Agenda – Council – January 27, 2016

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 12, 2016

Item No. 16 Extension of Time – Subdivision and Rezoning on Land Located at 221 Stradbrook Avenue (Fort Rouge – East Fort Garry Ward) File DASZ 41/2013

STANDING COMMITTEE RECOMMENDATION:

On January 20, 2016, 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 satisfy the Coming into Force provisions of By-law No. 128/2014 be extended to December 16, 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, Heritage and Downtown Development – January 12, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 20, 2016, 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 January 12, 2016, 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 January 5, 2016, 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 ON LAND LOCATED AT 221 STRADBROOK AVENUE – FILE NO. DASZ 41/2013**

Critical Path: **City Centre Community Committee – Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee - Council**

AUTHORIZATION

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

RECOMMENDATIONS

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 128/2014 be extended to December 16, 2016.

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

REASON FOR THE REPORT

Council approval is required for an extension of time.

EXECUTIVE SUMMARY

The time limit for the Coming into Force provision of By-law No. 128/2014 has expired. The Developer has requested an extension of time to complete the necessary registrations at the Winnipeg Land Titles Office. They are continuing to refine the business model and financial considerations for the project.

The Winnipeg Public Service has no objection to this request.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the Developer will be allowed a time extension to December 16, 2016 to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY

On January 29, 2014, Council adopted Item No. 5 of the report of the Standing Policy Committee on Property and Development dated January 14, 2014 which recommended approval of the subject subdivision and rezoning to an "RMU" Residential Mixed Use (221 Stradbrook Avenue Planned Development Overlay 2) District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 128/2014 was passed by Council on December 10, 2014. See Appendix "A" map attached.

Section 1 and Section 3 of By-law No. 128/2014 stipulates:

"Plan of subdivision

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.

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 41/2013 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 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. 128/2014 has not come into force by the required registrations of the Plan of Subdivision (Deposit No. 409/2014) and Zoning Agreement DASZ 41/2013 by caveat at the Winnipeg Land Titles Office and the one year time limit expired on December 10, 2015. The Developer and the City of Winnipeg have not executed the Development Agreement for Servicing and Zoning Agreement DASZ 41/2013.

The applicant, Mr. Christopher Daly, Principal Architect at MMP Architects Inc., on behalf of the Developer, 221 Stradbrook Inc. is requesting a one (1) year extension of time in order to complete the necessary registrations, citing that efforts to refine the business model and financial considerations continue for the potential project. See Appendix "B" attached.

The Winnipeg Public Service has reviewed this request for an 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

The subdivision and rezoning under application DASZ 4/2013 has been supported by the Winnipeg Public Service which identifies that the proposed rezoning to “RMU” allows for the development to align more closely to the objectives in the Complete Communities Direction Strategy for policies guiding the development of Areas of Stability and the Winnipeg TOD Handbook.

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:	December 16, 2015
File No.	DASZ 41/2013

Appendix “A” – DASZ 41/2013 – By-law No. 128/2014 Map
Appendix “B” – Letter Requesting Extension of Time

