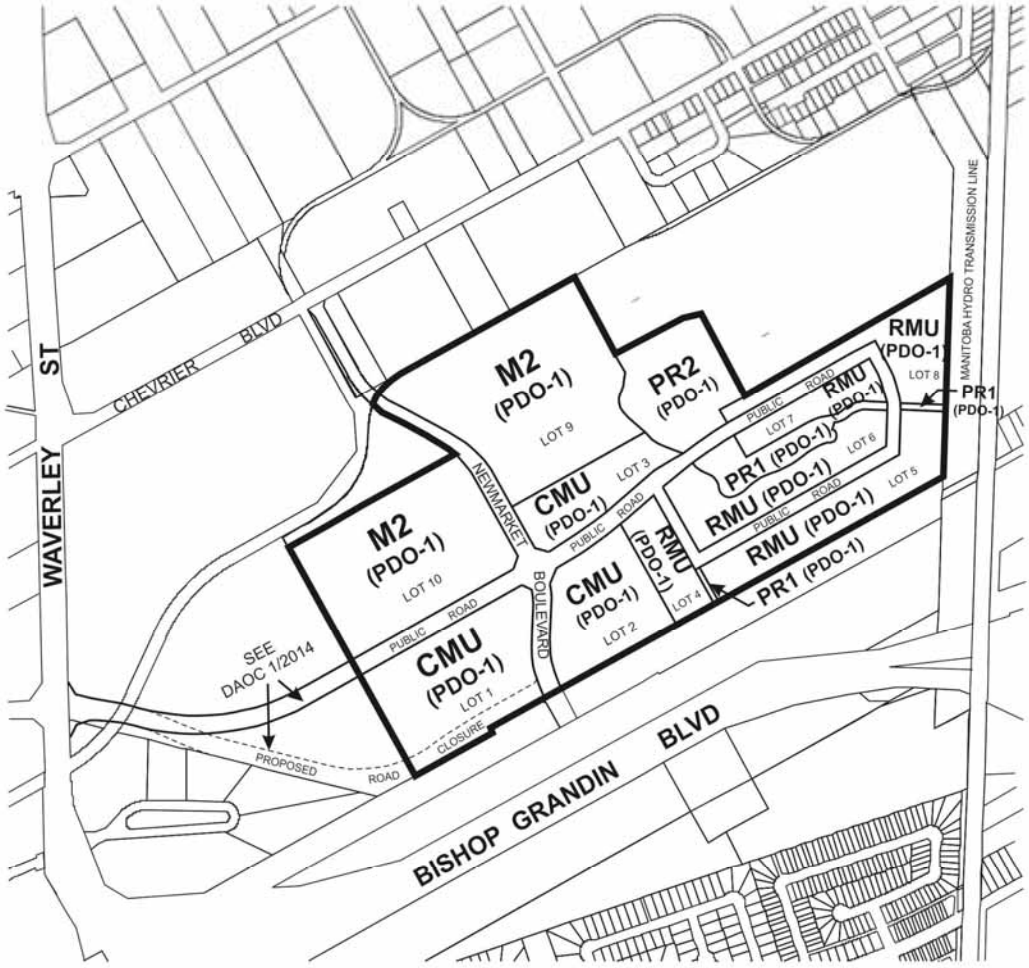
Atlas Sheet No.

N

AJ22
CITY CENTRE
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 north of Bishop Grandin Boulevard, west of the Manitoba Hydro Corridor from an "M2" MANUFACTURING GENERAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "CMU" COMMERCIAL MIXED USE PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "PR1" PARKS AND RECREATION 1 NEIGHBOURHOOD PDO-1 BISHOP GRANDIN CROSSING DISTRICT, "PR2" PARKS AND RECREATION 2 COMMUNITY PDO-1 BISHOP GRANDIN CROSSING DISTRICT and "M2" MANUFACTURING GENERAL PDO-1 BISHOP GRANDIN CROSSING DISTRICT to facilitate the future development of the Sugar Beet Major Redevelopment Site (Bishop Grandin Crossing) by the creation of a block plan, lots, parks and public right-of-ways as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – Letter from Applicant

McGOWAN•RUSSELL

September 10, 2015

City of Winnipeg
Planning, Property and Development Department
Land Development, Geomatics & Land Information Services Division
Land Development Branch
65 Garry Street
Winnipeg, Manitoba R3C 4K4

Dear Mr. Greg Jasper

RE: DASZ 3/2014 – EXTENSION OF TIME

On behalf of Hopewell, we respectfully request a one (1) year extension of time relating to By-Law 14/2015 to allow for registration of documents at Land Titles for File DASZ 3/2014. Extra time will be required to process the file in order to complete the required Development Agreement and registrations which are ongoing at this time.

Please call should you have any questions or require additional information.

Thank you

MCGOWAN RUSSELL GROUP INC.

S. Russell

Susan Russell, M.A.L.A., C.S.L.A.
President

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