Minute No. 395
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 9, 2017

Item No. 7 **Extension of Time – Proposed Subdivision and Rezoning – Parcel A, Plan 107449 & Lot 1, Plan 12012, 1501 & 1525 Dawson Road South (St. Boniface Ward)**
File DASZ 52/2013

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. 56/2016 be extended to April 27, 2019.

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 – May 9, 2017

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 May 17, 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 May 9, 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 May 1, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and forwarded to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

ADMINISTRATIVE REPORT

Title: **EXTENSION OF TIME – PROPOSED SUBDIVISION AND REZONING - PARCEL A, PLAN 107449 & LOT 1, PLAN 12012, 1501 & 1525 DAWSON ROAD SOUTH – FILE NO. DASZ 52/2013**

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
M. Pittet	J. Kiernan	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provision of By-law No. 56/2016 expires on April 27, 2017. The Developer was not able to satisfy all the conditions prior to expiry and has requested an extension of time to complete the necessary agreements and registrations at the Winnipeg Land Titles Office.

The Winnipeg Public Service has no objection to this request.

RECOMMENDATIONS

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 56/2016 be extended to April 27, 2019.

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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the Developer will be allowed a time extension to April 27, 2019 to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On July 16, 2014, Council adopted Item No. 3 of the report of the Standing Policy Committee on Property and Development dated July 8, 2014 which recommended approval of the subject subdivision and rezoning to a “C3” Commercial Corridor District, a “CMU” Commercial Mixed Use District, an “RMF-M” Residential Multi-Family (Medium) District and a “PR1” Parks and Recreational District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 56/2016 was passed by Council on April 27, 2016. See Appendix "A" map attached.

Section 1 and Section 3 of By-law No. 56/2016 stipulates:

“Plan of subdivision

1 The plan of subdivision shown below is approved, subject to a Development 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

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 for each lot when:

a) The plan of subdivision is registered in the Winnipeg Land Titles Office; and
b) Zoning Agreement DASZ 52/2013 is registered in the Winnipeg Land Titles Office by caveat against the subject land; and
c) The City of Winnipeg issues a building permit for that lot; or that lot is sold or leased; or ten (10) years from the date this By-law is passed, whichever comes first.

By-law No. 56/2016 has not come into force by the registration of the Plan of Subdivision and the registration of Zoning Agreement DASZ 52/2013 by caveat in the Winnipeg Land Titles Office; the one year time limit will expire on April 27, 2017.

The applicant, Mr. Bryan Ward, MMM Group is requesting an extension of time in order to complete the necessary registrations of the Plan of Subdivision and Zoning Agreement at the Winnipeg Land Titles Office. 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 lands are located within an area designated as New Communities Policy Area identified as Precinct "J" which was adopted by Council on May 27, 2014 under Secondary Plan File No. SP 5/2013.

