Minute No. 334
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – May 21, 2020

Item No. 10 **Extension of Time – Subdivision and Rezoning – 650 Burrows Avenue (Mynarski Ward)**
File DASZ 2/2017

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and adopted the following:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 33/2019 be extended to April 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 – May 21, 2020

DECISION MAKING HISTORY:

Moved by Councillor Mayes,

That the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 22, 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 May 21, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 11, 2020, the Lord Selkirk-West Kildonan 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 –650 Burrows Avenue – File No. DASZ 2/2017

Critical Path: Lord Selkirk-West Kildonan 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. 33/2019 under File No. DASZ 2/20178 expired on April 25, 2020. The developer 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. 33/2019 be extended to April 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 Recommendations are concurred in, the Owner will be allowed a time extension to April 25, 2021, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On April 26, 2017, Council adopted Item No. 1 of the Executive Policy Committee dated April 12, 2017 which recommended approval of a subdivision and rezoning to a "C1" Commercial Neighbourhood District under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

The rezoning By-law No. 33/2019 was enacted by Council on April 25, 2019.

Sections 3 and 4 of By-law No. 33/2019 stipulate the following:

Coming into force

3 This By-law comes into force when the plan of subdivision and the 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 have 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. 33/2019 has not come into force by the required registration of the Plan of Subdivision. The required Zoning Agreement DASZ 2/2017 has not been registered by caveat in the Winnipeg Land Titles Office and the one (1) year time limit expired on April 25, 2020.

On March 20, 2020, the applicant Tapper Cuddy LLP, 1000-330 St. Mary Avenue, Winnipeg, Manitoba, R3C 3Z5, on behalf of the Owner Ndinawemaaganag Endaawaad Inc. submitted an application for an Extension of Time and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 33/2019 be extended to April 25, 2021. 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

Under the Complete Communities Direction Strategy this development is within the Areas of Stability – Mature Communities policy area. The proposed "C1" rezoning and land use are seen to be consistent with planning policies and appropriately serve residential uses in the area. It will serve to put an existing, and currently vacant building back to a productive use, a use that will serve the local community and will also provide flexibility for a variety of neighbourhood community uses in the future.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

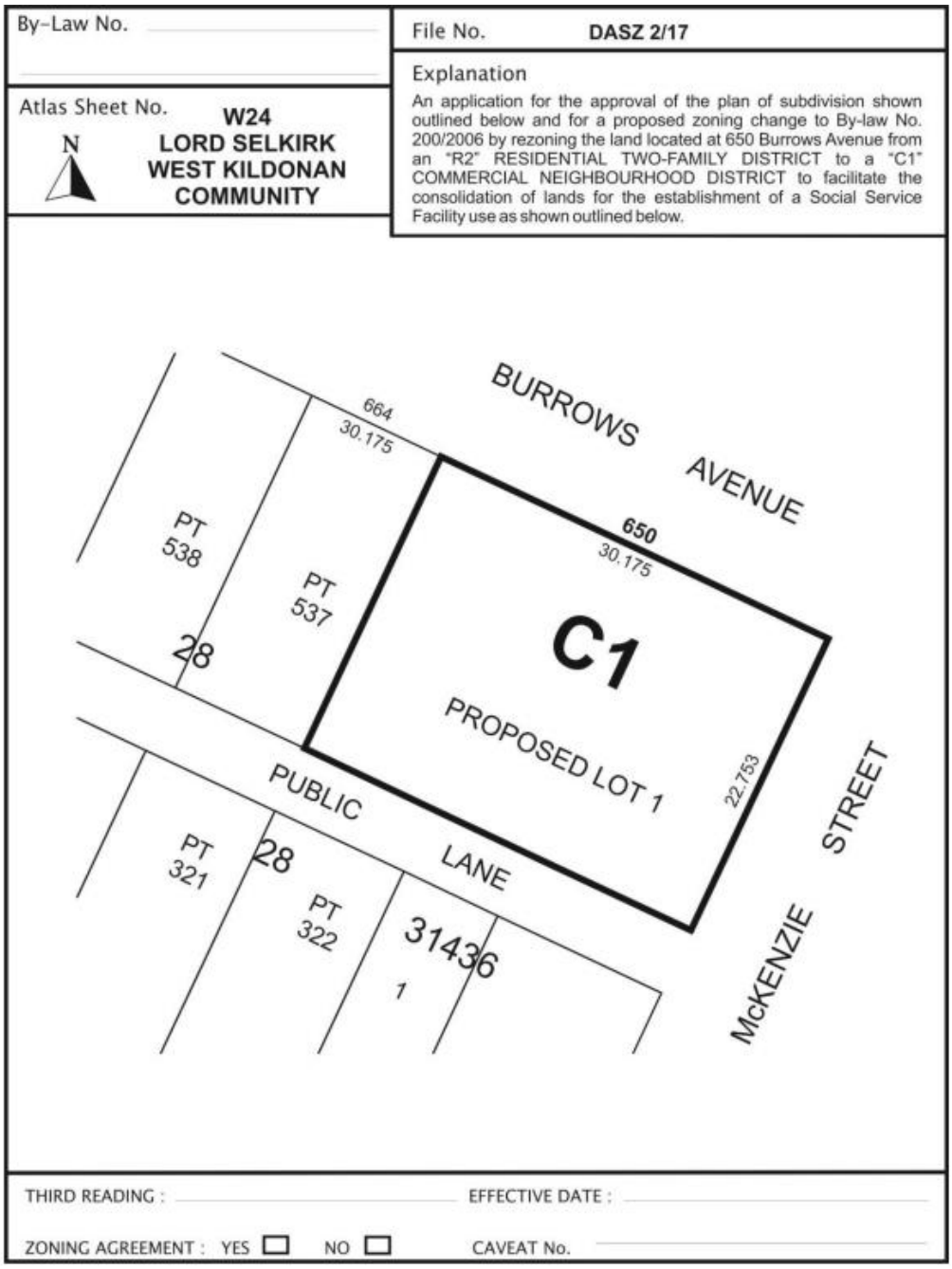
N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: April 21, 2020
File No: DASZ 2/2017
Attachments: Appendix "A" – DASZ 2/2017 Map
Appendix "B" – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 2/2017 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

