Minute No. 460
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 5, 2016

Item No. 7 Extension of Time – 311 Grassie Boulevard (Transcona Ward) File DASZ 24/2011

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee and adopted the following:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 101/2012 be extended to July 27, 2017.

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 – July 5, 2016

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 6, 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 July 5, 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 June 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 SUBDIVISION AND REZONING ON LAND LOCATED AT 311 GRASSIE BOULEVARD - FILE NO. DASZ 24/2011**

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. 101/2012 be extended to July 27, 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

The time limit for the Coming into Force provision of By-law No. 101/2012 will expire on July 18, 2016. The owner, 6651802 Manitoba Ltd., Attn: Mr. Dale Davis, has requested a further extension of time to complete the necessary registrations at the Winnipeg Land Titles Office. Mr. Davis advises that the property will be sold with the intent that the DASZ application will be taken over by the future land owner (purchaser).

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 July 27, 2017, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On December 14, 2011, Council adopted Item No. 3 of the report of the Standing Policy Committee on Property and Development dated November 29, 2011 which clause recommended approval of the subject subdivision and rezoning to a "R1-L" RESIDENTIAL SINGLE FAMILY (Large) DISTRICT and an "R1-M" RESIDENTIAL SINGLE FAMILY (Medium) DISTRICT. The rezoning By-law No. 101/2012 was passed by Council on July 18, 2012. See Appendix "A" map attached.

Section 3 of By-law No. 101/2012 stipulates:

"**Coming into force**

> "3(1) Section 1 comes into force when The City of Winnipeg executes the Development Agreement referred to in that section, which execution notwithstanding passage of this By-law shall remain in the absolute discretion of City Council.
>
> (2) Section 2 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office."

By-law No.101/2012 has not come into force by the registration of the Plan of Subdivision and the one year time limit for plan registration expired on July 18, 2013. Further, the required Development Agreement has been prepared but has yet to be signed by the Developer.

On September 25, 2013 Council concurred with Item No. 10 of the report of the Standing Policy Committee on Property and Development dated September 10, 2013 recommending that the time limit to provide for enactment of Zoning By-law No. 101/2012 coming into force and effect be extended for a one (1) year period to July 18, 2014.

On June 25, 2014 Council concurred with Item No. 3 of the report of the Standing Policy Committee on Property and Development dated June 10, 2014 recommending that the time limit to provide for enactment of Zoning By-law No. 101/2012 coming into force and effect be further extended for a one (1) year period to July 18, 2015.

On September 30, 2015 Council concurred with Item No. 11 of the report of the Standing Policy Committee on Property and Development dated September 15, 2015 recommending that the time limit to provide for enactment of Zoning By-law No. 101/2012 coming into force and effect be further extended for a one (1) year period to July 18, 2016.

The owner, 6651802 Manitoba Ltd. per Mr. Dale Davis, President, had worked towards assembling the required information to move the project forward. The owner has received documents (including the necessary Development Agreement) for execution; however, they

have not signed those documents and have requested a further extension of time in order to complete the necessary Agreement and subdivision plan registrations. Mr. Davis further advises that the property is being sold with the intent that the purchaser can take over the subdivision and rezoning application, see attached Appendix "B".

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 subdivision and rezoning is consistent with the Recent Communities Strategy to *"support the subdivision of a parcel of land into two or more lots when it is done in a context sensitive manner".*

