Agenda – Council – January 31, 2019

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

Item No. 22 Extension of Time – Proposed Subdivision and Rezoning – 1916, 1918 & 1920 St. Mary's Road (St. Norbert - Seine River Ward) File DASZ 38/2013

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 satisfy the Coming into Force provisions of By-law No. 116/2017 be extended to December 13, 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 December 10, 2018, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service and recommended to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

ADMINISTRATIVE REPORT

Title: Extension of Time – Proposed Subdivision and Rezoning – 1916, 1918 & 1920 St. Mary's Road – File No. DASZ 38/2013

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. 116/2017 under File No. DASZ 38/2013 will expire on December 13, 2018. The Developer, 6509666 Manitoba Ltd., will not be able to satisfy all of the conditions prior to expiry and has requested a third extension of time to finalize their plans, satisfy obligations and 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. 116/2017 be extended to December 13, 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 December 13, 2020, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On February 26, 2014, Council adopted Item No. 2 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated February 18, 2014 which recommended approval of a subdivision and rezoning to an "RMF-L" Residential Multi-Family (Large) District and a "PR1" Parks and Recreation District under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

On February 24, 2016, Council adopted Item No. 11 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated February 16, 2016 extending the time limit to satisfy the enactment of the necessary rezoning by-law to February 26, 2017.

On January 25, 2017, Council adopted Item No. 11 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 17, 2017 extending the time limit to satisfy the enactment of the necessary rezoning by-law to February 26, 2018.

On December 13, 2017, By-law No. 116/2017 was enacted by Council. Section 3 of By-law No. 27/2017 stipulates:

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.

3(2) Section 2 comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and Zoning Agreement DASZ 38/2013 is registered in the Winnipeg Land Titles Office by caveat against the subject land within one year from the date this By-law is passed, failing which this By-law will expire unless an extension of time is applied for prior to expiry, Council approves the extension, and the plan of subdivision and caveat are registered before the extended date.

By-law No. 116/2017 has not come into force by the required registration of the Plan of Subdivision and Zoning Agreement DASZ 38/2013 by caveat in the Winnipeg Land Titles Office and the one (1) year time limit is due to expire on December 13, 2018.

The Developer, Mr. Yaron Walter of 6509666 Manitoba Ltd., 673 Mulvey Avenue, Winnipeg, Manitoba, R3M 1G2 has requested a third extension of time in order to finalize their plans, satisfy obligations 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

Urban Planning Division

OUR WINNIPEG POLICY ALIGNMENT

The proposed development is located along a Regional Mixed-Use Corridor (St. Mary's Road) under the Complete Communities Direction Strategy of OurWinnipeg and has been supported by the Winnipeg Public Service as being consistent with these direction policies which promotes a mix of housing opportunities and intensification along Regional Mixed-Use Corridors.

