Agenda – Council – January 31, 2019

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – January 7, 2019

Item No. 20 Extension of Time – Proposed Subdivision and Rezoning – 825 Taché Avenue (St. Boniface Ward) File DASZ 34/2016

STANDING COMMITTEE RECOMMENDATION:

On January 22, 2019, 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 34/2016 be extended to November 16, 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 – January 7, 2019

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 22, 2019, 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 January 7, 2019, 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 November 19, 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 – 825 Taché Avenue – File No. DASZ 34/2016

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 34/2016 will expire on November 16, 2018. The Developer will not be able to satisfy all of the conditions prior to expiry and has requested 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 34/2016 be extended to November 16, 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 November 16, 2020, to enact the required rezoning by-law under File No. DASZ 34/2016.

HISTORY/DISCUSSION

On November 16, 2016, Council adopted Item No. 7 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated November 8, 2016 which recommended approval of a subdivision and rezoning to an “RMU” Residential 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 expires on November 16, 2018.

The Applicant, Sunstone Resort Communities, Attention: Ms. Christine Wilson-MacLeod, 275 Commerce Drive, Winnipeg, Manitoba, R3P 1B3, has requested a two (2) year extension of time in order to satisfy the necessary by-law enactment requirements. See Appendix “B” attached.

The subject property was subdivided and rezoned to facilitate the consolidation of lands being purchased from the City of Winnipeg to allow for the construction of a multi-family dwelling, a two-family dwelling and two mixed use buildings which includes the closing of the north-south public lane right-of-way and the establishment of park land.

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 site is located on Taché Avenue, within the High Density Residential Area of the North St. Boniface Secondary Plan. The proposed density meets the requirements within the Plan and facilitates the transition towards higher density housing which is encouraged within the Plan. The proposed development is consistent with the policies of the Complete Communities Direction Strategy and the North St. Boniface Secondary Plan.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: September 13, 2018
File No: DASZ 34/2016

Attachments:
Appendix “A” – DASZ 34/2016, Subdivision and Rezoning Map
Appendix “B” – Letter Requesting Extension of Time

V:\3-Applications-SAVE\113-2018 – REPORTS\Extension of Time Request #1 – DASZ 34-16