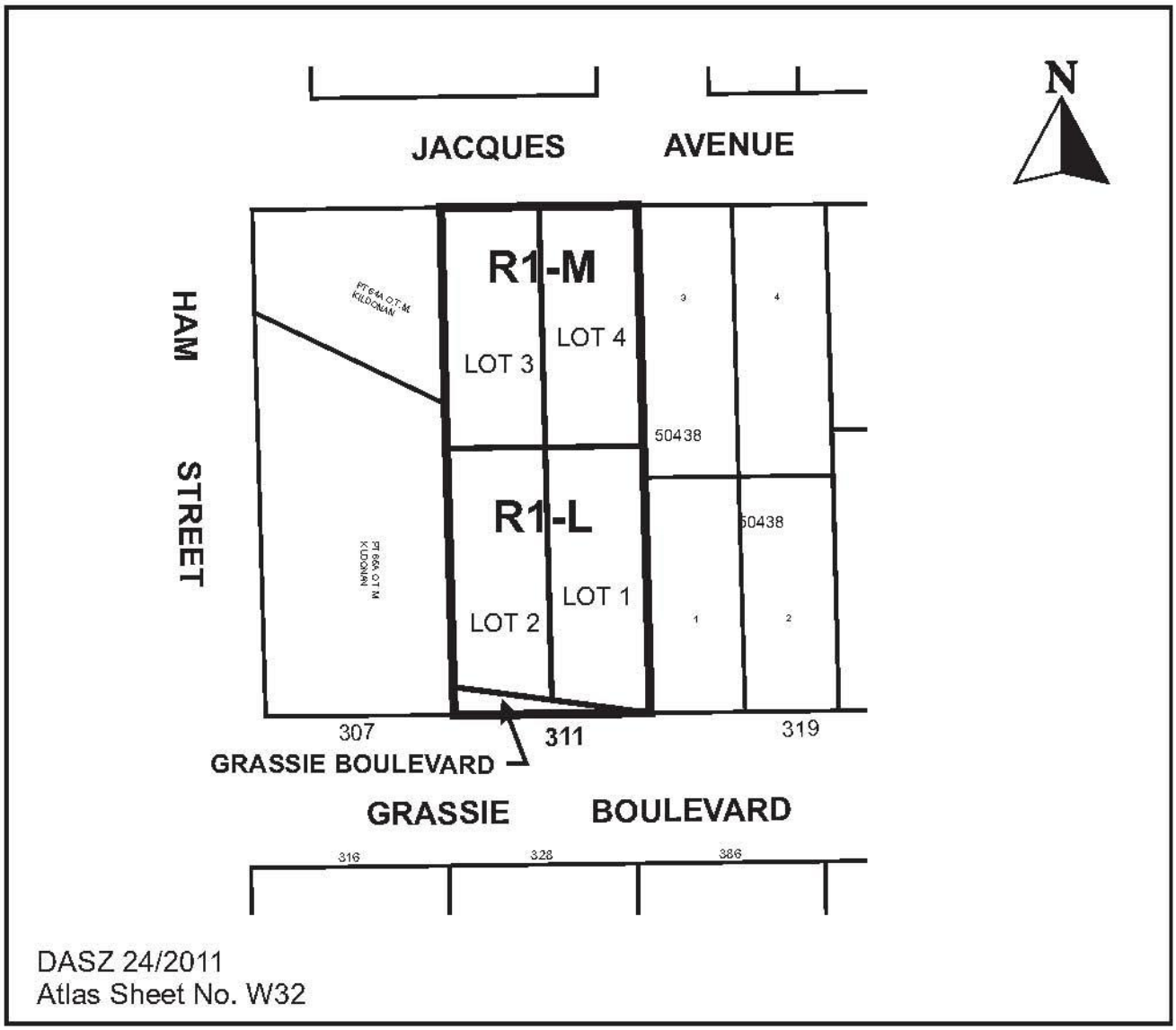
SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics and Land Information Systems
Prepared by:	R. Deighton, Land Development Coordinator
Date:	June 7, 2016
File No.	DASZ 24/2011

Appendix "A" – DASZ 24/2011 – By-law No. 101/2012 Map
Appendix "B" – Correspondence Requesting Extension of Time

V:\3-Angie-SAVE\112-2016 - REPORTS\Extension of Time Request #4 - DASZ 24-11-RD.doc

APPENDIX "A" – DASZ 24/2011 - BY-LAW NO. 101/2012 Map



APPENDIX "B" – CORRESPONDENCE REQUESTING EXTENSION OF TIME

From: Dale Davis [mailto:dentelim65@hotmail.ca]
Sent: Tuesday, May 31, 2016 11:47 AM
To: Deighton, Rob
Subject: File Ag 24/11 (DASZ 24/11)

To: Rob Deighton
Land Development Coordinator
Main Floor - 65 Garry St
Winnipeg, MB R3C 4K4

May 31, 2016

Re: Extension of time request
File AG 24/11 (DASZ 24/11)
311 Grassie

Dear Mr. Deighton,

This letter documents our request for an extension of the the above mentioned subdivision and land development.
The property is being sold and will be taken over by another party, as you have had contact with.

Yours Truly,

Dale Davis
6651802 Mb ltd
Box 12 grp 312 RR3
Selkirk, MB
R1A 2A8
204 479 4085