Agenda – Council – September 20, 2018

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

Item No. 6 Extension of Time – Gunn Road, Hewitson Road and Redonda Street (Northwoods)
(Transcona Ward)
File DASZ 18/2014

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. 72/2017 be extended to July 19, 2020.

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 East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On July 10, 2018, 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 Subdivision and Rezoning – Gunn Road, Hewitson Road and Redonda Street (Northwoods) – File No. DASZ 18/2014

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 provisions of By-law No. 72/2017 under File No. DASZ 18/2014 will expire on July 19, 2018. The Developer will not be 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. 72/2017 be extended to July 19, 2020.

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 19, 2020, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On March 25, 2015, Council adopted Item No. 1 of the report of the Standing Policy Committee on Property and Development dated March 13, 2015 which recommended approval of the subject subdivision and rezoning to an “R1-S” and “R1-M” residential Single-Family Districts, 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 July 19, 2017, By-law No. 72/2017 was enacted by Council. Subsequently, on June 21, 2017, Council adopted Item. No. 3 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated June 6, 2017 which recommended an extension of time to March 30, 2018 for the coming into force of rezoning By-law No. 72/2017 and contained the following provision:

Coming into force

3 (1) Section 1 comes into force when The City of Winnipeg executes the Development Agreement 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 18/2014 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. 72/2017 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-law’s current time limit expires on July 19, 2018.

The new land owner, Genstar Development Company, c/o Mr. Brock Feenstra, 320-530 Kenaston Boulevard, Winnipeg, Manitoba, R3N 1Z4, 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 as circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OUR WINNIPEG POLICY ALIGNMENT

OurWinnipeg designates North Transcona as a “New Community”. New Communities are large, un-developed or under-developed land areas identified for future urban development. The subject property falls within the boundaries of the Transcona North Precinct Plan which identifies the subject property primary as “Proposed Low Density Residential” with a smaller area designated as “Commercial/Multi-Family”. The proposed rezoning under application DASZ 18/2014 aligns with OurWinnipeg, the Transcona North Precinct Plan and Complete Communities and has been supported by the Winnipeg Public Service.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: June 26, 2018
File No: DASZ 18/2014
Attachments: Appendix “A” – DASZ 18/2014, By-law No. 72/2017 Map
Appendix “B” – Letter Requesting Extension of Time

V:\3-Applications-SAVE\113-2018 – REPORTS\Extension of Time Request #2 DASZ 18-14

APPENDIX "A" – DASZ 18/2014, BY-LAW NO. 72/2017 MAP

By-Law No. _____

File No. **DASZ 18/14**

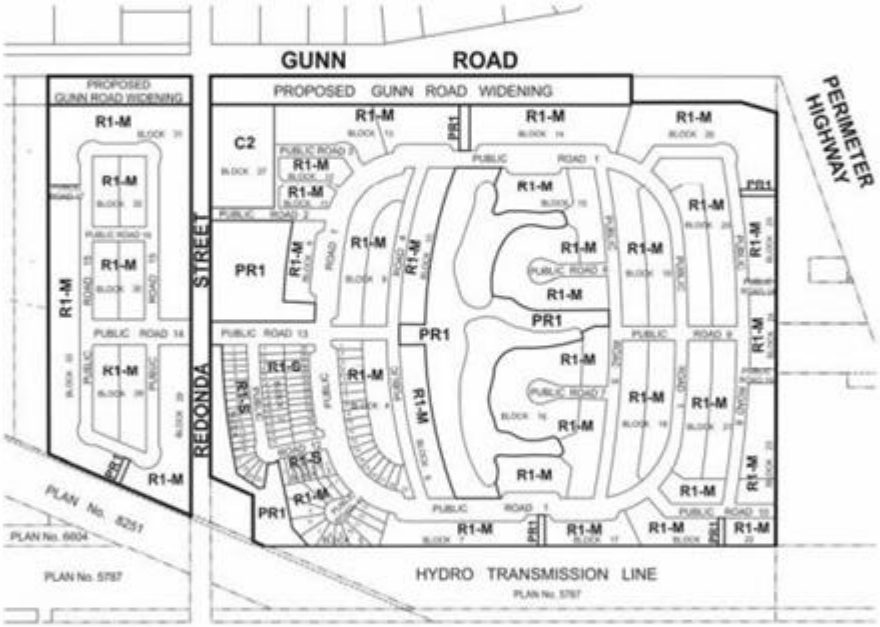
Atlas Sheet No. **X37**

N

EAST KILDONAN TRANSCONA COMMUNITY

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 on Gunn Road, Hewitson Road & Redonda Street from an "A" AGRICULTURAL DISTRICT to the following zoning districts: "R1-S" RESIDENTIAL SINGLE-FAMILY (Small) DISTRICT, "R1-M" RESIDENTIAL SINGLE-FAMILY (Medium) DISTRICT, "C2" COMMERCIAL COMMUNITY DISTRICT and "PR1" PARKS AND RECREATION 1 DISTRICT to facilitate the creation of the Northwoods Neighbourhood by the creation of the block plan, Phase 1 lot plan and public right-of-ways for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

GENSTAR
BRINGING LAND TO LIFE

Genstar Development Company
Winnipeg Region
320-530 Kenaston Boulevard
Winnipeg, Manitoba R3N 1Z4
Tel: (204) 488-6537
Fax: (204) 489-6918
Website: www.genstar.com

RECEIVED
JUN 21 2018
LAND DEVELOPMENT

June 18, 2018

City of Winnipeg
Land Development Branch
Main Floor, 65 Garry Street
Winnipeg, MB R3C 4K4

ATTN: Mr. Greg Jasper

Dear Mr. Jasper,

Re: Extension of Time on By-law – 72/2017
Extension of Time on Plan of Subdivision Mylars – DASZ 18/2014

I am writing to you in order to request an extension of time on By-law 72/2017 and the associated plan of subdivision mylars for DASZ 18/2014. The allowable time limit of one year for registering the plans from the date the by-law was originally adopted by Council will expire on July 19, 2018.

Genstar recently acquired this land and is currently in the process of obtaining consent from the City of Winnipeg to assign the Development Agreement from the previous owner to Genstar. Given the unknown timing of the consent and the imminent expiration date, we are requesting a two-year extension to allow for sufficient time to execute the development agreement, and registration of the plans and associated agreements.

I understand that a payment in the amount of $740.00+GST is required in order to advance this extension request. A cheque for the extension fee will be forwarded to your attention as soon an invoice has been issued to confirm the payment amount.

Sincerely,

GENSTAR DEVELOPMENT COMPANY

Brock Feenstra
Development Manager