Agenda – Council – April 27, 2016

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

Item No. 5 Extension of Time – Rezoning on Land Located at 500 Widlake Street (Transcona Ward)
File DAZ 208/2014

STANDING COMMITTEE RECOMMENDATION:

On April 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. 102/2014 be extended to December 14, 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 – April 12, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 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 East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 12, 2016, the Standing Policy Committee on Property and Development, Heritage and Downtown 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 March 21, 2016, 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, Heritage and Downtown Development.

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME – PROPOSED REZONING ON LAND LOCATED AT 500 WIDLAKE STREET – FILE NO. DAZ 208/2014**

Critical Path: **East Kildonan - Transcona 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. 102/2014 be extended to December 14, 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. 102/2014 expired on September 24, 2015. The Developer's representative has requested an extension of time to complete the necessary registrations at the Winnipeg Land Titles Office. They advise that they have been engaging over many months with the existing residents regarding living arrangements and also recently secured a funding arrangement 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 14, 2016 to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY

On May 27, 2014, Council adopted Item No. 8 of the report of the Standing Policy Committee on Property and Development dated May 13, 2014 which recommended approval of the subject rezoning to a "RMF-M" Residential Multi-Family (Medium) District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 102/2014 was passed by Council on September 24, 2014. See Appendix "A" map attached.

Section 1 and Section 2 of By-law No. 102/2014 stipulates:

"Zoning

1 Winnipeg Zoning By-law No. 200/2006 is amended by adding the following in Schedule B:

2(316) Notwithstanding anything elsewhere contained in this By-law or shown on the Zoning Maps, the land designated on the plan below as "RMF-M" is hereby zoned as an "RMF-M" Residential Multi-Family (Medium) District, the zoning districts and zoning district boundaries are hereby located as shown on that plan, and the Zoning Maps shall hereafter be read and construed as shown on that plan, subject to a Development Agreement for Servicing and a Zoning Agreement 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

2 Section 1 comes into force when Zoning Agreement DAZ 208/2014 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 expires unless that date is extended by resolution of City Council and the caveat is registered before such extended date.

By-law No. 102/2014 has not come into force by the required registrations of the Zoning Agreement DAZ 208/2014 by caveat at the Winnipeg Land Titles Office and the one year time limit expired on September 24, 2015. The Developer and the City of Winnipeg have not executed the Development Agreement for Servicing and Zoning Agreement DAZ 208/2014.

The applicant, Mr. John Wintrup, of Richard-Wintrup & Associates, on behalf of the Developer, is requesting an extension of time in order to complete the necessary registrations, citing that they have been engaging over many months with the existing residents regarding living arrangements and also recently secured a funding arrangement for the 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 subject rezoning is consistent with the Recent Communities Strategy to "*accommodate some infill development to increase housing choice, increase options for 'aging in place', and to maximize the use of existing infrastructure*".

