Agenda – Council – April 27, 2016

Report – Executive Policy Committee – April 13, 2016

Item No. 2 Zoning Agreement Amendment – 1500 Plessis Road
(Proposed Lots 2 and 3, Block 1)
(Transcona Ward)
File ZAA 2/2016

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 13, 2016, the Executive Policy Committee concurred in the recommendation of the East Kildonan – Transcona Community Committee and submitted to Council that the Council Decision of February 26, 2014, with respect to File DASZ 39/2013, be amended by replacing Clause 6 and Clause 7 with the following:

6. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.

Report – Executive Policy Committee – April 13, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 13, 2016, the Executive Policy Committee concurred in the recommendation of the East Kildonan – Transcona Community Committee and submitted the matter to Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 21, 2016, the East Kildonan – Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, and via the Priority Rezoning Process, recommended to the Executive Policy Committee that the Council decision of February 26, 2014, with respect to File DASZ 39/2013, be amended by replacing Clause 6 and Clause 7 with the following:

6. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.

RE: **Zoning Agreement Amendment – 1500 Plessis Road**
File ZAA 2/2016

For submission to: **The Standing Policy Committee on Property and Development, Heritage and Downtown Development**

Prepared by: **Andrew Poitras, Senior Committee Clerk**
East Kildonan - Transcona Community Committee

Report date: **March 23, 2016**

COMMUNITY COMMITTEE RECOMMENDATION:

On March 21, 2016, the East Kildonan-Transcona Community Committee concurred in the recommendation of the Winnipeg Public Service, and via the Priority Rezoning Process, recommended to the Executive Policy Committee that the Council decision of February 26, 2014, with respect to File DASZ 39/2013, be amended by replacing Clause 6 and Clause 7 with the following:

6. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.

The East Kildonan - Transcona Community Committee provided the following supporting reason(s) for its recommendation:

1. The East Kildonan - Transcona Community Committee agreed with the administrative comments contained in the report of the Planning and Land Use Division dated March 13, 2016.

PUBLIC HEARING SUMMARY

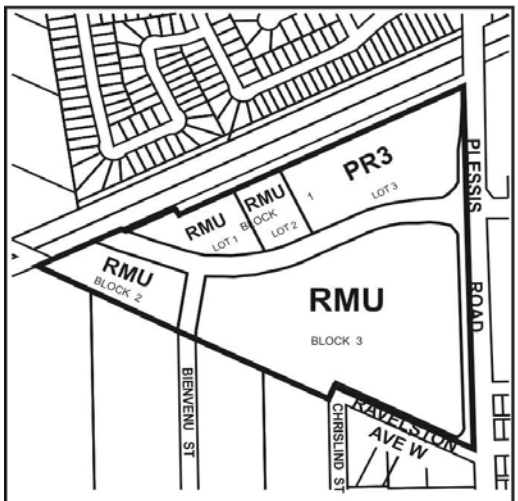
File: ZAA 2/2016

Before: East Kildonan - Transcona Community Committee
Councillor Browaty, Chairperson
Councillor Schreyer
Councillor Wyatt

Public Hearing: March 21, 2016
Council Building, 510 Main Street

Applicant: The City of Winnipeg
(Director of Planning, Property and Development)

Subject:



EAST KILDONAN
TRANSCONA
COMMUNITY

APPLICANT: CITY OF WINNIPEG,
REAL ESTATE DIVISION

FILE : ZAA 2/16

PROPOSAL : To amend Council minutes dated February 26, 2014 for DASZ 39/2013 and By-law 8/2016, Section 3 "Coming into Force" affecting the subject lands as shown outlined above to delete the requirements for a Zoning Agreement and Development Agreement on City of Winnipeg owned lands. **For information, phone Mr. G. Doney, Planner, at 204-986-2688.**

Premises Affected:	1500 Plessis Road (Proposed Lots 2 and 3 Block 1)

Exhibits Filed:

1. Application dated February 18, 2016
2. Notification of Public Hearing dated February 22, 2016
3. Manitoba Status of Title 1877138/1
4. Appendix B (Schedule "A" for File DASZ 39/13, East Kildonan-Transcona Community Committee, dated October 8, 2013
5. Misc. Plan No. 14268/13
6. Report from the Urban Planning Division dated March 13, 2016
7. Inspection Report

REPRESENTATIONS:

In Support:

The City of Winnipeg

In Opposition

Nil

For Information:

Nil

For the City:

Mr. G. Doney, Senior Planner, Planning, Property and Development Department
Mr. G. Jasper, Land Development Engineer, Planning, Property and Development Department

Exhibit "6" referred to in File ZAA 2/2016

ADMINISTRATIVE REPORT

Title: ZAA 2/2016 – 1500 Plessis Road

Issue: proposed replacement of Clauses 6 and 7 of Council's approval of Subdivision and Rezoning Application File DASZ 39/2013, on February 26, 2014, in order that said application can proceed

Critical Path:
1. East Kildonan – Transcona Community Committee
2. Standing Policy Committee on Property and Development
3. Executive Policy Committee
4. Council

as per the *Development Procedures By-law* and *The City of Winnipeg Charter*

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	N/A	N/A	

RECOMMENDATIONS

That Council amend its decision of February 26, 2014, with respect to File DASZ 39/2013, by replacing Clause 6 and Clause 7 with the following:

6. That the subdivision section of the by-law shall come into force and effect upon registration of the plan of subdivision in the Winnipeg Land Titles Office.

