Agenda – Executive Policy Committee – December 6, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

Item No. 4 Extension of Time – Proposed Rezoning on land located at 500 Widlake Street (Transcona Ward) File DAZ 208/2014

STANDING COMMITTEE RECOMMENDATION:

On November 27, 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 recommended to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 102/2014 be extended to December 14, 2018.

2. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Executive Policy Committee – December 6, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 27, 2017

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On November 27, 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 November 7 and 8, 2017 the East Kildonan-Transcona 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 Rezoning on land located at 500 Widlake Street – File No. DAZ 208/2014**

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. 102/2014 initially expired on September 24, 2015. The Developer was previously granted two (2) time extensions by Council. By-law No. 102/2014 is currently set to expire on December 13, 2017. Inasmuch as the expiry
Date is fast approaching, the Developer's representative has requested a further extension of time in order to ensure all necessary conditions and registration obligations are completed 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. 102/2014 be extended to December 14, 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 December 14, 2018, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On May 27, 2014, Council adopted Item No. 8 of the report of the Standing Policy Committee on Property and Development dated May 13, 2014 which recommended approval of the subject rezoning to an “RMF-M” Residential Multi-Family (Medium) District under the Winnipeg Zoning By-law 200/2006. The rezoning By-law No. 102/2014 was passed by Council on September 24, 2014. (see Appendix "A" map attached)

Section 1 and Section 2 of By-law No. 102/2014 stipulate:

“Zoning

1 Winnipeg Zoning By-law No. 200/2006 is amended by adding the following in Schedule B:

2(316) Notwithstanding anything elsewhere contained in this By-law or shown on the Zoning Maps, the land designated on the plan below as “RMF-M” is hereby zoned as an “RMF-M” Residential Multi-Family (Medium) District, the zoning districts and zoning district boundaries are hereby located as shown on that plan, and the Zoning Maps shall hereafter be read and construed as shown on that plan, subject to a Development Agreement for Servicing and a Zoning 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

2 Section 1 comes into force when Zoning Agreement DAZ 208/2014 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 expires unless that date is extended by resolution of City Council and the caveat is registered before such extended date.

By-law No. 102/2014 has not come into force by the required registrations of the Zoning Agreement DAZ 208/2014 by caveat at the Winnipeg Land Titles Office and the one year time limit expired on September 24, 2015. The Developer and the City of Winnipeg have not executed the Development Agreement for Servicing and Zoning

Agreement DAZ 208/2014. The necessary Agreements have been drafted and are being finalized by the City's Legal Department.

On April 27, 2016 Council concurred with Item No. 5 of the report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated April 12, 2016 recommending that the time limit to provide for enactment of Zoning By-law No. 102/2014 coming into force and effect be extended to December 14, 2016.
On January 25, 2017 Council concurred with Item No. 13 of the report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 17, 2017 recommending that the time limit to provide for enactment of Zoning By-law No. 102/2014 coming into force and effect be extended to December 13, 2017.

The Developers representative, Mr. Christopher Daly, Principle Architect of MMP Architects, on behalf of the Developer, Widlake Properties Inc., is requesting a further extension of time in order to meet the conditions needed to finalize requirements under By-law No. 102/2014 which include the completion of the necessary registrations at the Winnipeg Land Titles Office. The current time limit of December 13, 2017 is fast approaching which provides uncertainty at this time. They indicate the project team are also working through construction related documents and have targeted a construction start date for this project by February 2018. (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

OUR WINNIPEG POLICY ALIGNMENT

The subject rezoning is consistent with the Recent Communities Strategy to "*accommodate some infill development to increase housing choice, increase options for 'aging in place', and to maximize the use of existing infrastructure*".

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: R. Deighton, P.Eng. Land Development Coordinator
Date: October 30, 2017
File No: DAZ 208/2014

Attachments:
Appendix “A” – DAZ 208/2014, By-law No. 102/2014 Map
Appendix “B” – Letter Requesting Extension of Time

