Agenda – Council – September 27, 2017

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

Item No. 7 Extension of Time – Proposed Subdivision and Rezoning – 1101-1121 Wabasha Street (Transcona Ward) File DASZ 31/2013

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 75/2015 under File No. DASZ 31/2013 be extended to July 31, 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 East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 11, 2017, the East Kildonan-Transcona 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 – 1101-1121 WABASHA STREET– FILE NO. DASZ 31/2013**

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

EXECUTIVE SUMMARY

The time limit for the Coming into Force provision of By-law No. 75/2015 expires on July 31, 2017. The property owner, the City of Winnipeg, represented by Ms. Joedi Pruden, Senior Negotiator, Real Estate and Land Development Division has requested a one (1) year extension of time in order to facilitate the sale of the subject land, transfer obligations under DASZ 31/2013 to a purchaser and 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 75/2015 under File No. DASZ 31/2013 be extended to July 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 an extension of time to July 31, 2018 to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On July 17, 2013, Council adopted Item No. 13 of the report of the Standing Policy Committee on Property and Development dated July 2, 2013 which clause recommended approval of the subject subdivision and rezoning to a "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT to allow for a future multi-family development. The rezoning By-law No. 75/2015 was passed by Council on July 15, 2015. See Appendix "A" map attached.

Section 1 of By-law No. 75/2015 stipulates:

"Plan of Subdivision

1 The plan of subdivision shown below is approved, subject to a Servicing Agreement 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. 75/2015 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 and Zoning Agreement DASZ 31/3013 is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date this By-law is passed, failing which this By-law will expire unless an extension of time is applied for prior to expiry, Council approves the extension, and the plan and caveat are registered before the extended date."

By-law No. 75/2015 has not come into force by the registration of the Plan of Subdivision and the required Zoning Agreement in the Winnipeg Land Titles Office. The by-law's current time limit will expire on July 15, 2016.

The current owner, the City of Winnipeg, represented by Ms. Joedi Pruden, Senior Negotiator, Real Estate Division had requested an extension of time in order to facilitate the sale of the subject land, transfer of obligations under DASZ 31/2013 to the new owner and complete the necessary registrations at the Winnipeg Land Titles Office. See Appendix "B".

Initially, the City of Winnipeg had submitted the application to subdivide and rezone the subject land with the intention to sell the arena site and transfer the obligations to the new land owner. However, the sale was not concluded by the purchaser at that time.

On October 26, 2016, Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee and adopted the extension to July 31, 2017.

On June 13, 2017, Ms. Pruden submitted a second request for an additional one (1) year extension of time as it was determined that the July 31, 2017 time limit for registration of DASZ 13/2013 would not be concluded.
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 classified as an “Area of Stability” in Complete Communities’ Urban Structure map. Areas of Stability are intended to accommodate low to moderate density infill development to support more efficient use of land, infrastructure and services as well as enhance housing choice and affordability.

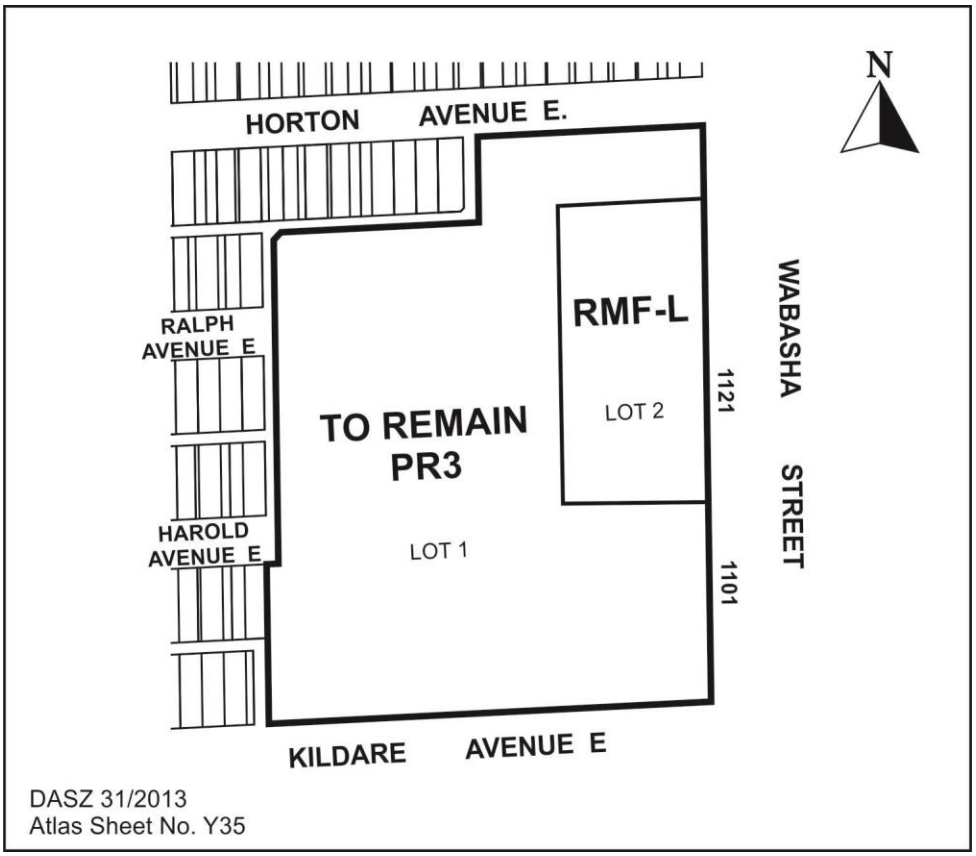
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: June 21, 2017
File No: DASZ 31/2013

Attachments: Appendix “A” – DASZ 31/2013 – Map
Appendix “B” – Email Requesting Extension of Time

V:\3-Applications-SAVE\113-2017 - REPORTS\Extension of Time Request DASZ 31/2013

APPENDIX "A" – DASZ 35/2014 – MAP



APPENDIX "B" – EMAIL REQUESTING EXTENSION OF TIME

From: Pruden, Joedi
Sent: Tuesday, June 13, 2017 2:46 PM
To: Savage, Angie
Subject: FW: DASZ 31/2013 (1101 - 1121 Wabasha St)

Hi Angie,

I'm sending this request to you as well. I know there's still time but I don't want to forget about it.

Thanks,

Joedi Pruden, BA, CRA, FRI(E)
Senior Negotiator
Real Estate and Land Development Division, Planning, Property and Development Department

---

From: Pruden, Joedi
Sent: Friday, March 10, 2017 12:13 PM
To: Jasper, Greg
Subject: FW: DASZ 31/2013 (1101 - 1121 Wabasha St)
Importance: High

Greg,

On October 26, 2016 Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development Committee to grant an extension of time to satisfy the coming into force provisions of by-law 75/2015 to July 31, 2017.

It has been determined that the July 31, 2017 won't be enough time to conclude DASZ 31/2013, therefore, I am requesting a further extension of time.

Let me know if you have any questions or concerns.

Thanks,

Joedi Pruden, BA, CRA, FRI(E)
Senior Negotiator
Real Estate and Land Development Division, Planning, Property and Development Department