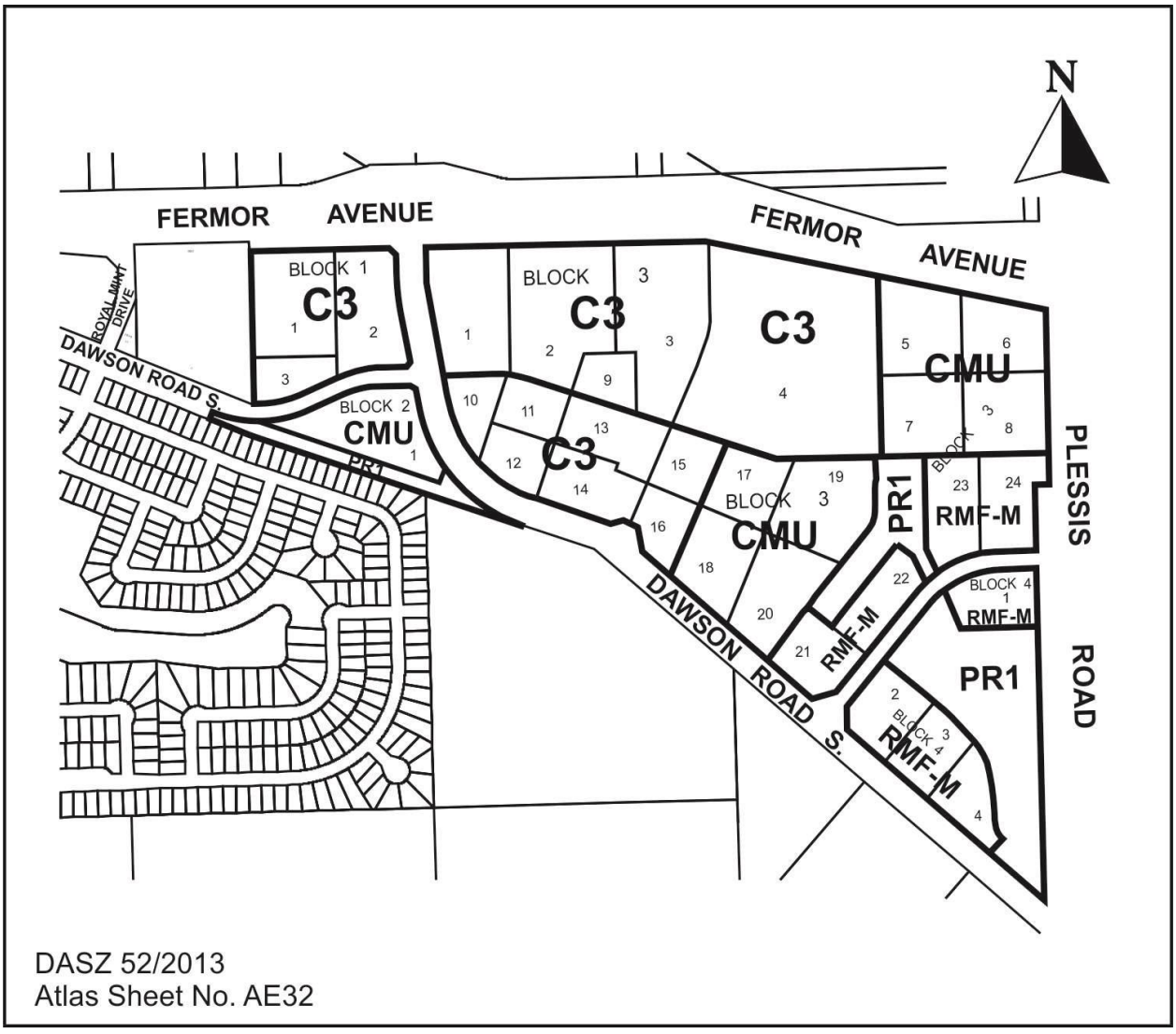
SUBMITTED BY

Department: Planning, Property and Development
Division: Land Development, Geomatics and Land Information Systems
Prepared by: A. Savage, Land Development Services Coordinator
Date: April 12, 2017
File No: DASZ 52/2013

Attachments: Appendix "A" – DASZ 52/2013 – By-law No. 56/2016 Map
Appendix "B" – Letter Requesting Extension of Time

V:\3-Applications-SAVE\113-2017 - REPORTS\Extension of Time DASZ 52-2013

APPENDIX "A" – DASZ 5/2015 - BY-LAW NO. 56/2016 Map



DASZ 52/2013
Atlas Sheet No. AE32

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

MMM Group Limited
111 - 93 Lombard Avenue
Winnipeg, MB Canada R3B 3B1
t: 204.943.3178 | f: 204.943.4948

www.mmmgrouplimited.com

April 7, 2017 Ref. No.: 13M-00324-01

Mr. Greg Jasper
Land Development Administrator
The City of Winnipeg
Main Floor - 65 Garry Street
Winnipeg MB R3C 4K4

Dear Mr. Jasper:

Re: Extension of Time – Subdivision and Rezoning – File DASZ 52/2013

On behalf of our Client, **5086109 Manitoba Ltd., 5086095 Manitoba Ltd, 5154635 Manitoba Ltd., and 5154643 Manitoba Ltd.**, MMM Group Limited (MMM), a WSP Company, is requesting a two-year extension of time for approval of the amending by-law. Our Client required this rezoning in accordance with the policies of the Precinct J Plan and this extension of time will allow our Client to continue to work with the City to confirm the details of the related Front Ending and Development Agreements.

We appreciate your consideration in this matter. Please contact me at 204.943.3178, if you have any questions.

Yours sincerely,

MMM Group Limited

Bryan Ward, M. Pl.
Senior Planner
Planning & Development

BW/tc