Ndinawemaaganag Endaawaad Inc.
"Our Relatives' Home"

April 6, 2020

Michele Hammerberg
Development Applications Coordinator
City of Winnipeg
Main Floor, 65 Garry Street
Winnipeg MB R3C 4K4

Dear Ms. Hammerberg,

Re: 650 Burrows Avenue - Extension of Time

Please accept this letter on behalf of Ndinawemaaganag Endaawaad Inc. outlining our intentions with respect to the rezoning of the property located at 650 Burrows Avenue.

Ndinawemaaganag Endaawaad Inc. is an Indigenous led organization that has been in operation for over twenty years. We have an extensive history and expertise in providing culturally relevant, community based programming focused on supporting Indigenous youth by creating opportunities that will lead to independence, self-sufficiency and a sense of success in their lives. Since our inception, we have continued to build and expand our programming and resources to meet the growing population of youth in the North End. As a result, the organization has grown significantly over the past ten years and continues to grow to meet the needs of the population we serve. The number of staff and programs is quickly outgrowing our existing space. Therefore, we have purchased the property located at 650 Burrows Avenue in hopes that we can accommodate the following:

- The organization's Operational Team consisting of our Executive Director, Director of Programs, Program Development, Finance Manager, Finance Assistant and Human Resource Manager, all of whom will maintain administrative offices on the third floor.
- The Child and Youth Care Program will be located on the second floor. This is a community-based, accredited program which provides training to up to 15 participants to obtain a certificate in Child and Youth Care.
- The Housing Support Program will be located on the main floor. The Housing Support Program staff will maintain an office on site and provide resource information, facilitate programming and act as an advocate for young people 18-24 to access supports and resources to assist them in securing safe, stable housing. This space will also act as a drop in specific to those youth as it allows for a private entrance, bathroom facilities with shower and kitchen for youth to utilize while on site and participating in programming.

Unfortunately, due to an oversight regarding the easements required to be registered in favour of the applicable utilities, we have been unable to complete the registration of the Plan of Subdivision and Zoning Agreement in the Winnipeg Land Titles Office and so the by-law has not come into force and effect..

Although we have been in touch with our surveyor and the appropriate utilities to move the process forward, we are advised that finalizing the utility easements will take a number of months, which will take us well past the expiration of the bylaw on April 25, 2020.

We believe the initiatives we are undertaking will be valuable to the community. We have taken many steps thus far to bring our programs to fruition, and ask that we be provided an extension of twelve months to meet all outstanding requirements. Although we hope to satisfy all outstanding items well before the requested twelve months, we want to ensure that we leave time to respond appropriately to any unexpected delays and third party requests.

Ndinawemaaganag Endaawaad Inc.
"Our Relatives' Home"

We hope you will consider this request favourably and look forward to hearing back from you.

If you require further information, please feel free to contact me at 204-417-7233 Ext. 223

Respectfully,

Ndinawemaaganag Endaawaad Inc.

Kayla Stubbs

Acting Executive Director