Minutes – Executive Policy Committee – December 6, 2017

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

Item No. 5 Extension of Time – Proposed Subdivision and Rezoning – 1274-1288 and 1310 Archibald Street
(St. Boniface Ward)
File DASZ 1/2016

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

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. 98/2016 be extended to March 15, 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 – November 27, 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 concurred in and forwarded to Council.

Carried

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 Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 6, 2017, the Riel 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 – 1274-1288 and 1310 Archibald Street – File No. DASZ 1/2016**

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. 98/2016 expired on September 28, 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. 98/2016 be extended to March 15, 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 March 15, 2018, 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 Executive Policy Committee dated April 20, 2016 which recommended approval of the subject subdivision and rezoning to a "RMF-M" Residential Multi-Family (Medium) District and a "C2" Commercial Community District under Winnipeg Zoning By-Law 200/2006. The rezoning By-law No. 98/2016 was passed by Council on September 28, 2016. See Appendix "A" map attached.

Section 3 of By-law No. 98/2016 stipulates:

Coming into force

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

3(b) Section 2 comes into force when Zoning Agreement DASZ 1/2016 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 caveat is registered before the extended date.

By-law No. 98/2016 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-laws current time limit expired on September 28, 2017.

An extension of time request has been made by Mr. Tom Haughton, Vice-President of 1280 Archibald St. Ltd. and 5183279 Manitoba Ltd., the owner of the subject land. This extension is required, in order to 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

OUR WINNIPEG POLICY ALIGNMENT

The site is within the Areas of Stability – Mature Communities Policy Area under the Complete Communities Direction Strategy. The proposal is consistent with the policies guiding development in the Areas of Stability – Mature Communities Policy Area which supports context sensitive development.

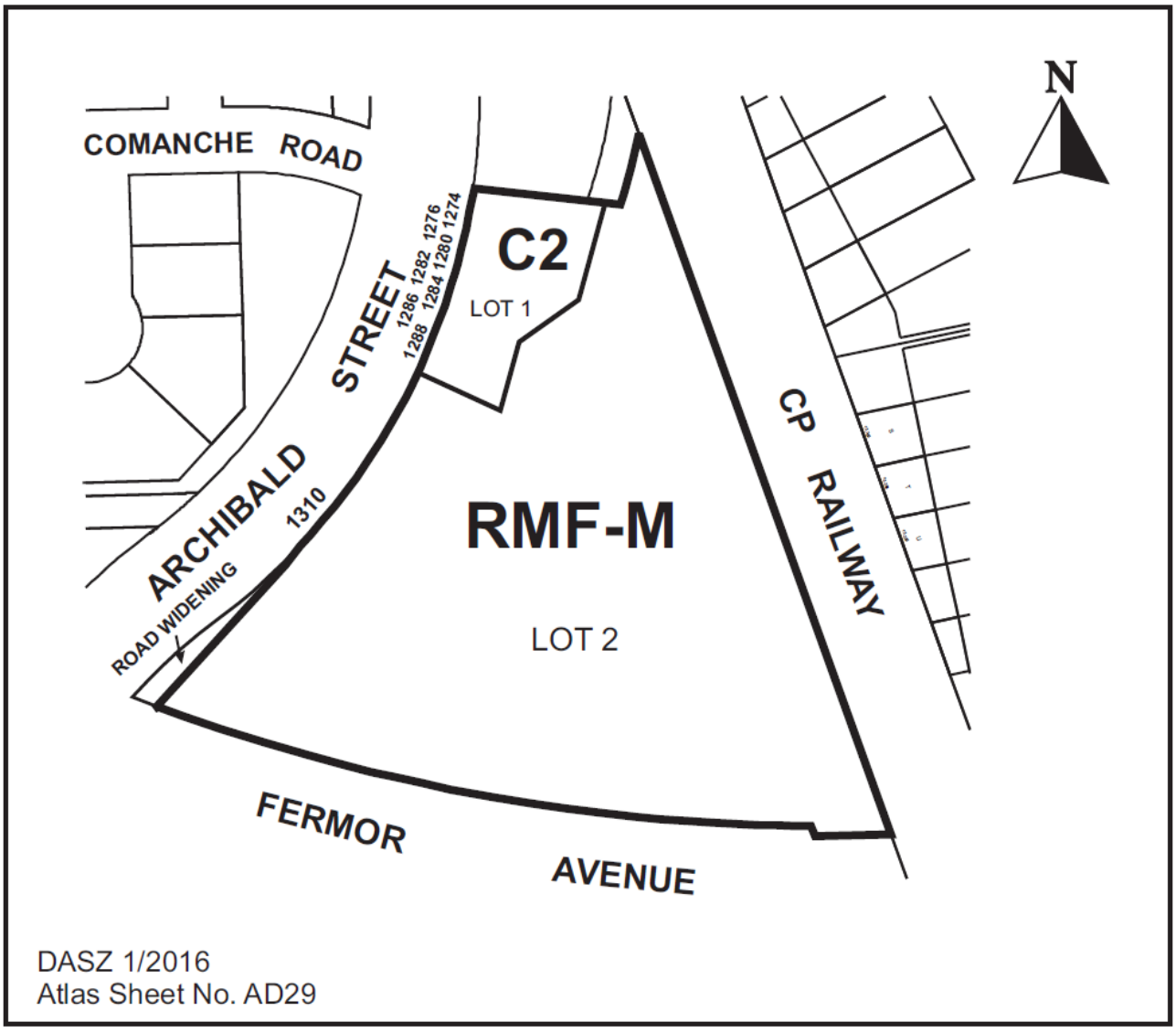
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Development Applications Coordinator
Date: October 26, 2017
File No: DASZ 1/2016

Attachments:
Appendix “A” – DASZ 1/2016, By-law No. 98/2016 Map
Appendix “B” – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 1/2016, BY-LAW NO. 98/2016 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

5183279 Manitoba Ltd.

Planning, Property and Development Department
Land Development Branch
Main Floor – 65 Garry Street
WINNIPEG, MB R3C 4K4

Attention: Greg Jasper

Dear Sirs:

Re: DASZ 1/2016 – Subdivision and Rezoning 1274 to 1288 & 1310 Archibald Street
Extension of Time

We request an Extension of Time, March 15, 2018, to allow us enough time to have the Mylars signed by all the appropriate parties as well as other items required by the Winnipeg Land Titles Office. Please note that it will take some time to track down the various caveators for their signature, due to the age of the Caveats. We also require your re-approval of the enclosed Mylars.

Please find enclosed our cheque in the sum of $953.75, representing the Extension of Time fee of $555.00 plus GST in the sum of $27.75, as well as $371.00, for the re-approval of Mylars.

We look forward to hearing from you at your earliest convenience, but if you have any questions or comments with respect to the foregoing, please do not hesitate to contact the writer.

Sincerely,

5183279 Manitoba Ltd. Beneficial Owner
of Thorwin Real Estate LP

Per:

Tom Haughton, Bcomm (Hons)
Vice President, Thorwin Real Estate LP
Encl.
/sla

5183279 Manitoba Ltd. 200 – 1280 Archibald – Winnipeg, MB R2J 0Z4
Phone: 204-253-1885 Fax: 204-253-1651