Minute No. 592
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 19, 2017

Item No. 5 **Extension of Time – Subdivision and Rezoning – Ridgewood South, Opposite Cardiff Avenue and North of CNR Main Line (Charleswood-Tuxedo-Whyte Ridge Ward) File DASZ 47/2015**

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. 82/2016 be extended to July 31, 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 – September 19, 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 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 Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 12, 2017, the Assiniboia 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 – Ridgewood South, Opposite Cardiff Avenue and North of CNR Main Line – File No. DASZ 47/2015**

Critical Path: **Assiniboia 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. 82/2016 expired on July 13, 2017. 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. 82/2016 be extended to July 31, 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 July 31, 2019 to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On April 27, 2016, Council adopted Item No. 1 of the Report of the Standing Policy Committee on Property and Development dated April 12, 2016 which recommended approval of the subject subdivision and rezoning to a “PR1” Parks and Recreation 1 (Neighbourhood) District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 82/2016 was passed by Council on July 13, 2016. See Appendix "A" map attached.

Section 1 of By-law No. 82/2016 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. 82/2016 stipulates:

Coming into force

3 (a) Section 1 comes into force when the Plan of Subdivision is registered in the Winnipeg Land Titles Office.

(b) Section 2 comes into force when the Zoning Agreement for DASZ 47/2015 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 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. 82/2016 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-law’s current time limit expired on July 13, 2016.

On July 7, 2017, an extension of time request was received by the applicant, Jordan Sodomsky representing Ridgewood West Land Corp., 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 within the New Communities policy area under the Complete Communities Direction Strategy. The subject development is within the Ridgewood South Precinct Plan and is subject to policies under Section 6.1 Low Density Residential Area Policies.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: July 18, 2017
File No: DASZ 47/2015

Attachments:
Appendix "A" – DASZ 47/2015, By-law No. 82/2016 Map
Appendix "B" – Letter Requesting Extension of Time

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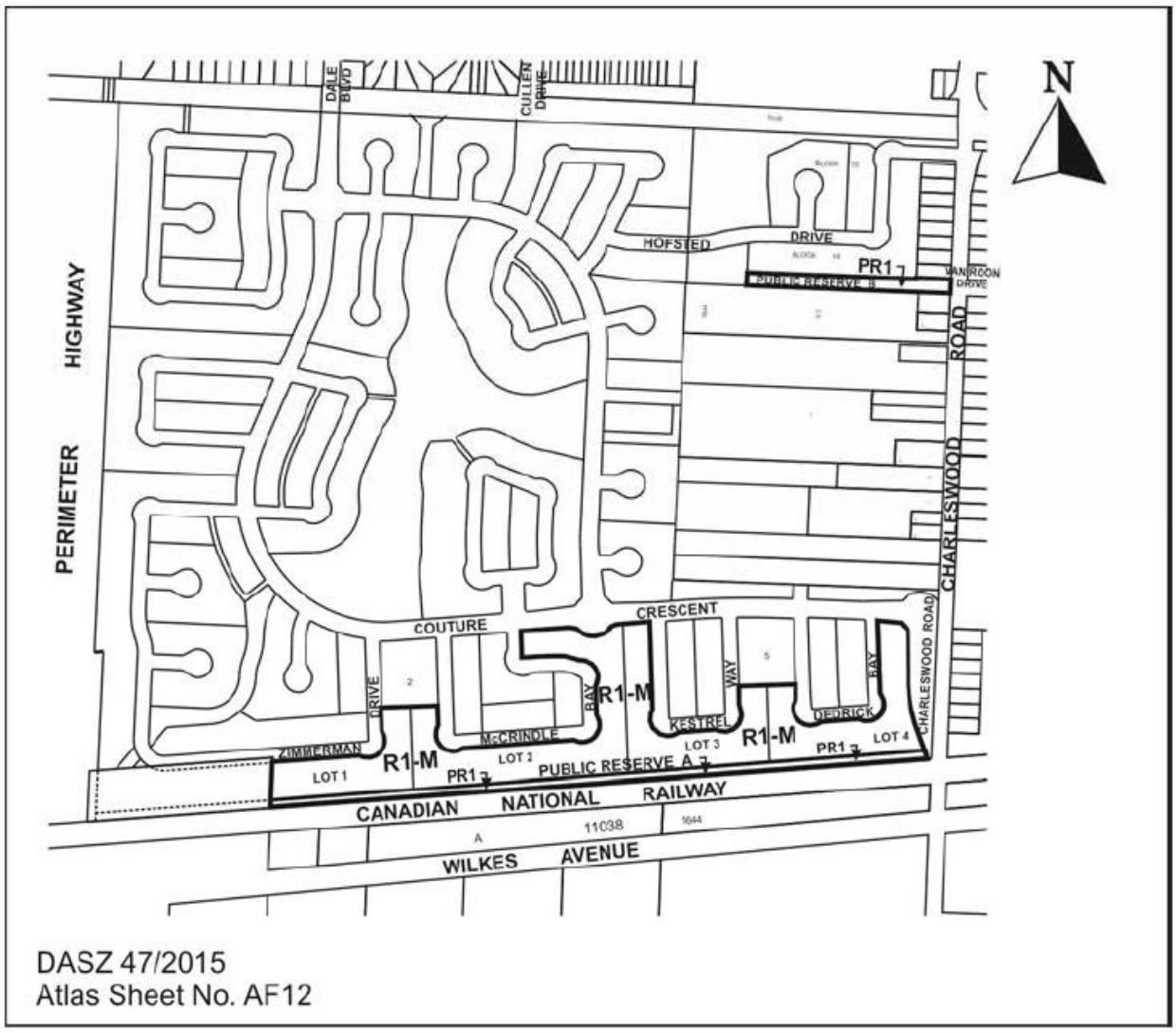
APPENDIX "A" – DASZ 47/2015, BY-LAW NO. 82/2016 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

RIDGEWOOD WEST LAND CORP.

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

RECEIVED
JUL 07 2017
LAND DEVELOPMENT

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

Ridgewood West – DASZ 47/2015
Extension of Time for Coming Into Force section of By-law 82/2016

Dear Greg,

At its meeting held on July 13th, 2016, City of Winnipeg Council passed By-law 82/2016 to approve the plan of subdivision applied for under application DASZ 47/2015.

Clause 3(b) 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.

At this time the Ridgewood West Land Corp. will be unable to meet the one 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 82/2016 from the date the by-law was approved in order to finalize the Development Agreement amendment and Zoning Agreement required of the approval.

Enclosed with this letter is a cheque in the amount of $972.30 representing payment of $555.00 plus GST for extension of time, and $371.00 + GST for re-approval of the Mylars.

I trust this letter will meet your requirements for requesting the three (3) year extension for By-law 82/2016, should you require more information please let me know.

Yours truly,

RIDGEWOOD WEST LAND CORP.

Jordan Sodomsky
Land Development Officer

Enclosure(s): None