Agenda – Council – September 20, 2018

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 4, 2018

Item No. 2 Extension of Time – Proposed Subdivision and Rezoning – 21 Clayton Drive (St. Vital Ward) File DASZ 2/2016

STANDING COMMITTEE RECOMMENDATION:

On September 12, 2018, 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 2/2016 be extended to July 13, 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 4, 2018

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On September 12, 2018, 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 4, 2018, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 9, 2018, 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 – 21 Clayton Drive – File No. DASZ 2/2016

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 enactment by Council of the necessary rezoning by-law under DASZ 2/2016 expired on July 13, 2018. Although the expiry date is past due, the Developer had requested an extension of time prior to the expiry date in order to pursue alternative development plans and 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 2/2016 be extended to July 13, 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 13, 2019, to enact the required rezoning by-law under DASZ 2/2016.

HISTORY/DISCUSSION

On July 13, 2016, Council adopted Item No. 1of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated July 5, 2016 which recommended approval of a subdivision and rezoning to a “CMU” Commercial Mixed Use District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

Recommendation 5 of the above-referenced report states:

> "That, in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2) year period and Council approves the extension."

The necessary by-law has not been passed and the two (2) year period expired on July 13, 2018.

The Applicant, MMP Architects, Attention: Mr. Christopher P. Daly, 200-123 Bannatyne Avenue, Winnipeg, Manitoba, R3B 0R3, on behalf of the owner, Seine River Gardens Ltd. has requested a one (1) year extension of time in order to satisfy the necessary by-law enactment requirements.

The subject property was rezoned for the express purpose of a new WRHA (Winnipeg Regional Health Authority) Access Centre for the St. Vital Community. However, the project funding was cancelled and the Applicant is now exploring an alternative development plan that will remain consistent with Council’s approval and complies with the Winnipeg Zoning By-law 200/2006. 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

Urban Planning Division, District Planner, Elise Finnigan

OUR WINNIPEG POLICY ALIGNMENT

The site is located within the St. Anne's Road Regional Mixed Use Corridor under the Complete Communities Direction Strategy. The proposed redevelopment of this property for the construction of a commercial building fits within the Complete Communities vision of supporting the viability of existing commercial strip, providing a range of goods and services, providing a range of housing options and contributing to a vibrant and complete community.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: July 18, 2018
File No: DASZ 2/2016

Attachments:
Appendix "A" – DASZ 2/2016, Subdivision and Rezoning Map
Appendix "B" – Letter Requesting Extension of Time

V:\3-Applications-SAVE\113-2018 – REPORTS\Extension of Time Request #1 – DASZ 2-16

