Agenda – Council – January 25, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 17, 2017

Item No. 6 Extension of Time – Proposed Subdivision and Rezoning on Land Located on Sage Creek Boulevard (St. Boniface Ward) File DASZ 6/2014

STANDING COMMITTEE RECOMMENDATION:

On January 18, 2017, 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. 85/2014 be extended to July 28, 2018.

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

Agenda – Council – January 25, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 17, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 18, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 17, 2017, 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 December 5, 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 ON LAND LOCATED ON SAGE CREEK BOULEVARD**
FILE NO. DASZ 6/2014

Critical Path: Riel Community Committee → Standing Policy Committee on Property and 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. 85/2014 be extended to July 28, 2018.

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 owner will be granted a three (3) year extension of time on By-law No. 85/2014 from the date of passage by Council which occurred on July 28, 2015 in order to complete the registration of the Plan of Subdivision and Zoning Agreement DASZ 6/2014 at Winnipeg Land Titles Office.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the Developer will be allowed a time extension to July 28, 2018 to complete the necessary Zoning Agreement and registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On May 27, 2014, Council adopted Item No. 18 of the report of the Standing Policy Committee on Property and Development dated May 13, 2014, which recommended approval of the subject development application as shown on Appendix "A" attached.

On July 28, 2014, By-law No. 85/2014 was passed by Council. Section 3 of the By-law stipulates:

Coming into force

> "3(1) Section 1 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.
>
> (2) Section 2 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and Zoning Agreement DASZ 6/2014 is registered in the Winnipeg Land Titles Office by caveat against the subject land, all 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 plan of subdivision and caveat are registered before such extended date."

On March 3, 2015 a request was received from the Developer, Sage Creek Development Corporation requesting an extension of time in order to complete the required registrations.

On May 27, 2015, Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Item No. 6 and adopted the following:

1. That the time limit for By-law No. 85/2014 to come into force be extended to July 28, 2016.
2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

By-law No. 85/2014 has not come into force by the required registration of the Plan of Subdivision and Zoning Agreement DASZ 6/2014 by caveat. The one year time limit for registration to occur expired on July 28, 2016.

On November 18, 2016 the Developer, Sage Creek Development Corporation, Attention: Mr. Jordan Sodomsky of One Dr. David Friesen Drive, Winnipeg, Manitoba, R3X 0G8 requested an extension of time in order to complete the required registrations, see attached Appendix "B".

The Winnipeg Public Service have reviewed the request for the 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

There is no financial impact associated with this recommendation.

CONSULTATION

N/A

OURWINNIPEG POLICY ALIGNMENT

The proposed subdivision and rezoning conforms to the South St. Boniface Area Structure Plan and the Complete Communities Direction Strategy under Areas of Stability-Recent Communities Policy Area.