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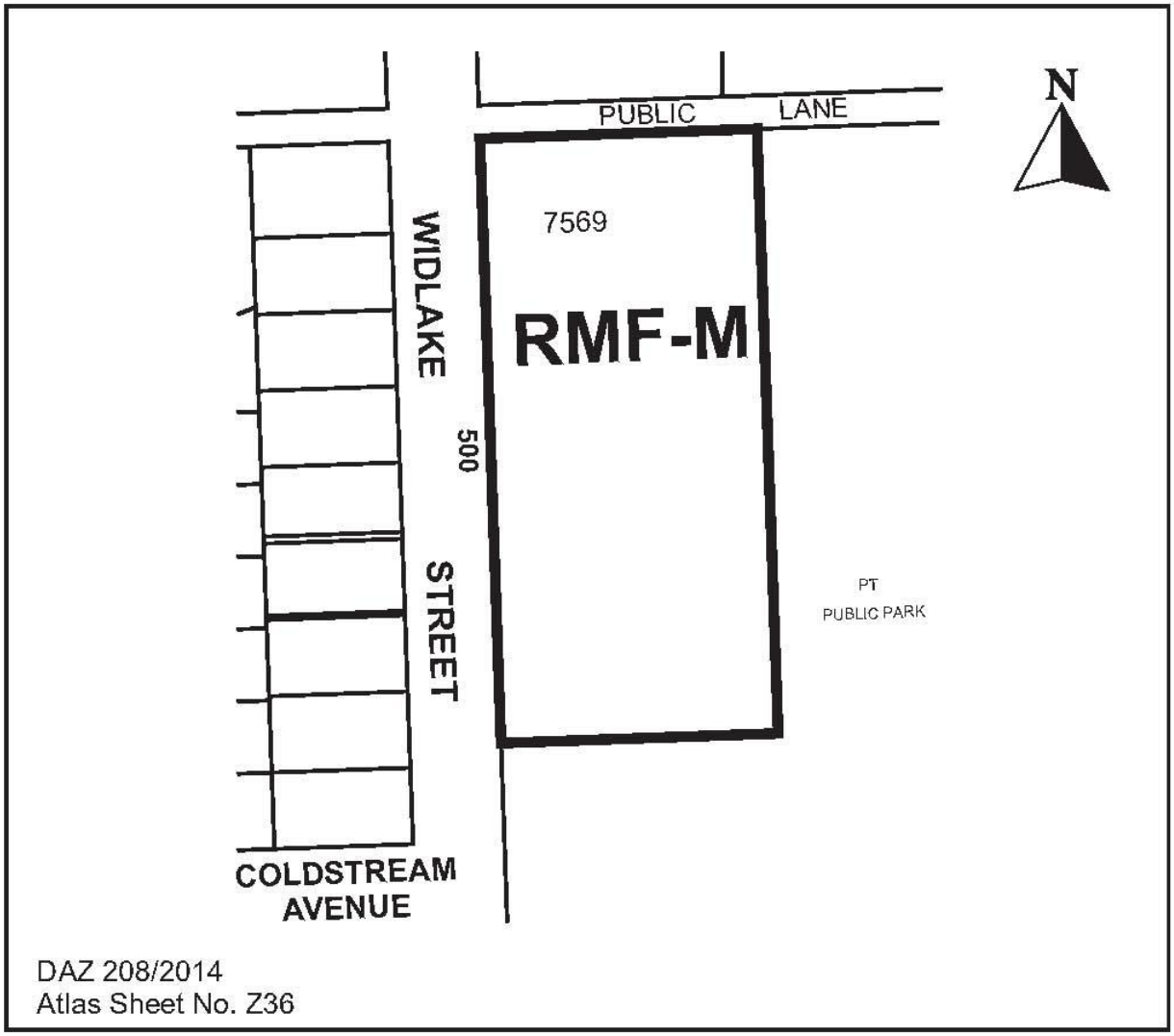
APPENDIX "A" – DAZ 208/2014, BY-LAW NO. 102/2014 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

300-214 McDermot Avenue
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MMP ARCHITECTS

October 26, 2017

Land Development Branch
Planning Property and Development
4 – 65 Garry Street
Winnipeg, MB
Phone: 204-986-3779

Attn: Rob Deighton, Land Development Coordinator

RE: DAZ 208/2014 and Servicing Agreement AG 208/14
Extension Request, 500 Widlake Ave., 94 Unit Seniors Living Development.

Hello Mr. Deighton,

The following letter is to clarify our request for extension concerning the DAZ 208/2014 which expires on December 13, 2017 for the property located at 500 Widlake Ave, Winnipeg, MB.

It is the intent of the Owner, Widlake Properties Inc. to develop and construct a 94 units seniors living complex on the 500 Widlake site. The building will be a four storey in height and wood frame construction, complete with a multipurpose room and other amenities spaces. The cliental is intended to focus on the senior demographic. MMP Architects and Man Shield Construction have been engaged by the Owner and are currently working through construction documents.

On behalf of the Owner, Widlake Properties Inc., MMP Architects, as their authorized agent, is requesting an extension for the above noted 208/2014 DAZ in order to allow us the necessary timeframe to complete, sign, and register the service agreement document.

As noted by the Land Development Branch, we are required to complete the following process for the service agreement to be completed, allowing for the release of our partial building/foundation permit.

1.0) The service agreement document must be signed by Widlake Properties Inc. and reviewed by City of Winnipeg legal department.
2.0) The civil drawings/cost estimate must be reviewed and approved.
3.0) The service agreement must be signed by the Director of the Land Development Branch,
4.0) The Owner must pay all required securities, fees and charges.
5.0) The documents must be registered through WLTO before December 13, 2017.

Currently the service agreement drawing and cost estimate has been submitted for review and acceptance by the Underground Services Branch.

At the advice of the Land Development Branch, we feel it necessary to have the DAZ extension in place as the possibility of completing the above noted process before December 13, 2017 is unlikely at best.

Robert Wrublowsky MAA
Christopher P. Daly MAA
www.mmparchitects.com

300-214 McDermot Avenue
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MMP ARCHITECTS

The following is a summary of our current progress and intended project schedule moving forward.

Current: Drawings are in Design development, detailed civil drawings sent to W&W October 24, 2017
Nov. 07, 2017: Application submission to City of Winnipeg for foundation permit.
Dec. 14, 2017: Application submission to City of Winnipeg for super structure permit.
Jan. 10, 2018: Full sub-trade tender via Construction Manager and MMP Architects.
Jan. 26, 2018: Full IFC submission, complete building permit application.

It is the intent of the Owner and consultant team to start construction of this project no later than February 2018.

Please feel free to contact me directly should you have any further questions or require any additional information at this time.

Sincerely,

Christopher P. Daly
MAA, LEED® AP
Principal Architect, MMP Architects Inc.

Robert Wrublowsky MAA
Christopher P. Daly MAA
www.mmparchitects.com