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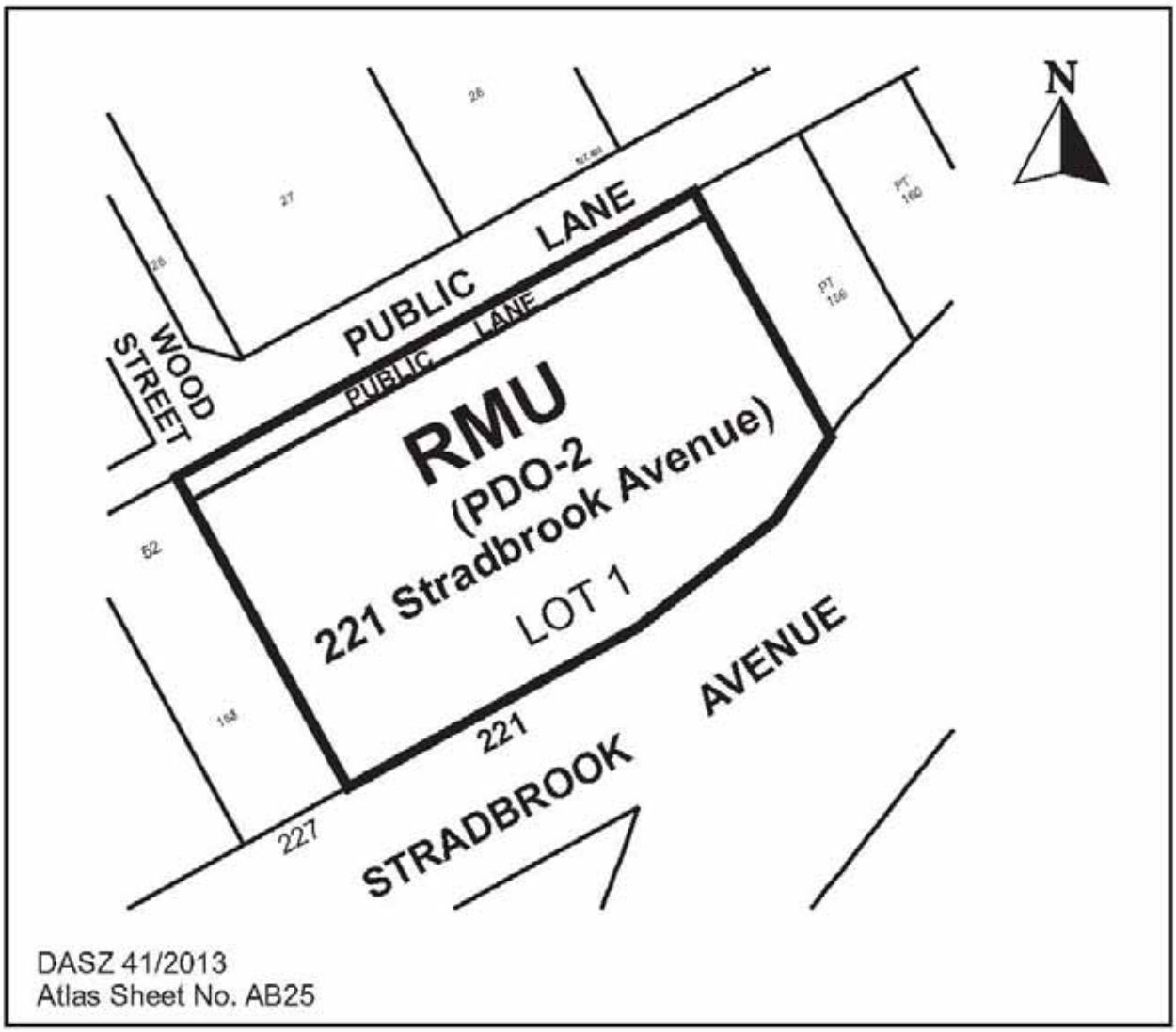
APPENDIX "A" – DASZ 41/2013 - BY-LAW NO. 128/2014 Map



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

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MMP ARCHITECTS

The City of Winnipeg,
Planning, Property and Development Department
Land Development Branch, Main Floor – 65 Garry Street
Winnipeg, MB, R3C 4K4

ATTN: Mr. Kim Raban, P.Eng., Land Development Administrator
Email: kraban@winnipeg.ca

RE: EXTENSION: DASZ 41/2013 (ZONING BY-LAW 128/2014) – 221 Stradbrook Ave, WPG, MB

Hello Sir,

On behalf of 221 Stradbrook Inc.,

With regards to the above noted zoning by-law DASZ 41/2013, the following letter is a request for a one year extension of the rezoning approval for the above noted property located at 221 Stradbrook Ave..

We are currently refining our business model and seeking outside financing for the potential project. As you can imagine, based on the size of project we are attempting for the site, realizing a successful business model and securing financing of this magnitude is not a quick or easy task.

We hope to resolve our potential risks early in 2016 and proceed with a project within the next 12 months.

I thank you for your consideration. Please feel free to contact me should you have any questions or concerns regarding the request.

Sincerely,

Christopher P. Daly

MAA, SAA, RAIC LEED® AP
Principal Architect, MMP Architects Inc.

Robert Wrublowsky MAA
Christopher P. Daly MAA
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