**Agenda – Council – February 24, 2016**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 16, 2016**

**Item No. 11 Extension of Time – 1916, 1918 and 1920 St. Mary's Road (South Winnipeg - St. Norbert Ward) File DASZ 38/2013**

STANDING COMMITTEE RECOMMENDATION:

On February 17, 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 38/2013 be extended to February 26, 2017.

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

**Agenda – Council – February 24, 2016**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 16, 2016**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 17, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and the Riel Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 16, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown 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 January 11, 2016, 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, Heritage and Downtown Development.

# ADMINISTRATIVE REPORT

**Title:** **EXTENSION OF TIME – PROPOSED SUBDIVISION AND REZONING OF LAND AT 1916, 1918 AND 1920 ST.MARY'S ROAD – FILE NO. DASZ 38/2013**

**Critical Path:** **Riel 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 38/2013 be extended to February 26, 2017.

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

Pursuant to approvals under DASZ 38/2013, the Developer is required to enact a re-zoning by-law and execute the necessary Servicing Agreement and Zoning Agreement with the City.

The time limit for enactment by Council of the necessary rezoning by-law under DASZ 38/2013 will expire on February 26, 2016. The Developer acknowledges that subdivision plans have been prepared but the project suffered a major set-back with the death of their prime consultant and requests an extension of time to enact the required re-zoning by-law in order for their project to be re-evaluated for the current market conditions.

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 February 26, 2017 to enact the required re-zoning by-law under DASZ 38/2013.

## HISTORY

On February 26, 2014, Council adopted Item No. 2 of the report of the Standing Policy Committee on Property and Development dated February 18, 2014 which recommended approval of the subject subdivision and rezoning to an “RMF-L” Residential Multi-Family Large District and a “PR1” Parks and Recreation District under the Winnipeg Zoning By-law 200/2006. See Appendix "A" approved map attached.

Recommendation 4 contained in said report stipulates:

> "That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years 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 the two (2)-year period and Council approves the extension."

The necessary by-law has not been passed and the two-year period will expire on February 26, 2016.

Articulate Design Union, 673 Mulvey Avenue, Winnipeg, Manitoba R3M 1G2 on behalf of the Developer, 6509666 Manitoba Ltd, is requesting an extension of time in order to satisfy the necessary by-law enactment requirements. 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 proposed development is located along a Regional Mixed-Use Corridor (St.Mary's Road) under the Complete Communities Direction Strategy of OurWinnipeg and has been supported by the Winnipeg Public Service as being consistent with these direction policies which promotes a mix of housing opportunities and intensification along Regional Mixed-Use Corridors.

## 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: | January 4, 2016 |
| File No. | DASZ 38/2013 |

Appendix "A" – DASZ 38/2013 – Approved Subdivision and Rezoning Map
Appendix "B" – Letter Requesting Extension of Time

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**APPENDIX "A" – DASZ 38/2013 – Approved Subdivision and Rezoning Map**

By-Law No. _____

File No. **DASZ 38/13**

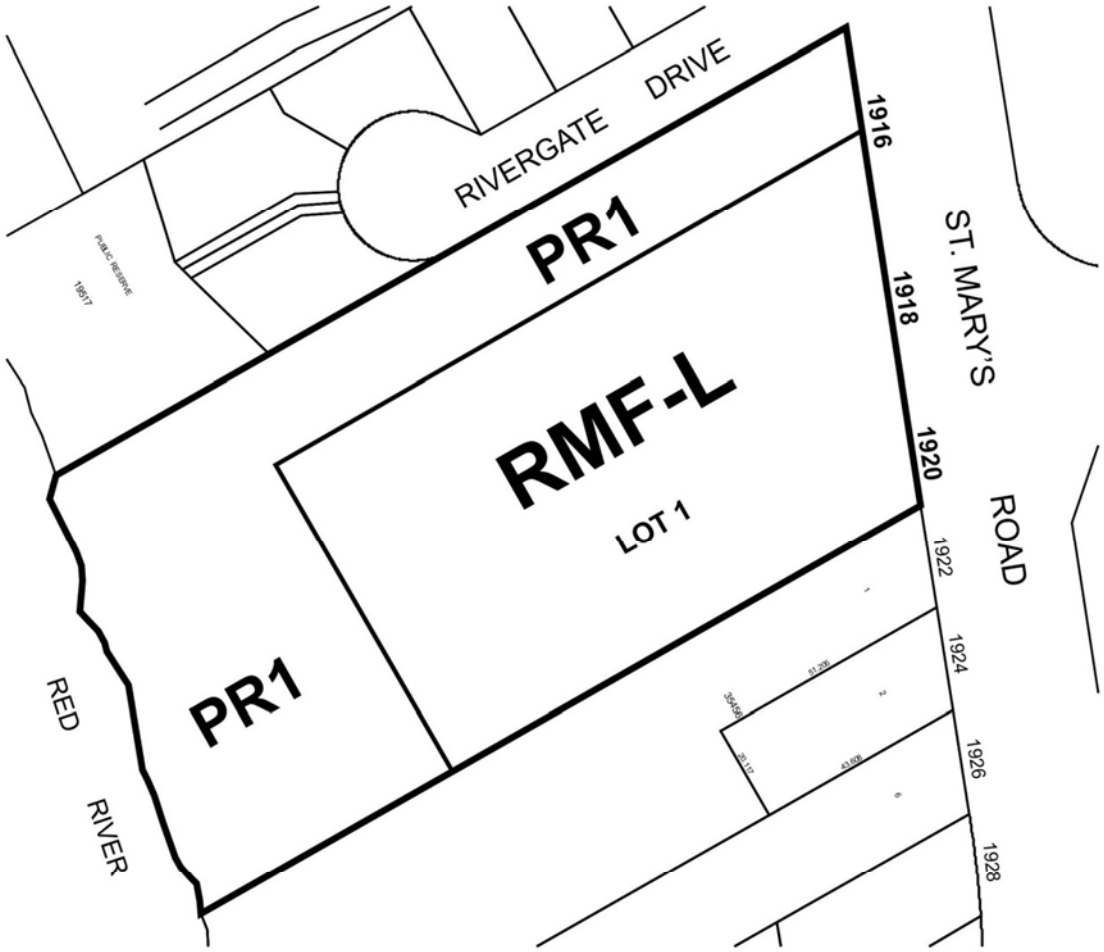
Atlas Sheet No.

N

**AJ26**
**RIEL**
**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 1916, 1918 & 1920 St. Mary's Road from an "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT to an RMF-L RESIDENTIAL MULTI-FAMILY (Large) DISTRICT and a "PR1" PARKS AND RECREATION DISTRICT to allow for the future construction of multiple-family dwellings as shown outlined below.




THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

## APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

ARTICULATED DESIGN UNION

673 Mulvey
Winnipeg, MB
R3M 1G2
204 284 6911

18/12/2015

RECEIVED
DEC 21 2015
IR

Dear Kim Raban,

RE: Request for Extension of Time for No. DASZ 38/2013

I would like to request an extension of the time for the application file No. DASZ 38/2013 for subdivision and zoning of 1916, 1918, and 1920 St Mary's Rd. The Owners of this property suffered a major set back with the death of their partner and prime consultant Ernie Walter. The subdivision mylars have been prepared, but the owners would like more time to re-evaluate the project for the current market conditions.

Daniel MacGibbon

Ken Leschuk