APPENDIX "A" – DASZ 2/2016 - Subdivision and Rezoning Map

By-Law No. _____

File No. **DASZ 2/16**

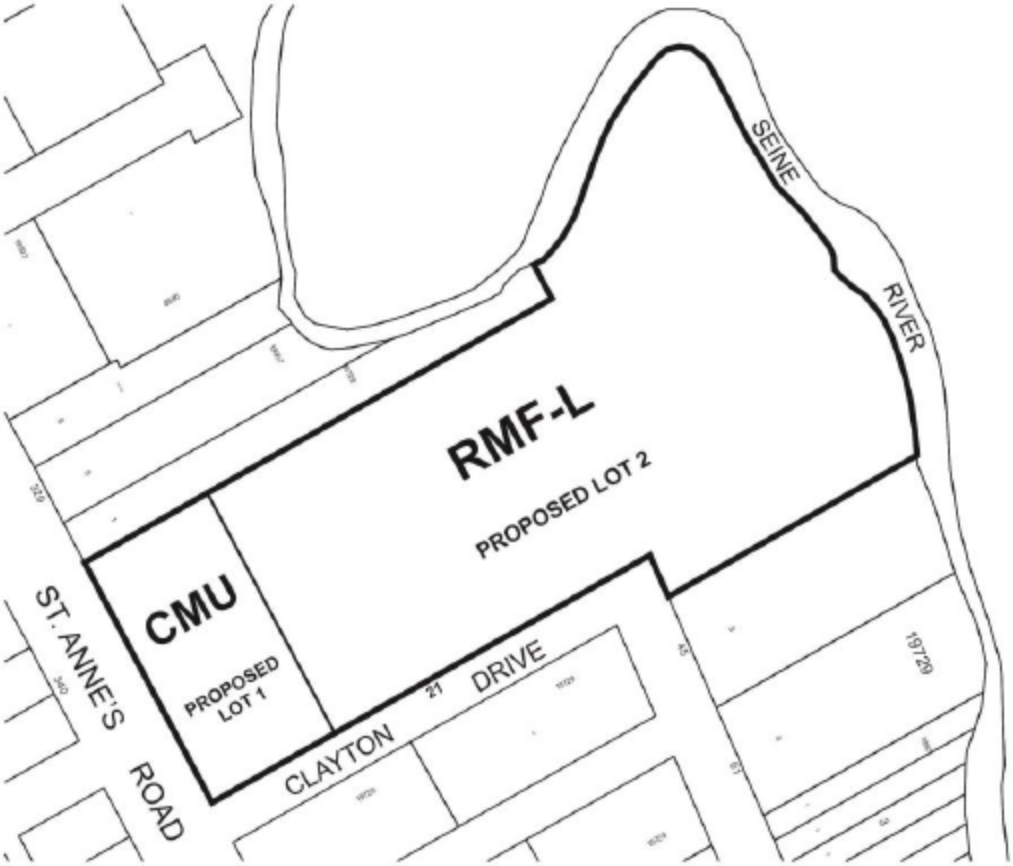
Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 21/41 Clayton Drive from an "RMF-S" RESIDENTIAL MULTI-FAMILY (SMALL) DISTRICT to an "RMF-L" RESIDENTIAL MULTI-FAMILY (LARGE) DISTRICT and "CMU" COMMERCIAL MIXED USE DISTRICT to allow for the maintenance of an existing multiple family dwelling and for the construction of a commercial building as shown outlined below.

Atlas Sheet No.

N

AE28
RIEL
COMMUNITY



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

MMP ARCHITECTS
200-123 Bannatyne Ave.
Winnipeg MB R3B 0R3
tel.204.956.0530
fax 204.943.5704
www.mmparchitects.com

RECEIVED
JUL 12 2018
LAND DEVELOPMENT

July 12, 2018

City of Winnipeg
Land Development Branch
Planning and Land Use
65 Garry Street, R3C 4K4

Robert Wrublowsky MAA
Christopher P Daly MAA

Attn: Land Development Branch

Re: **DASZ 2/2015 – Letter of Intent**
For 21 Clayton Drive, Winnipeg, MB

Extension of Time Application

To Who it may Concern,

On behalf of the registered land owner, I have been authorized to act with regards to the DASZ 2/2015 and submit the following application for an extension of time.

INTENT OF REZONING

The subject property was rezoned in response to a development application put forth by the WRHA (Winnipeg Regional Health Authority) capital planning for the express purpose of a new Access Centre for the St. Vital community.

My client was the leading proponent for the project until the development RFP was unofficially cancelled recently.

It was the intention of my client to "hold out" as long as possible for the WRHA to proceed with the project as the Access Centre would have been a great addition to the community's health infrastructure.

As such the client was not in a position to develop the lands for any other purpose until a final decision had been reached by the WRHA.

PURPOSE FOR REQUEST FOR TIME EXTENISON

At this time the WRHA ST. Vital Access Centre Development RFP has been cancelled and the client is looking at developing a retail complex under the current DASZ 2/2015 zoning file, which is zoned as CMU, and as such, we require/request an extension of 12 months to develop the project documents, coordinate with the City of Winnipeg PP&D department, and submit for permit application.

ARCHITECTS

200-123 Bannatyne Ave.
Winnipeg MB R3B 0R3
tel.204.956.0530
fax 204.943.5704
www.mmparchitects.com

It is our intent to have the new project documents submitted for building permit prior to November 1, 2018.

We believe the development of this site will be a valuable contribution to the St Anne's Rd. corridor.

Please feel free to contact me directly should you have any questions or concerns with regards to the information provided above.

Regards,

Christopher P. Daly, MAA
Principal
LEED Accredited Professional

Robert Wrublowsky MAA
Christopher P Daly MAA

Cc: Frank Koch-Schulte, Edison Properties