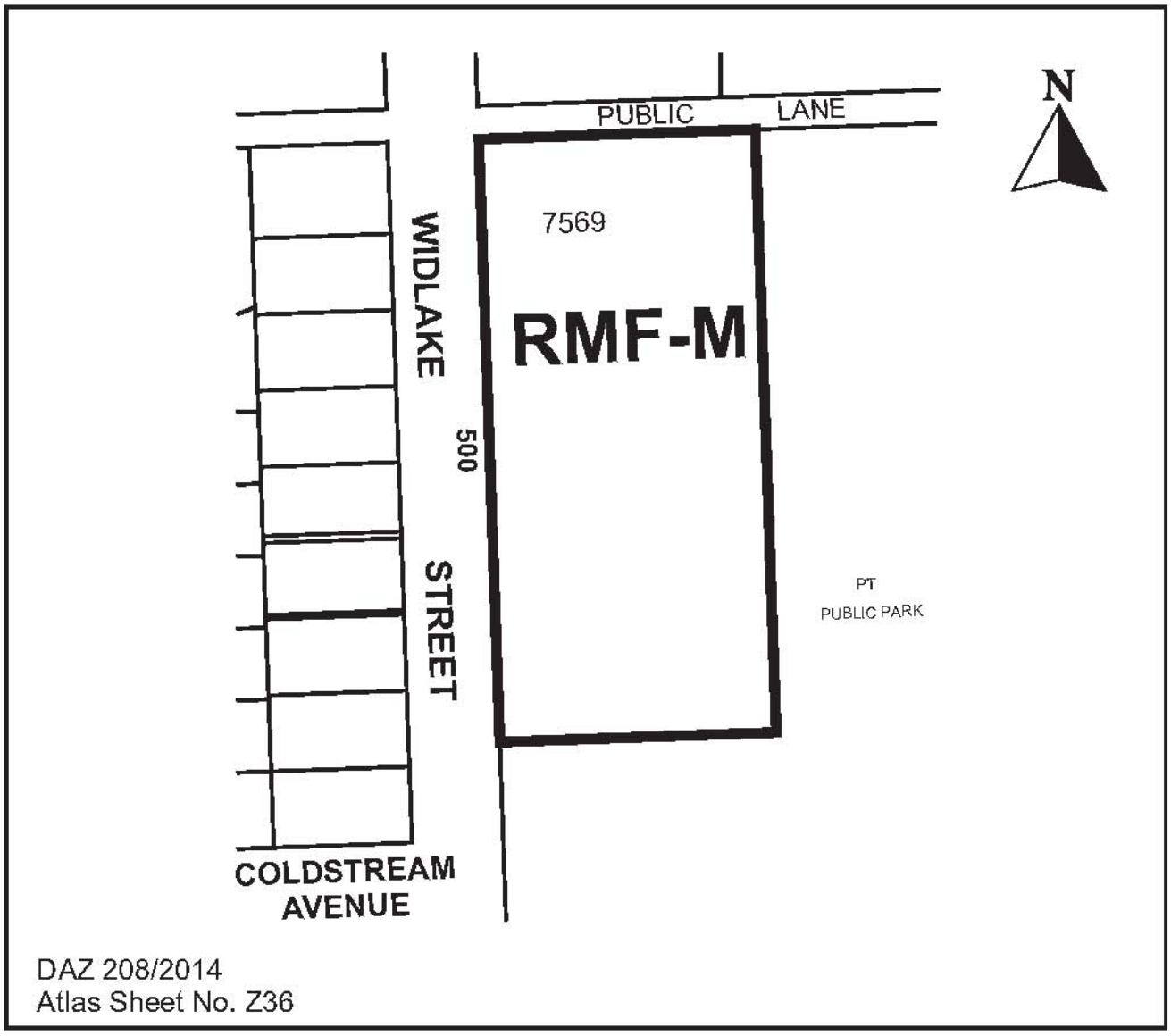
SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics and Land Information Systems
Prepared by:	R. Deighton, P.Eng., Land Development Coordinator
Date:	March 8, 2016
File No.	DAZ 208/2014

Appendix "A" – DAZ 208/2014 – By-law No. 102/2014 Map
Appendix "B" – Letter Requesting Extension of Time

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APPENDIX "A" – DAZ 208/2014 - BY-LAW NO. 102/2014 Map



DAZ 208/2014
Atlas Sheet No. Z36

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

RICHARD WINTRUP & ASSOCIATES

March 5, 2016

Kim Raban, P.Eng., Land Development Administrator
Planning, Property and Development Department
Land Development Branch
Main Floor – 65 Garry Street
Winnipeg - MANITOBA - R3C 4K4

Dear Mr. Kim Raban:

RE: 500 Widlake (DAZ 208/14) - By-law No. 102/2014

Zoning By-law 102/2014 under this application was passed by Council on September 24, 2014 and has a 1 year time limit. As note it has expired, therefore the re-zoning affecting this property cannot be proceeded with unless Council approves an extension of time for this by-law.

We request that a report be prepared by your office to seek Councils permission to extend this application's by-law for the following reasons:

We have been engaging over many months with the existing residents regarding their future living arrangements. We recently secured a funding arrangement (only such arrangement in Manitoba) for Provincial funds to provide these folks housing in the new building.

We committed to the Ward Councillor to resolve this matter with the tenants prior to making applications with the City. We are meeting the tenants early March to get their final sign off on this project, and then we hope to move forward with applications to construct the new seniors' residential building.

Feel free to contact me anytime at the number listed below or at ***john@richardwintrup.ca***

Yours truly,

John S. Wintrup, B.A. (Hons), M.Sc. Planning

RW | **Richard Wintrup** & Associates ltd.

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