7. That the zoning section of the by-law shall come into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.

REASON FOR THE REPORT

At the time DASZ 39/2013 was approved by Council, it was anticipated that the City would not own the subject site. However, the City still owns it.

The City cannot enter into an agreement with itself and so this report is required to provide Council and committees of Council with information, and recommendations, on modifying its approval so that DASZ 39/2013 can proceed before a Zoning Agreement and a Development Agreement are entered into.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations of the Urban Planning Division are concurred in, the plan of subdivision and rezoning proposed under DASZ 39/2013 can proceed.

HISTORY

Council minutes state that, on February 26, 2014, "Council concurred in the recommendation of the Standing Policy Committee on Property and Development, as amended by the Executive Policy Committee, and approved the proposed plan of subdivision and rezoning under File DASZ 39/2013…" This approval included Clauses 6 and 7 that state:

6. That the subdivision section of the by-law shall come into force and effect upon registration by the City of Winnipeg of the Development Agreement.
7. That the zoning section of the by-law shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed.

CONSULTATION

Consultation was not warranted to prepare this report.

SUBMITTED BY

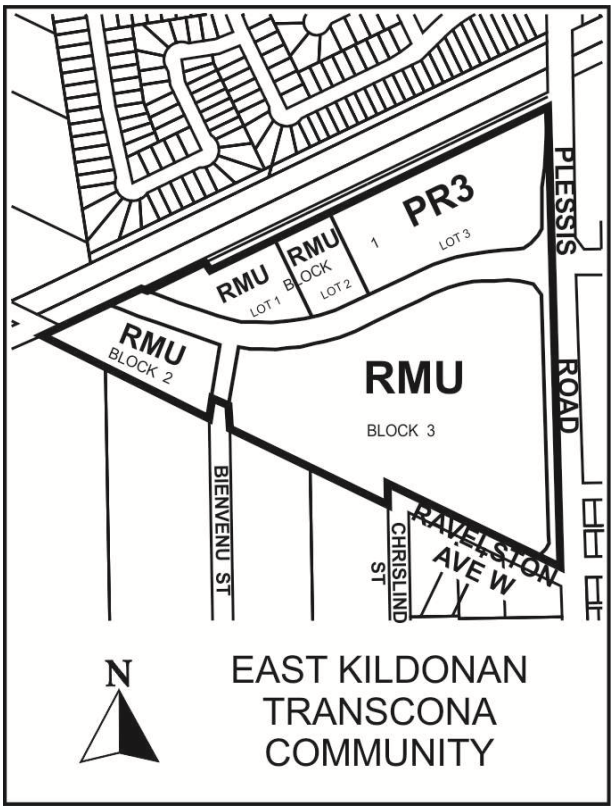
Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Glen Doney
Date:	March 13, 2016
File No.	ZAA 2/2016

List of Schedules and Attachments

1. Appendix A – Planning Discussion

APPENDIX 'A'

DATE:	March 13, 2016
FILE:	ZAA 2/2016
RELATED FILE:	DASZ 39/2013
COMMUNITY:	East Kildonan – Transcona Community Committee
NEIGHBOURHOOD #:	4.433
SUBJECT:	proposed replacement of Clauses 6 and 7 of Council's approval of Subdivision and Rezoning Application File DASZ 39/2013, on February 26, 2014, in order that said application can proceed
LOCATION:	1500 Plessis Road
LEGAL DESCRIPTION:	portions of OTM Lots 86A, 87A, 88A, 89A and 90A of the Parish of Kildonan



APPLICANT:	Joedi Pruden, City of Winnipeg Real Estate Division
OWNER:	City of Winnipeg
RECOMMENDATION:	Approval with Conditions

This application has no implications on land use or land development. Therefore, a planning discussion is not warranted.

The subject site is the same site as the subject site of DASZ 39/2013. Figure 1, from Schedule "A" for File No. DASZ 39/13, East Kildonan-Transcona Community Committee, dated October 8, 2013, is shown below.

Report Submitted by:
Planning, Property and Development Department, Urban Planning Division

Report Prepared By:
Glen Doney

PPD File #:
ZAA 2/2016

Figure 1: Subject Site, DASZ 39/2016

