Agenda – Council – July 19, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 4, 2017

Item No. 4 Extension of Time – Proposed Subdivision and Rezoning – 590 St. Anne's Road (St. Vital Ward)

STANDING COMMITTEE RECOMMENDATION:

On July 12, 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 35/2014 be extended to November 30, 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 4, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 12, 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 July 4, 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 June 12, 2017, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service with the following amendment:

- Delete "May 31, 2018" and replace with "November 30, 2017".

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 – 590 ST. ANNE'S ROAD– FILE NO. DASZ 35/2014**

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

Pursuant to approvals under DASZ 35/2014, the Developer is required to enact a rezoning by-law and execute the necessary Development Agreement and Zoning Agreement with the City.

The time limit for enactment by Council of the necessary rezoning by-law under DASZ 35/2014 expired on May 27, 2015. The Developer was not able to satisfy all the conditions prior to expiry and has requested a one (1) year extension of time to enact the required rezoning by-law.

The Winnipeg Public Service has no objection to this request.

RECOMMENDATIONS

1. That the time limit to provide for the enactment of the necessary rezoning by-law under File No. DASZ 35/2014 be extended to May 31, 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.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendation is concurred in, the Developer will be allowed a time extension to May 31, 2018 to enact the required rezoning by-law under DASZ 35/2014.

HISTORY/DISCUSSION

On May 27, 2015, Council adopted Item No. 3 of the report of the Standing Policy Committee on Property and Development dated May 12, 2015 which recommended approval of the subject subdivision and rezoning to an “RMF-S” Residential Multi-Family (Small) District under the Winnipeg Zoning By-law 200/2006. See Appendix "A" map attached.

Recommendation 5 contained in said report stipulates:

> "That in the event the matter is not proceeded with expeditiously and the by-law is not enacted within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this two (2) year period and the extension is subsequently approved by Council."

The necessary by-law was not enacted and the two (2) year period expired on May 27, 2017.

On May 24, 2017 the City received a letter from the Developer, Mr. Anand Sharma, of 6313248 Manitoba Ltd., Unit F/10, 1833 Inkster Boulevard, Winnipeg, Manitoba, R2X 2R3 requesting an extension of time request for a one (1) year period in order to satisfy the necessary by-law enactment requirements. 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 property falls within two Areas; one lot is located along a Regional Mixed-Use Corridor (St. Anne’s Road), while the remainder of the site is located within the Areas of Stability – Recent Communities policy area under the Complete Communities Direction Strategy . Regional Mixed-Use Corridors encourage a mix of uses and generally encourage higher intensity development. Policies guiding development in Areas of Stability encourage low to moderate change that is compatible with existing development.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: June 1, 2017
File No: DASZ 35/2014

Attachments: Appendix “A” – DASZ 35/2014 – Map
Appendix “B” – Letter Requesting Extension of Time

V:\3-Applications-SAVE\113-2017 - REPORTS\Extension of Time Request DASZ 35-14

APPENDIX "A" – DASZ 35/2014 – Map

By-Law No. _____

File No. **DASZ 35/14**

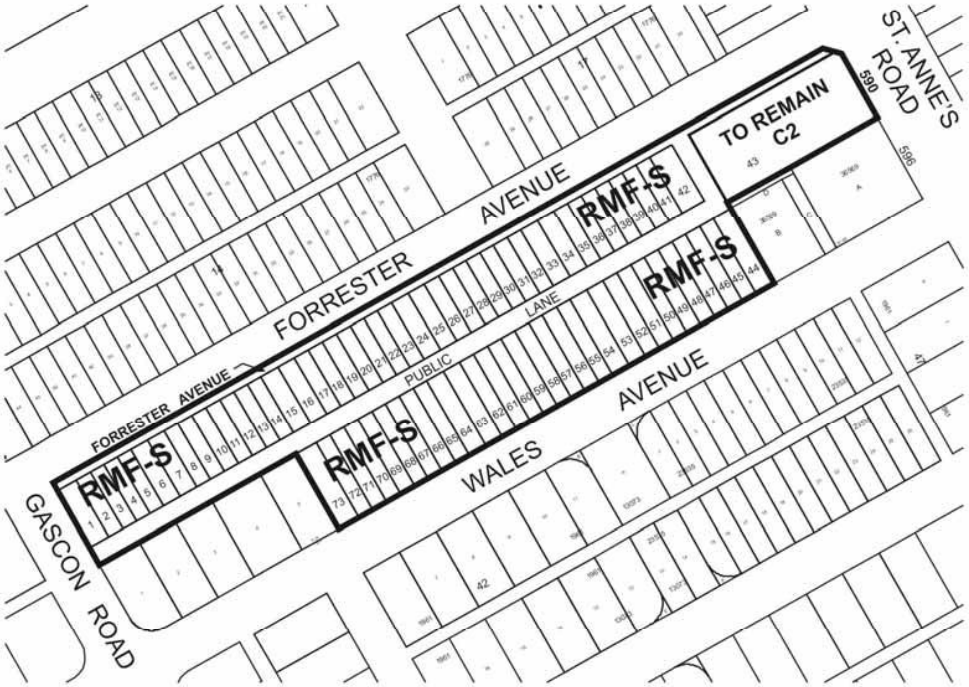
Atlas Sheet No.

N

AG28
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 590 St. Anne's Road from a "C2" COMMERCIAL COMMUNITY DISTRICT to an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to allow for the construction of multi-family dwellings and the establishment of a new public lane as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

May 24, 2017

To

Greg Jasper

Land Development Department

City of Winnipeg

Sub: **Extension for DASZ 35/14 – 590 St. Anne's Road**

Dear Sir,

We are proceeding for above property closing with City of Winnipeg and came across with a situation where our bank has a condition to clear the site from any contamination before closing this deal.

Since site is contaminated, we have already done Supplemental phase III Environmental site assessment with MWI consultant and they will be cleaning this site. You are requested to give us another 1 yr. Extension for the Council approval. In the meantime we will clean this site and get clearance letter from the Manitoba Conservation. We are also working with Surveyor (Barnes and Duncan) to prepare My Lars for the approved subdivision.

You are also requested to give us the permission to access the property to clean the existing contamination.

I have enclosed finance approval letter from the bank, quotation and scope of work to clean this site from MWI consultants for your reference.

Sincerely,

6313248 Manitoba Ltd.