APPENDIX "A" – DASZ 34/2016 - Subdivision and Rezoning Map

By-Law No. _____

File No. **DASZ 34/16**

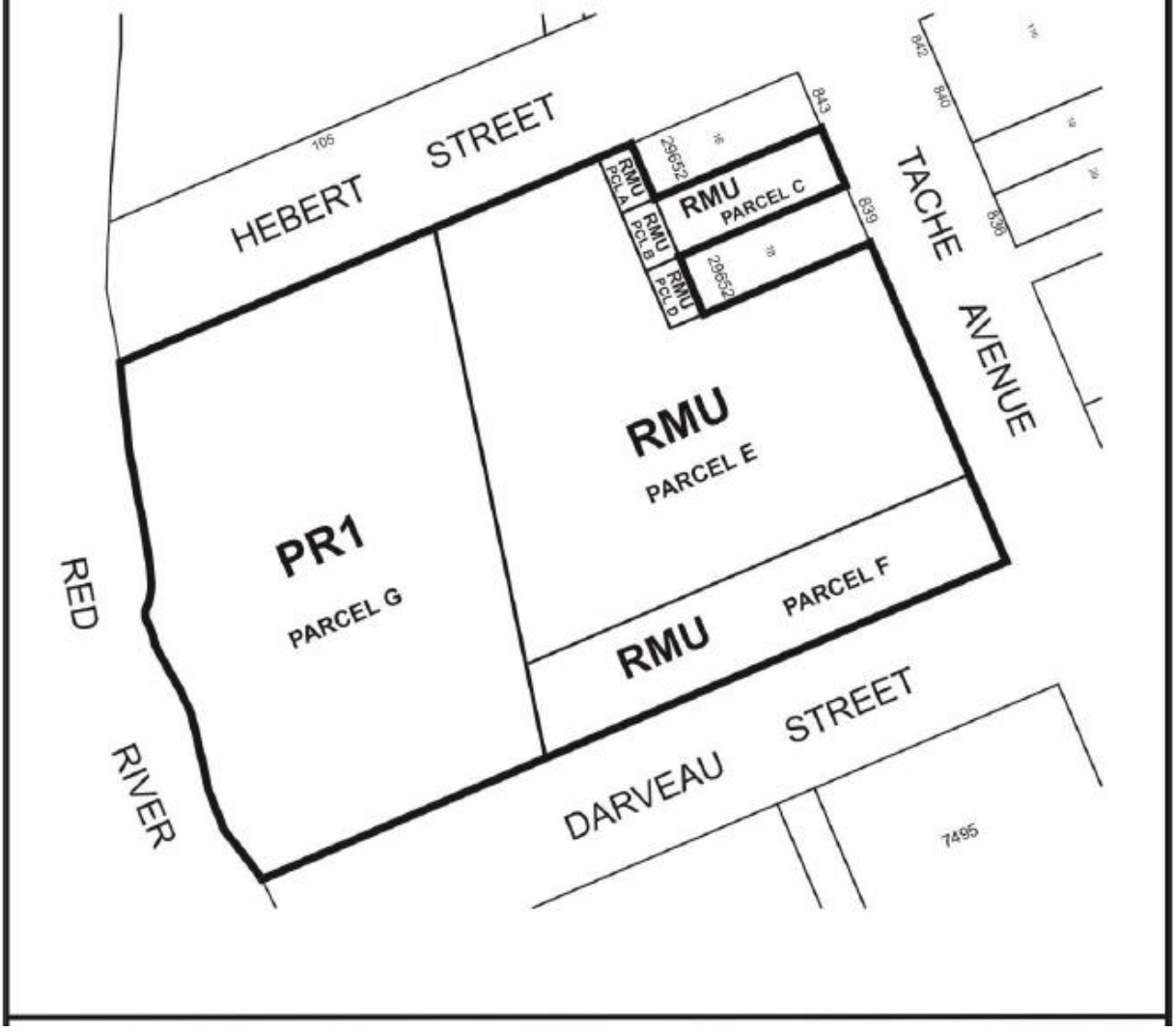
Atlas Sheet No.

N

Z26
RIEL
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 at 825 Tache Avenue from an "M2" MANUFACTURING GENERAL DISTRICT to an "RMU" RESIDENTIAL MIXED USE DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to facilitate the consolidation of lands to allow for the construction of a multi-family dwelling, a two-family dwelling and mixed use buildings which includes the closing of the north-south public lane right-of-way and the establishment of park land as shown outlined below.



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

SUNSTONE

| AN FWS COMPANY

August 15, 2018

Michele Hammerberg
Development Applications Coordinator
City of Winnipeg
Via email

RECEIVED
AUG 31 2018
LAND DEVELOPMENT

Dear Ms. Hammerberg:

RE: Letter of Intent for Extension of Time Request DASZ 34/2016

Please accept this as our request for a twenty-four-month extension of the Plan of Subdivision and Rezoning (DASZ 34/2016) for the land at 825 Tache. We are requesting this extension to allow for what we hope will be sufficient time for the recent Court of Queen's Bench between the City and adjacent land owners to be resolved.

Sunstone has been in regular communication with the City's Real Estate and Land Development department and the both parties have agreed to extend the Offer to Purchase terms to allow for up to a September 2019 closing but we cannot finalize the sale until this issue is resolved and the current DASZ application expires in November 2018.

We trust that you will find this satisfactory, if you have any questions or concerns please do not hesitate to contact me at your convenience.

Best regards,

Sunstone Resort Communities LP

Per:
Name: J Coreau, P.Eng
Title: President & Managing Director

| CORPORATE OFFICE
275 Commerce Drive
Winnipeg, MB R3P 1B3
Canada
(204) 487-0303 TEL

CANADA BEST MANAGED COMPANIES