**Agenda – Council – April 27, 2016**

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

**Item No. 12 Extension of Time – Southwest Corner of Dalhousie Drive and Allegheny Drive**
**(South Winnipeg - St. Norbert Ward)**
**File DAZ 210/2013**

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. 61/2014 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 Riel 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 Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On April 4, 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 REZONING ON LAND LOCATED AT THE SOUTHWEST CORNER OF DALHOUSIE DRIVE AND ALLEGHENY DRIVE – FILE NO. DAZ 210/2013**

**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 satisfy the Coming into Force provisions of By-law No. 61/2014 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. 61/2014 expired on May 27, 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 financing and building design related matters required resolution.

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 July 17, 2013, Council adopted Item No. 17 of the report of the Standing Policy Committee on Property and Development dated July 2, 2013 which recommended approval of the subject rezoning to a "RMF-L" Residential Multi-Family (Large) District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 61/2014 was passed by Council on May 27, 2014. See Appendix "A" map attached.

Section 1 and Section 2 of By-law No. 61/2014 stipulates:

**"Zoning**

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

2(300) Notwithstanding anything elsewhere contained in this By-law or shown on the Zoning Maps, the land designated on the plan below as "RMF-L" is hereby zoned as an "RMF-L" Residential Multi-Family (Large) 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 210/2013 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. 61/2014 has not come into force by the required registration of the Zoning Agreement caveat at the Winnipeg Land Titles Office and by the execution of the Development Agreement for Servicing. The one year time limit expired on May 27, 2015.

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 delays related to resolution of building design matters and financing required attention 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 *"support low to moderate change in low-density neighbourhoods through development and redevelopment that is complimentary to the existing scale, character and built form".*

## 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 14, 2016 |
| File No. | DAZ 210/2013 |

Appendix "A" – DAZ 210/2013 – By-law No. 61/2014 Map
Appendix "B" – Letter Requesting Extension of Time

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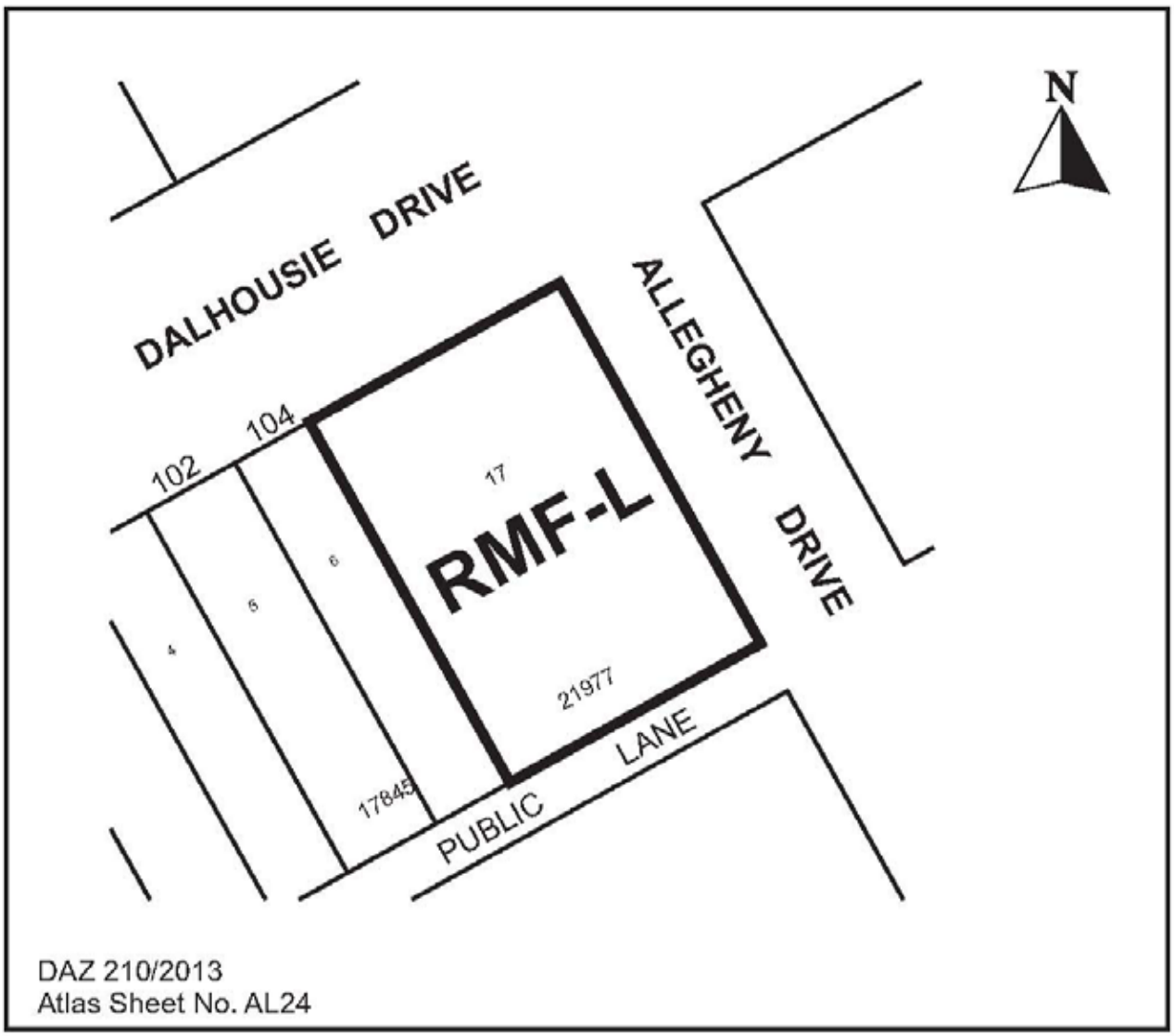
**APPENDIX "A" – DAZ 210/2013 - BY-LAW NO. 61/2014 Map**



## 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: DAZ 210/2013 - Servicing Agreement AG 210/13**

Zoning By-law 61/2014 under this application was passed by Council on May 27, 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: The Developer of the lands was delayed while arranging financing for the project; and working with the architect & engineering team to resolve matters related to building design.

Thank you for your attention to this matter and we look forward to your timely response. 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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