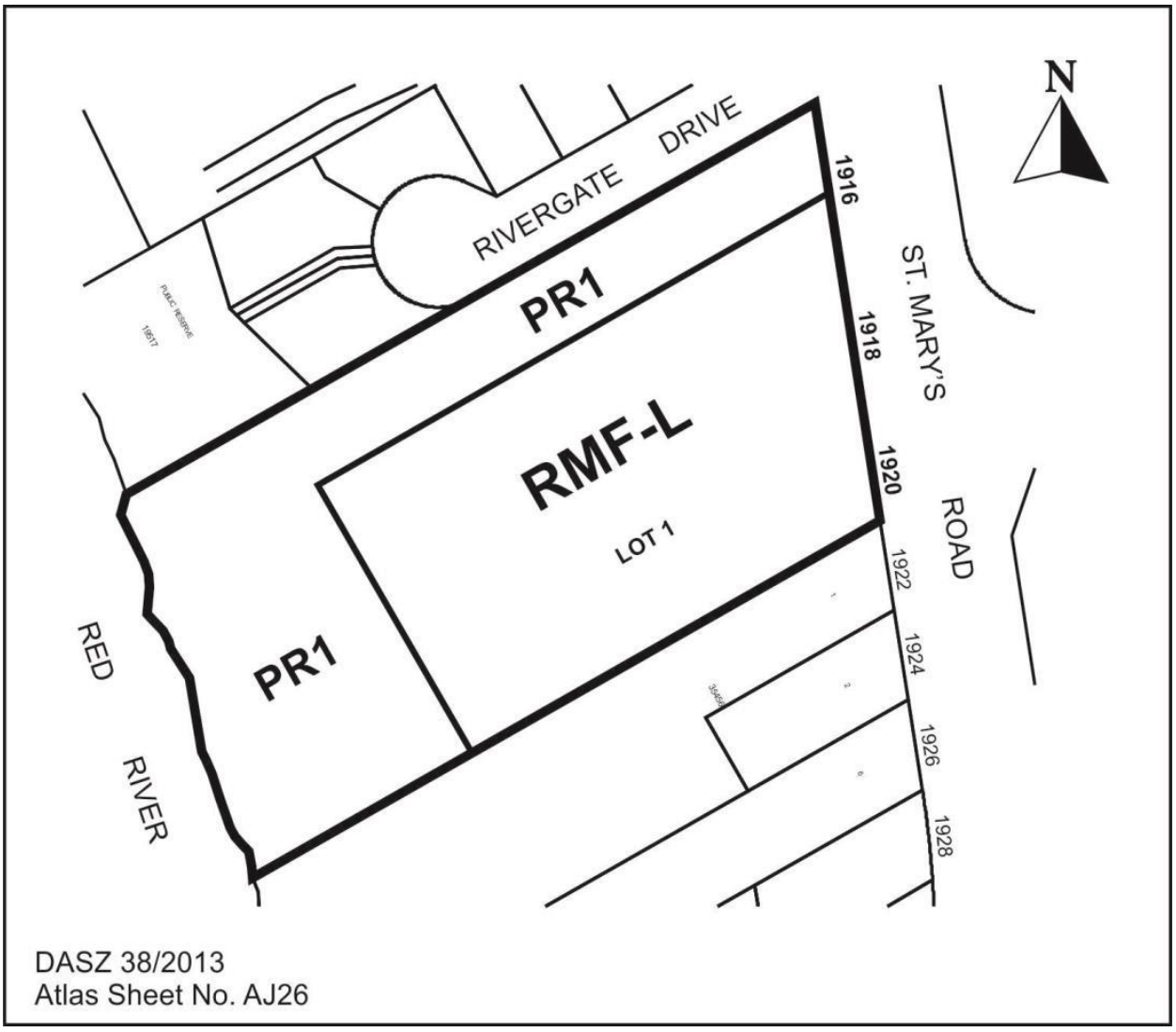
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: November 16, 2018
File No: DASZ 38/2013

Attachments:
Appendix "A" – DASZ 38/2013, By-law No. 116/2017 Map
Appendix "B" – Extension of Time Request

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APPENDIX "A" – DASZ 38/2013, BY-LAW NO. 116/2017 MAP



APPENDIX "B" – EXTENSION OF TIME REQUEST

November 13th 2018

City of Winnipeg
Land Development Branch
Main Floor – 65 Garry Street

Attention : Land Development Branch Administrator

Re : Letter of Intent
Extension of Time Application
DASZ 38/2013

An application is being made for a further Extension of Time on file number DASZ 38/2013 for the Subdivision and Rezoning of 1916 / 1918 / 1920 St. Mary's Road. The project has slowly been progressing over the past year, although at this time the Development Group has still not finalized their plans. The Mylars have been completed and approved by the Land Development Branch, although not yet released due to the fact that the Servicing Agreement with the City of Winnipeg has not been completed. The Development Group has requested that we do not proceed with the Servicing Agreement until such a time that our final occupancy type and number of units is confirmed.

It is still the intent of the Development Group to still proceed with the Residential Multi-Family Large (RMFL) zoning designation, although not sure if they will be moving forward with a basic residential rental project, student housing, assisted living or condominiums. It is anticipated that this final decision will be made by May 2019 at which time the Development Group would proceeding immediately with Servicing Agreement.

The overall delays of this project are still a result of the reorganization of the Development Group after the unexpected passing of Ernie Walter in December 2013 who was the Prime Consultant and Majority Partner of the project.

Yaron David Walter
6509666 Manitoba Ltd.

www.1918STMARYS.com