Agenda – Executive Policy Committee – December 9, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 10 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 December 7, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Riel Community Committee 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, 2021.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Executive Policy Committee – December 9, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 7, 2020

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2020, 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 20, 2020, 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 – 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, 2020. The Owner, 10058612 Manitoba Ltd., will not be able to satisfy all of the conditions prior to expiry and has requested a fourth 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, 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 December 13, 2021, 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.

On January 31, 2019, Council adopted Item No. 22 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 7, 2019 extending the time limit to satisfy the enactment of the necessary rezoning by-law to December 13, 2020.

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, 2020.

The new property Owner, Mr. Dan Labossiere, President of 10058612 Manitoba Ltd., 202 – 1615 St. Mary's Road, Winnipeg, Manitoba, R2M 3W8 has requested a fourth 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.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

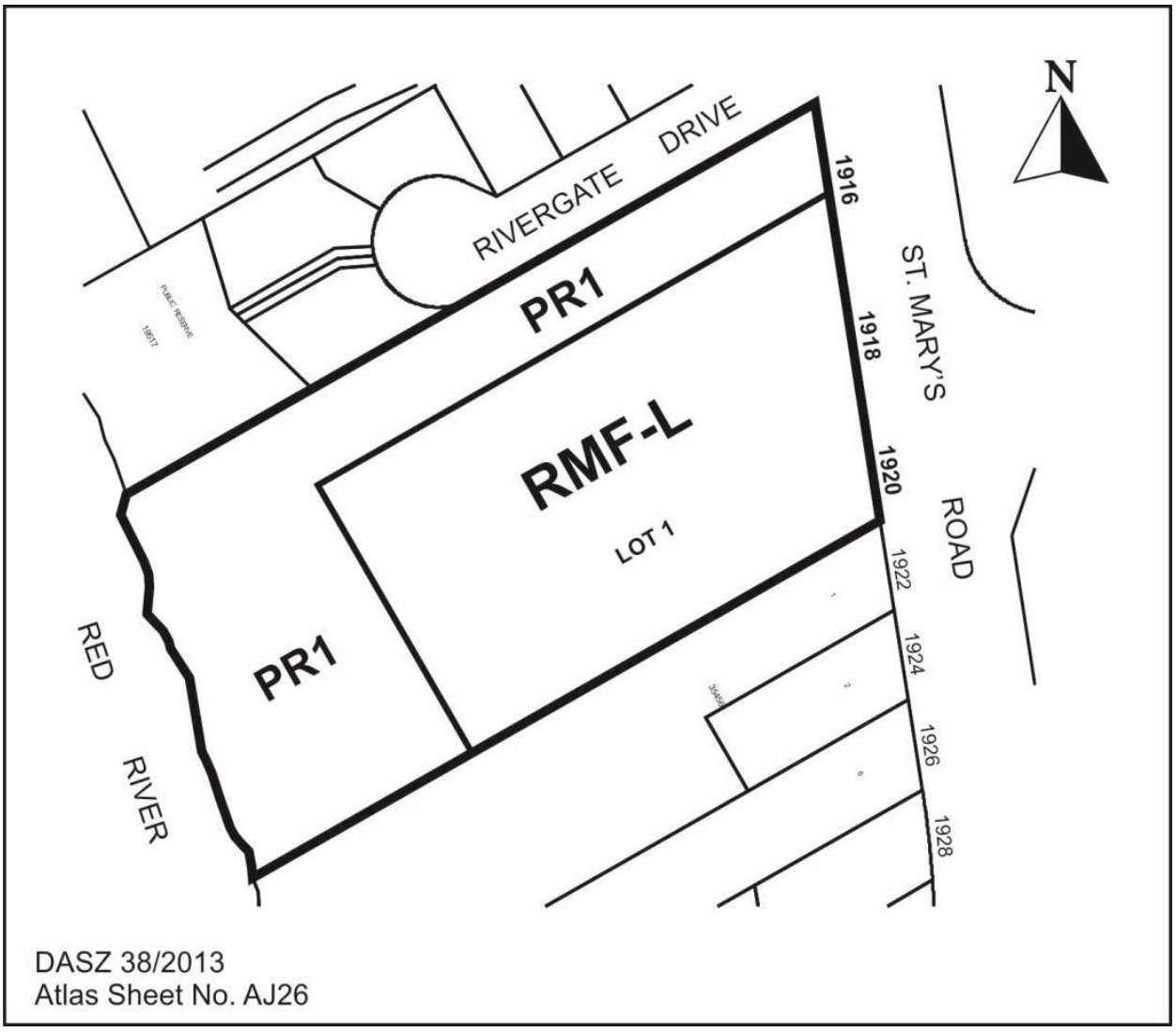
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: November 5, 2020
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

10085612 Manitoba Ltd.

202-1615 St. Mary's Rd.
Winnipeg, Manitoba
R2M 3W8

Wednesday, November 4, 2020

RE: Authorization for DASZ 38/2013

Attention: Angela Savage

Hello Angela,

Please accept this letter as a formal request to extend the application for one year re: file DASZ 38/2013.
As the new registered owner of the 3 parcels of land 1916, 1918 and 1920 St. Mary's Rd., I am requesting a one year extension to the zoning application as By-law 1162017 will expire December 13th, 2020.
This extension will allow us to complete the zoning and sub-division application, specifically amend and re-submit the mylars, conceptual engineer drawings and finalize the servicing agreements.
I am currently working in partnership with a local developer, therefore, once the zoning application extension has been approved and we have finalized all outstanding items to complete the application, we intend to commence construction of the intended new buildings shortly thereafter.

Danl2014@outlook.com
Dan Labossiere