Agenda – Executive Policy Committee – April 17, 2018

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 9, 2018

Item No. 16 Extension of Time – Proposed Subdivision and Rezoning – Northwest Intersection of King Edward Street and Inkster Boulevard (Old Kildonan Ward) File DASZ 39/2015

STANDING COMMITTEE RECOMMENDATION:

On April 9, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 2/2017 be extended to January 25, 2019.

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 – April 17, 2018

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 9, 2018

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On April 9, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council

COMMUNITY COMMITTEE RECOMMENDATION:

On April 6, 2018, the Lord Selkirk-West Kildonan 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.

On March 13, 2018, the Lord Selkirk-West Kildonan Community Committee further laid the matter over to its meeting on April 17, 2018.

On February 13, 2018, the Lord Selkirk-West Kildonan Community Committee laid the matter over to its meeting on March 13, 2018.

ADMINISTRATIVE REPORT

Title: **Extension of Time – Proposed Subdivision and Rezoning – Northwest Intersection of King Edward Street and Inkster Boulevard – File No. DASZ 39/2015**

Critical Path: **Lord Selkirk-West Kildonan 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. 2/2017 under File No. DASZ 39/2015 expired on January 25, 2018. Although the expiry date is past due, the Developer had requested an extension of time prior to the expiry date in order to ensure all necessary conditions and registration obligations could be 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. 2/2017 be extended to January 25, 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 January 25, 2019, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On July 13, 2016, Council adopted Item No. 2 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated July 5, 2016 approving the addition of "Schedule V", the Inksbrook Employment Lands Planned Development Overlay-2 (PDO-2 Inksbrook Employment Lands), a subdivision and a rezoning to an "M1" Manufacturing Light District and a "C2" Commercial Community District under Winnipeg Zoning By-Law 200/2006. The rezoning By-law No. 2/2017 (See Appendix "A") was passed by Council on January 25, 2017.

Section 3 of By-law No. 2/2017 stipulates:

Coming into force

3 Section 1 and 2 come into force when the plan of subdivision is registered in the Winnipeg Land Titles Office.

By-law No. 2/2017 has not come into force by the required registration of the Plan of Subdivision DASZ 39/2015 in the Winnipeg Land Titles Office and the one (1) year time limit expired on January 25, 2018.

The law firm Fillmore Riley, Attention: Mr. Timothy S. Dewart, 1700-360 Main Street, Winnipeg, Manitoba, R3C 3Z3, on behalf of the owner 2113686 Manitoba Ltd. (QuadReal Property Group) is requesting an extension of time 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 as circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OUR WINNIPEG POLICY ALIGNMENT

The current zoning designation of the subject lands is "A" Agricultural District which zoning does not reflect the types of land uses that the *Complete Communities Direction Strategy* accommodates on the subject lands. Rezoning this land will better align property development rights with the policies of *Complete Communities* which designates the subject lands as a General Manufacturing Policy Area. The proposed rezoning maintains the intent of Complete Communities by creating commercial opportunities and maintains the industrial integrity that will

serve both the industrial enterprise as well as the residential neighbourhoods in close proximity to the site.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: February 1, 2018
File No: DASZ 39/2015

Attachments:
Appendix “A” – DASZ 39/2015, By-law No. 2/2017 Map
Appendix “B” – Letter Requesting Extension of Time

