Agenda – Council – October 28, 2021

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – October 13, 2021

Item No. 6 **Extension of Time – Subdivision and Rezoning – Waverley West Neighbourhood B – Bison Run Phase 1**
(Waverley West Ward)
File DASZ 43/2019

STANDING COMMITTEE RECOMMENDATION:

On October 20, 2021, 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. 110/2020 be extended to November 26, 2022.

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 – October 13, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 20, 2021, 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 October 13, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On October 5, 2021, the Assiniboia 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 – Waverley West Neighbourhood B – Bison Run Phase 1– File No. DASZ 43/2019

Critical Path: Assiniboia Community Committee – Standing Policy Committee on Property and Development, Heritage and Downtown Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
G. Jasper	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 110/2020 under File No. DASZ 43/2019 expires on November 26, 2021. The Owner has not been 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 satisfy the Coming into Force provisions of By-law No. 110/2020 be extended to November 26, 2022.

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 recommendations are concurred in, the Owner will be allowed a time extension to November 26, 2022, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On June 26, 2020, Council adopted Item No. 10 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated June 16, 2020 which recommended approval of a subdivision and rezoning to a “C2” Commercial Community District, “RMF-M” Residential Multi-Family (Medium) District, “RMU” Residential Mixed Use District, “RMF-S” Residential Multi-Family (Small) District, “R2” Residential Two-Family District, “R1-M” Residential Single-Family (Medium) District, “R1-S” Residential Single-Family (Small) District and “PR1” Parks and Recreation 1 (Neighbourhood) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 110/2020 was enacted by Council on November 26, 2020.

Sections 3 and 4 of By-law No. 110/2020 stipulate the following:

Coming into force

3 This By-law comes into force when the plan of subdivision and Zoning Agreement are registered at the Winnipeg Land Titles Office.

Extensions of time

4(1) Subject to subsection (2), this By-law will expire without coming into force one year after the date on which this By-law is enacted if:

(a) the plan of subdivision and Zoning Agreement has not been registered at the Winnipeg Land Titles Office; and

(b) the owner has not applied for an extension of time.

4(2) This By-law will be deemed to have expired without coming into force on the date provided in subsection (1) when

(a) The owner has applied for an extension of time prior to the date provided in subsection (1); and

(b) Council denies the extension of time.

By-law No. 110/2020 has not come into force by the required registration of the Plan of Subdivision and Zoning Agreement and the one (1) year time limit will expire on November 26, 2021.

On August 30, 2021, the Owner, Southeast Lands Corp. Attention: Lyne B. Jones, One Dr. David Friesen Drive, Winnipeg, Manitoba, R3X 0G8, applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 110/2020 (and related DAC 6/2019, By-law No. 111/2020 under a separate report) be extended to November 26, 2022 in order to complete the required registrations. 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

N/A

OUR WINNIPEG POLICY ALIGNMENT

The subject property is classified as an "Area of Stability – Recent Community" in *Complete Communities'* Urban Structure map. The proposal is consistent with the policies guiding development under the *Waverley West Neighbourhood "B" Secondary Plan* and located within the Community Node Policy Area, the Medium Density Policy Area, and the Lower Density Policy Area.

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: September 21, 2021
File No: DASZ 43/2019
Attachments: Appendix "A" – DASZ 43/2019 Map
Appendix "B" – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 43/2019 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

One Dr. David Friesen Drive Winnipeg, MB R3X 0G8
QUALICOCOMMUNITIES.COM

August 30, 2021

Michele Hammerberg
The City of Winnipeg
Planning, Property, and Development
Main Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Dear Michele,

Waverley West - Bison Run Phase 1
Extension of Time Request – DASZ 43/2019 and DAC 6/2019

At its meeting held on November 26th, 2020, City of Winnipeg Council passed By-law No. 110/2020 to approve the plan of subdivision applied for under DASZ 43/2019, together with By-law No. 111/2020 to approve the road closings under DAC 6/2019. The By-laws require that the plans of subdivision and zoning must be registered at WLTO within one year of enactment, being November 26th, 2021.

Since approval of the above applications, we have worked with the City on the Development Agreement, Waverley West Neighbourhood "B" Area Charges, Zoning Agreement and required Easement Agreements relating to these applications. However, due to delays in finalizing these documents, together with the time required to complete the legal work and registration time at WLTO, we will be unable to meet the current deadline of November 26th, 2021. Accordingly, we are requesting a one (1) year extension for registration of the plans of subdivision and closing required under By-law 110/2020 and By-law No. 111/2020. We expect to have these applications registered by the end of 2021 or during the first quarter of 2022, in order that we can transfer registered parcels to builders.

Please confirm that this letter will meet your requirements for requesting a one (1) year extension under By-law 110/2020 and B-law No. 111/2020.

Payment for this request can be processed through our trust account 12-04-1169TR.

Yours truly,

SOUTHEAST LANDS CORP.

Lyne B. Jones
Senior Development Manager