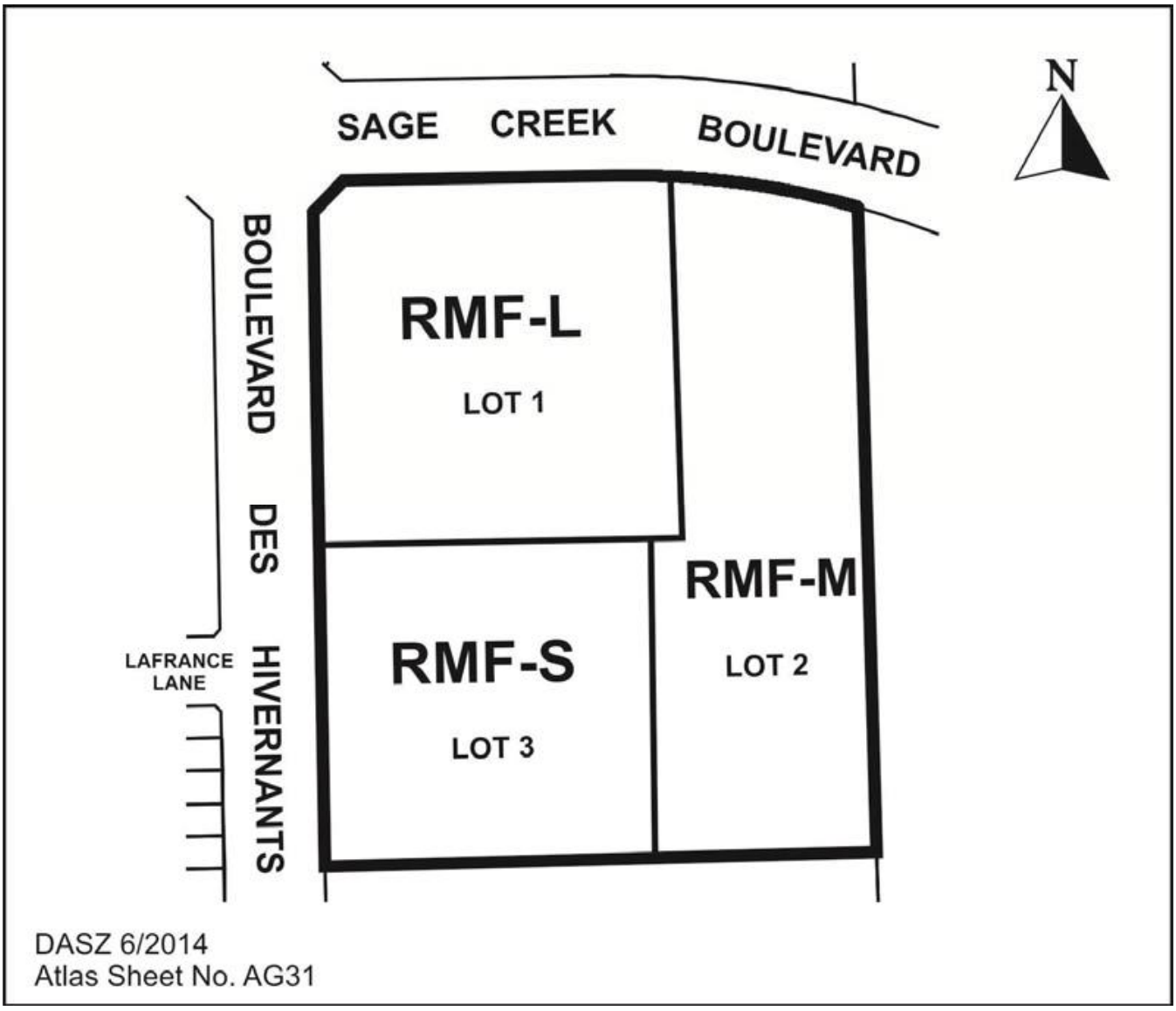
SUBMITTED BY

Department:	Planning, Property and Development
Division:	Land Development, Geomatics and Land Information Systems
Prepared by:	A. Savage, Land Development Services Coordinator
Date:	November 23, 2016
File No.	DASZ 6/2014

Appendix “A” – DASZ 6/2014 Map
Appendix “B” – Letter Requesting Extension of time

V:\3-Applications-SAVE\111-2016 - REPORTS\DASZ 6-14 Extension of Time Request #2 - By-law 85-2014.doc

APPENDIX "A" – DASZ 6/2014 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

SAGE CREEK DEVELOPMENT CORPORATION

One Dr. David Friesen Drive
Winnipeg, Manitoba R3X 0G8
Tel: 204.233.2451
Fax: 204.233.2965

Greg Jasper
The City of Winnipeg
Planning, Property and Development
Main Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Sage Creek Phase 2
Extension of Time for Coming Into Force section of By-law 85/2014

Dear Greg,

At its meeting held on July 16, 2014, City of Winnipeg Council passed By-law 85/2014 to approve the plan of subdivision applied for under application DASZ 6/2014.

Clause 3(2) of Council's approval of this plan of subdivision outlines the requirement that the plan of subdivision and Zoning Agreement are registered at the Winnipeg Land Titles Office within one year of the date the By-law was passed by Council.

A subsequent extension of the Coming Into Force section of the By-Law was then granted for a two (2) year period to allow a number of easement issues to be resolved amongst end-user parties. At this time the Sage Creek Development Corporation will be unable to meet the two year deadline for registration of the plan at WLTO, and would like to request a three (3) year extension for the coming into force section of By-law 85/2014 from the date the by-law was approved in order to finalize the aforementioned agreements required of the Zoning Agreement.

Enclosed with this letter is a cheque in the amount of $938.00 representing payment of $546.00 plus GST for extension of time, and $365.00 for re-approval of Mylars extending registration date.

I trust this letter will meet your requirements for requesting the three (3) year extension for By-law 85/2014, should you require more information please let me know.

Yours truly,

SAGE CREEK DEVELOPMENT CORPORATION

Jordan Sodomsky
Land Development Officer

Enclosure(s): As Noted