Agenda – Council – September 20, 2018

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

Item No. 3 Extension of Time – Subdivision and Rezoning – 703 St. Anne's Road (St. Vital Ward)
File DASZ 10/2012

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 satisfy the Coming into Force provisions of By-law No. 116/2013 be extended to June 30, 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 – 703 St. Anne's Road – File No. DASZ 10/2012**

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 provisions of By-law No. 116/2013 under File No. DASZ 10/2012 expire on June 30, 2018. The developer has not been able to satisfy all of the conditions prior to expiry and has requested a second 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. 116/2013 be extended to June 30, 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 June 30, 2019, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On October 24, 2012, Council adopted Item No. 4 of the report of the Standing Policy Committee on Property and Development dated October 9, 2012 which recommended approval of the subject subdivision and rezoning to a “C2” Commercial Community District and a “PR1” Parks and Recreation 1 (Neighbourhood) District under the Winnipeg Zoning By-law 200/2006. See Appendix "A" map attached.

On October 23, 2013, By-law No. 116/2013 was enacted by Council. Subsequently, on September 27, 2017, Council adopted Item. No. 6 of the Report of the Standing Policy Committee on Property and Development dated September 19, 2017 which recommended an extension of time to June 30, 2018 for the coming into force of rezoning By-law No. 116/2013 and contained the following provision:

Coming into force

3(1) Section 1 comes into force when The City of Winnipeg executes the Development Agreement for Servicing referred to in that section, which execution notwithstanding passage of this By-law shall remain in the absolute discretion of City Council.

(2) Section 2 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and Zoning Agreement DASZ 10/2012 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 expires unless that date is extended by resolution of City Council and the plan of subdivision and caveat are registered before such extended date.

By-law No. 116/2013 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 October 23, 2014.

The owner, Mr. Vitali Ichine, of 703 St. Anne’s Inc., is requesting an extension of time 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

OUR WINNIPEG POLICY ALIGNMENT

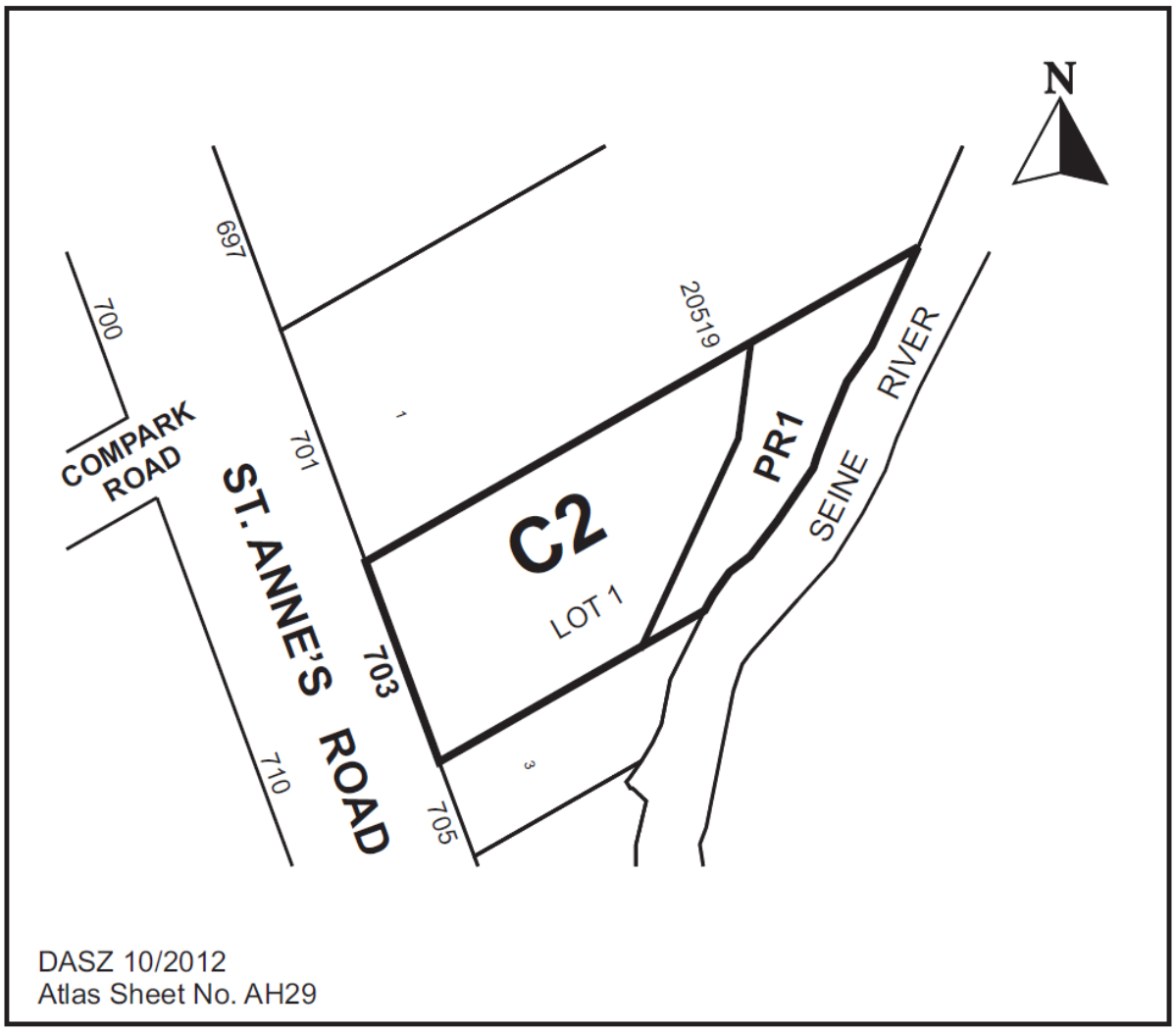
The proposed development is within the Areas of Stability – Recent Communities policy area under the *Complete Communities Direction Strategy* and complies with the South St. Boniface Area Structure Plan (Secondary Plan).

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: June 18, 2018
File No: DASZ 10/2012
Attachments: Appendix “A” – DASZ 10/2012, By-law No. 116/2013 Map
Appendix “B” – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 10/2012, BY-LAW NO. 116/2013 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

June 8, 2017

Attention: Greg Jasper, P.Eng., Land Development Administrator.

Re: File Number DASZ 10/2012

I, Vitali Ichine of 703 St. Anne's Inc., would like to request an extension of time for the above noted file. The extension is needed so that we can complete the rezoning process and have the property converted to C2 zoning, as per original application. We are purchasing the property from the previous owner and intend on moving forward with development plans for the subject site. Our plans for the site are made on the assumption of C2 zoning.

We will require 6-12 months extension to complete this, or whatever your office deems reasonable. We do intend on pursuing this immediately, so we do not feel that this much time is necessary, however, we still require a reasonable amount of time.

If you have any questions, feel free to contact me directly.

Respectfully submitted,



Vitali Ichine
(204)205-0805