Agenda – Council – September 27, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

Item No. 6 Extension of Time – Proposed Subdivision and Rezoning – 703 St. Anne's Road
(St. Vital Ward)
File DASZ 10/2012

STANDING COMMITTEE RECOMMENDATION:

On September 20, 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. 116/2013 be extended to June 30, 2018.

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 – September 19, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 20, 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 September 19, 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 July 10, 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 – 703 ST. ANNE'S ROAD – FILE NO. DASZ 10/2012**

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. 116/2013 expired on October 23, 2014. The Developer was not able to satisfy all the conditions prior to expiry and a request has been made for an extension of time to complete the necessary 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. 116/2013 be extended to June 30, 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 June 30, 2018 to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On October 24, 2012, Council adopted Item No. 4 of the report of the Standing Policy Committee on Property and Development dated October 9, 2012 which recommended approval of the subject subdivision and rezoning to a “C2” Commercial Community District and a “PR1” Parks and Recreation 1 (Neighbourhood) District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 116/2013 was passed by Council on October 23, 2013. See Appendix "A" map attached.

Section 1 of By-law No. 116/2013 stipulates:

“Plan of Subdivision

1 The plan of subdivision shown below is approved, subject to a Development Agreement for Servicing being entered into between the City of Winnipeg and the registered owner or persons entitled to be registered owner of the subject land.

Section 3 of By-Law No. 116/2013 stipulates:

Coming into force

3(1) Section 1 comes into force when The City of Winnipeg executes the Development Agreement for Servicing 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 and Zoning Agreement DASZ 10/2012 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.

By-law No. 116/2013 has not come into force by the required registration of the Plan of Subdivision and the required Zoning Agreement in the Winnipeg Land Titles Office. The By-laws current time limit expired on October 23, 2014.

The applicant, Mr. Vitali Ichine, of 703 St. Anne’s Inc., is purchasing the property from the previous owner and will be moving forward with development plans for the subject site. Mr. Ichine is requesting an extension of time in order to finalize the necessary Development Agreement for Servicing and complete the necessary registrations 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 property is located along a Mixed-Use Corridor (St. Anne's Road) under the Complete Communities Direction Strategy. The Complete Communities Direction Strategy encourages the intensification of land for a mix of uses (including commercial developments) along major corridors such as St. Anne's Road.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Development Applications Coordinator
Date: June 26, 2017
File No: DASZ 10/2012

Attachments:
Appendix "A" – DASZ 10/2012 – By-law No. 116/2013 Map
Appendix "B" – Letter Requesting Extension of Time

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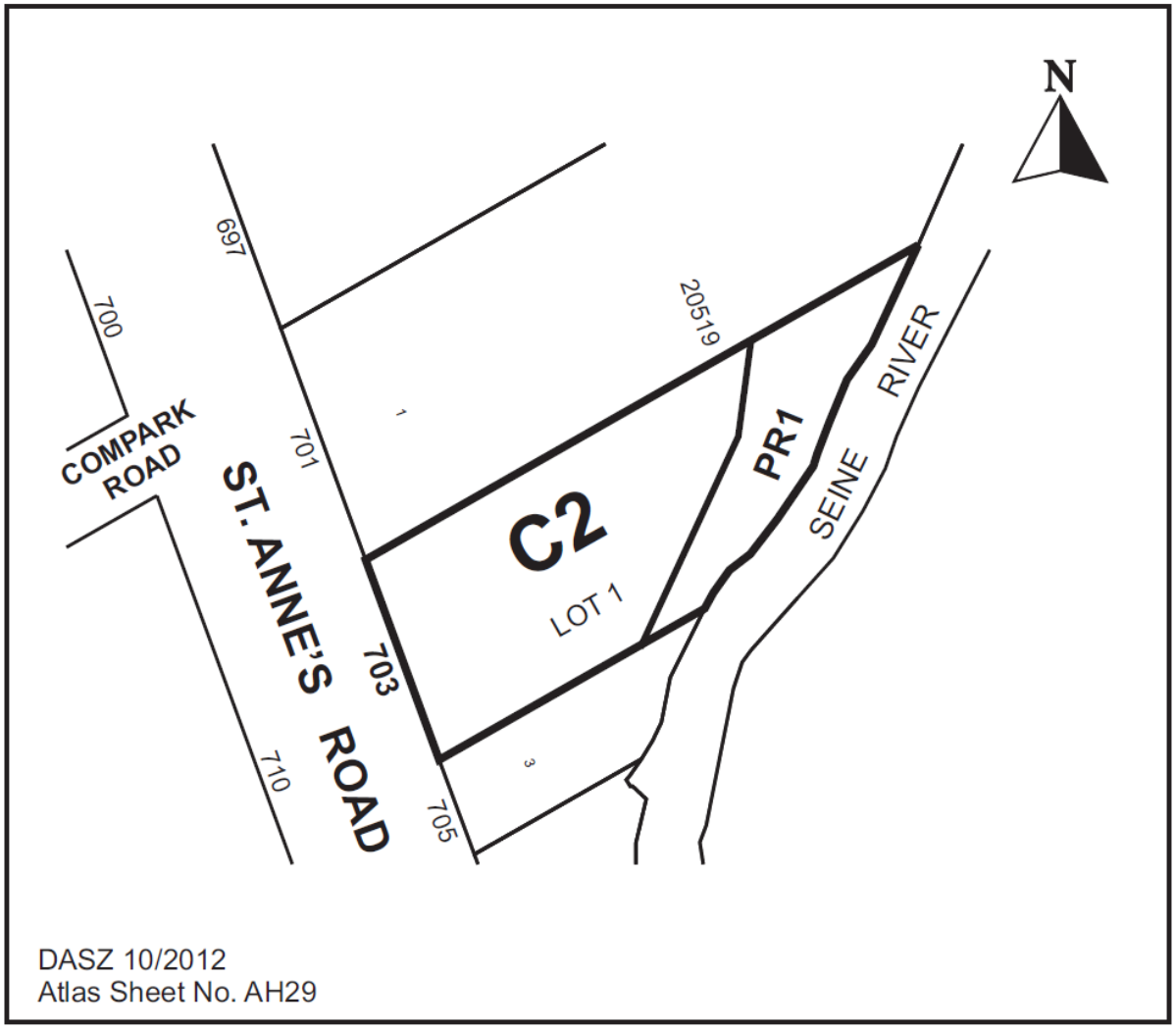
APPENDIX "A" – DASZ 10/2012 - BY-LAW NO. 116/2013 Map



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

June 8, 2017

Attention: Greg Jasper, P.Eng., Land Development Administrator.

Re: File Number DASZ 10/2012

I, Vitali Ichine of 703 St. Anne's Inc., would like to request an extension of time for the above noted file. The extension is needed so that we can complete the rezoning process and have the property converted to C2 zoning, as per original application. We are purchasing the property from the previous owner and intend on moving forward with development plans for the subject site. Our plans for the site are made on the assumption of C2 zoning.

We will require 6-12 months extension to complete this, or whatever your office deems reasonable. We do intend on pursuing this immediately, so we do not feel that this much time is necessary, however, we still require a reasonable amount of time.

If you have any questions, feel free to contact me directly.

Respectfully submitted,



Vitali Ichine
(204)205-0805