Agenda – Council – May 6, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – April 20, 2020

Item No. 3 Extension of Time – Subdivision and Rezoning – 813 Rathgar Avenue (Fort Rouge-East Fort Garry Ward)
File DASZ 23/2017

STANDING COMMITTEE RECOMMENDATION:

On April 28, 2020, 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 23/2017 be extended to January 25, 2021.

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 – April 20, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 28, 2020, 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 April 20, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On March 3, 2020, the City Centre 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 – Subdivision and Rezoning – 813 Rathgar Avenue – File No. DASZ 23/2017

Critical Path: City Centre 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 23/2017 will expire on January 25, 2020. The Developer has requested an extension of time in order to enact the rezoning by-law. The subject land was recently sold in 2019 and the new Owner wishes to continue with the original development proposal.

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 23/2017 be extended to January 25, 2021.

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 January 25, 2021, to enact the required rezoning by-law under DASZ 23/2017.

HISTORY/DISCUSSION

On January 25, 2018, Council adopted Item No. 2 of the Report of the Executive Policy Committee dated January 10, 2018 which recommended approval of a subdivision and rezoning to an “RMF-S” Residential Multi-Family (Small) 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 application is not proceeded with expeditiously and the by-law is not enacted 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 the extension is subsequently approved by Council."

The necessary by-law has not been passed and the two (2) year period will expire on January 25, 2020.

On January 15, 2020, the Developer, Trademarks Properties Inc., Attention: Mr. Greg Grewal, 695 Osborne Street, Winnipeg, Manitoba, R3L 2N9 has submitted a request for a one (1) year extension of time in order to satisfy the necessary by-law enactment requirements 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

The site is located in the Areas of Stability – Mature Community policy area of *Complete Communities* of Our Winnipeg. The proposed development will add modest density to this Mature Neighbourhood in a context sensitive manner that is consistent with the direction established for Mature Communities. It is also complimentary to the ongoing development of the Fort Rouge Yards as a transit oriented neighbourhood which is consistent with the principles of Transit Oriented Development and also consistent with the policies for Major Redevelopment Sites as identified in the Complete Communities direction strategy.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

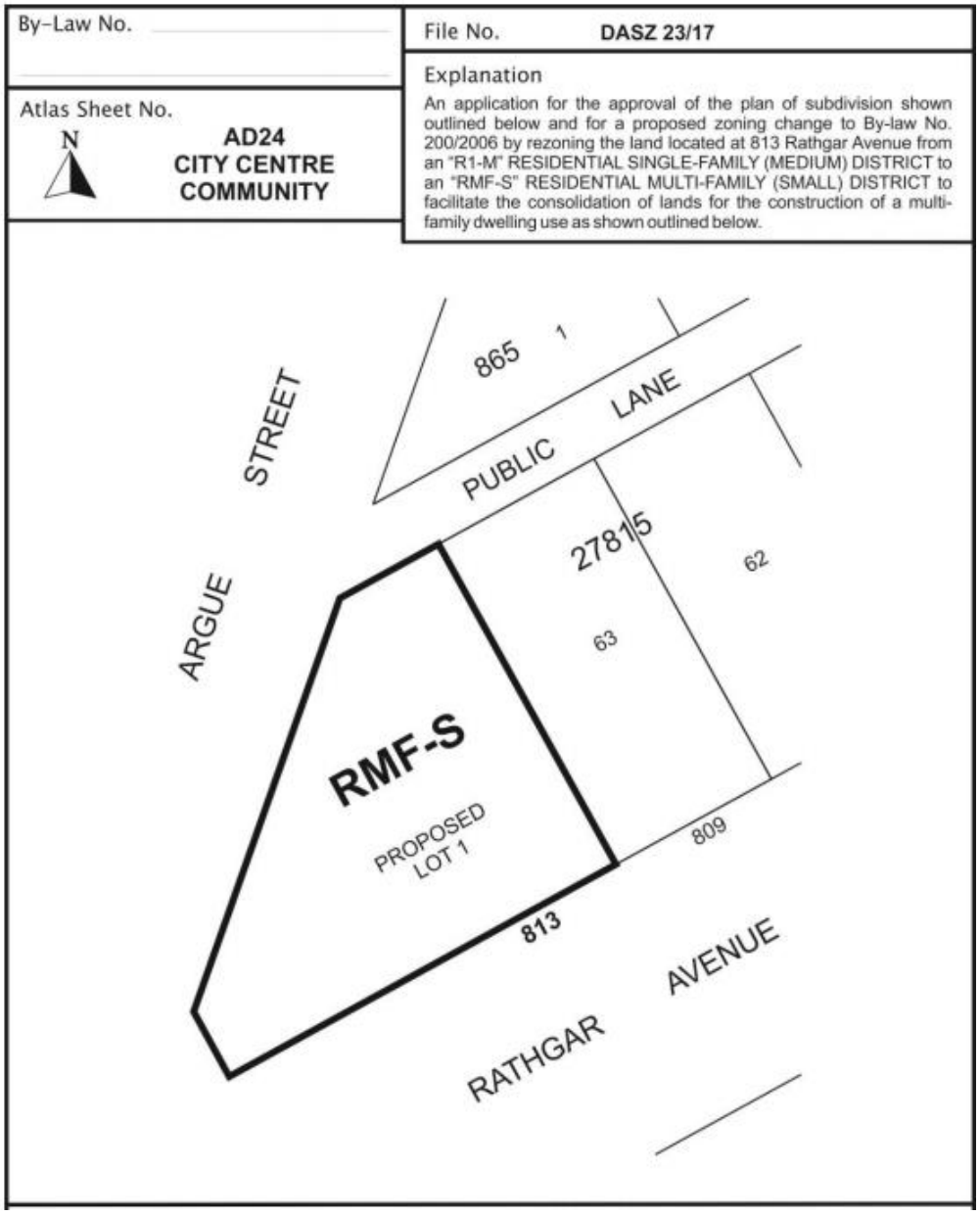
N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: January 23, 2020
File No: DASZ 23/2017
Attachments: Appendix “A” – DASZ 23/2017 Map
Appendix “B” – Letter Requesting Extension of Time

V:\3-Applications-SAVE\113-2019 – REPORTS\Extension of Time Request #1 DASZ 23-17

APPENDIX "A" – DASZ 23/2017 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

LETTER OF INTENT

January 15, 2020

To

City of Winnipeg

Re 813 RATHGAR AVE

DASZ 23/2017

TO WHOM IT MY CONCERN

HI Michele

WE PURCHASED THIS PROPERTY IN FEB 2019 WHERE AS THE VENDOR AT THE TIME MARKETED THE PROPERTY AS A TURN KEY PROJECT, CITY OF WINNIPEG APPROVED

ARC. FEES PAID ETC,THEN WE APPLIED FOR PERMIT WENT THROUGH THE PROCESS .ALSO HYDRO WAS TAKING TIME TO REMOVE SERVICES,UNTIL THEN THE PERMIT CANNOT BE PROCESSED.WHEN DONE THAT S WHEN CINDY LOUER ADVISED US THAT WE NEED MY LARS APPROVAL AND SERVICE AGREEMENTS WITH HYDRO/GAS & MTS/SHAW TO BE REGISTERED AT LAND TILLE OFFICE OUR SURVEYOR IS TAKING LONGER THAN WE THOUGHT WE REQUIR EXTENSION ON THIS VARIANCE.

Thank you.

Yours truly,



Greg Grewal