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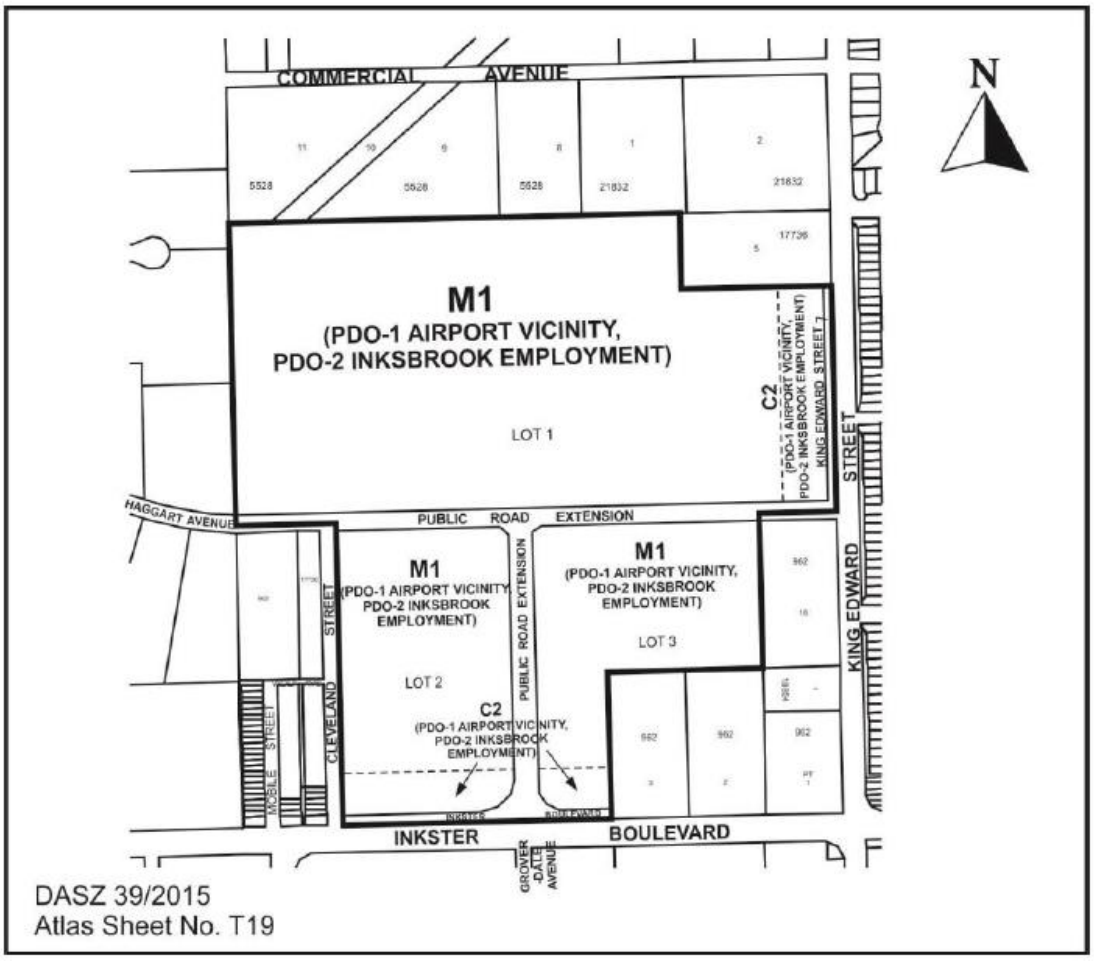
APPENDIX "A" – DASZ 39/2015, BY-LAW NO. 2/2017 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

FillmoreRiley

TIMOTHY S. DEWART
Direct Tel (204) 957-8312
Direct Fax (204) 954-0312
timdewart@fillmoreriley.com

LEGAL ASSISTANT
Nicole Dubois
Tel (204) 956-2970 ext. 212
ndubois@fillmoreriley.com

January 24, 2018

Our File Number: 418822-37TSD
FRDOCS_7795826.1

The City of Winnipeg
Planning, Property & Development Department
Main Floor, 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Attention: Greg Jasper

Dear Sirs:

Re: Subdivision and Rezoning –
Northwest Intersection of King Edward Street and Inkster boulevard
2113686 Manitoba Ltd.
Your File No. DASZ39/2015

Further to the above noted matter and our letter of January 23, 2018 to the attention of your Ms. Candace Braun enclosing certain fees to accompany our requests to the City, we wish to confirm that due to delays in finalizing the Development Agreement for the above reference matter we understand that the time period for the registration of the City By-Law and Plan of Subdivision at Winnipeg Land Titles Office will not be met in accordance with the City of Winipeg requirements.

Please accept this requested on behalf of our client 2113686 Manitoba Ltd. to extend the time periods to complete this matter.

If you have any questions or concerns, please do not hesitate to contact the undersigned at your convenience. We look forward to receiving your favourable reply.

Yours truly,

FILLMORE RILEY LLP

Per:

TIMOTHY S. DEWART

TSD

QuadReal Property Group
Suite 3OL 240 - 4th Avenue SW
Calgary, AB T2P 4H4
Canada
T 403-202-7555
W www.quadreal.com

City of Winnipeg
January 24, 2018

Land Development Branch
65 Garry Street
Winnipeg Mb R3C 4K4

Attention : Mr. G Jasper

Dear Mr. Jasper

Re: Extension of time for DASZ 39/2015 - Subdivision and Rezoning - Northwest intersection of King Edward Street and Inkster Boulevard

Please let this serve as our formal request for an extension of time for the above referenced file. Our request is to extend the deadline to June 30, 2018 (6 months) to allow us time to execute the applicable agreements and register our plan and supporting documentation in Land Titles.

Regards,

Geoff Hwang
AUTHORIZED SIGNING OFFICER