**Agenda – Council – December 16, 2021**

**Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – December 2, 2021**

**Item No. 10 Extension of Time – Subdivision and Rezoning – 446 Grassie Boulevard**
**(Transcona Ward)**
**File DASZ 10/2018**

STANDING COMMITTEE RECOMMENDATION:

On December 8, 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. 77/2019 be extended to November 21, 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 – December 2, 2021**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 8, 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 December 2, 2021, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 22, 2021, the East Kildonan-Transcona 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 – 446 Grassie Boulevard – File No. DASZ 10/2018

**Critical Path:** East Kildonan-Transcona 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 | J. Kiernan | N/A | N/A |

## EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 77/2019 under File No. DASZ 10/2018 will expire on November 21, 2021. 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. 77/2019 be extended to November 21, 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 21, 2022, to complete the necessary registrations at the Winnipeg Land Titles Office.

## HISTORY/DISCUSSION

On January 31, 2019, Council adopted Item No. 8 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 7, 2019 which recommended approval of a subdivision and rezoning to an “R2” Residential Two-Family District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 77/2019 was enacted by Council on November 21, 2019.

Sections 3 and 4 of By-law No. 54/2019 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.

On January 28, 2021, Council adopted Item No. 5 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 18, 2021 extending the time limit to satisfy the Coming into Force provisions of By-law 77/2019 to November 21, 2021.

By-law No. 77/2019 has not come into force by the required registration of the Plan of Subdivision. The required Zoning Agreement DASZ 10/2018 has not been registered by caveat in the Winnipeg Land Titles Office and the one (1) year time limit will expire on November 21, 2021.

On November 6, 2021, the Applicant, J. Wintrup Consulting Ltd. Attention: John Wintrup, 301-139 Roslyn Road, Winnipeg, Manitoba, R3L 0G7, on behalf of the Owner 4713096 Manitoba Ltd., applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 77/2019 be extended to November 21, 2022. 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 Policy Area of OurWinnipeg and also falls within the Transcona West Area Structure Plan. The proposed "R2" rezoning complies with these planning policies and will appropriately enhance the neighbourhood area.

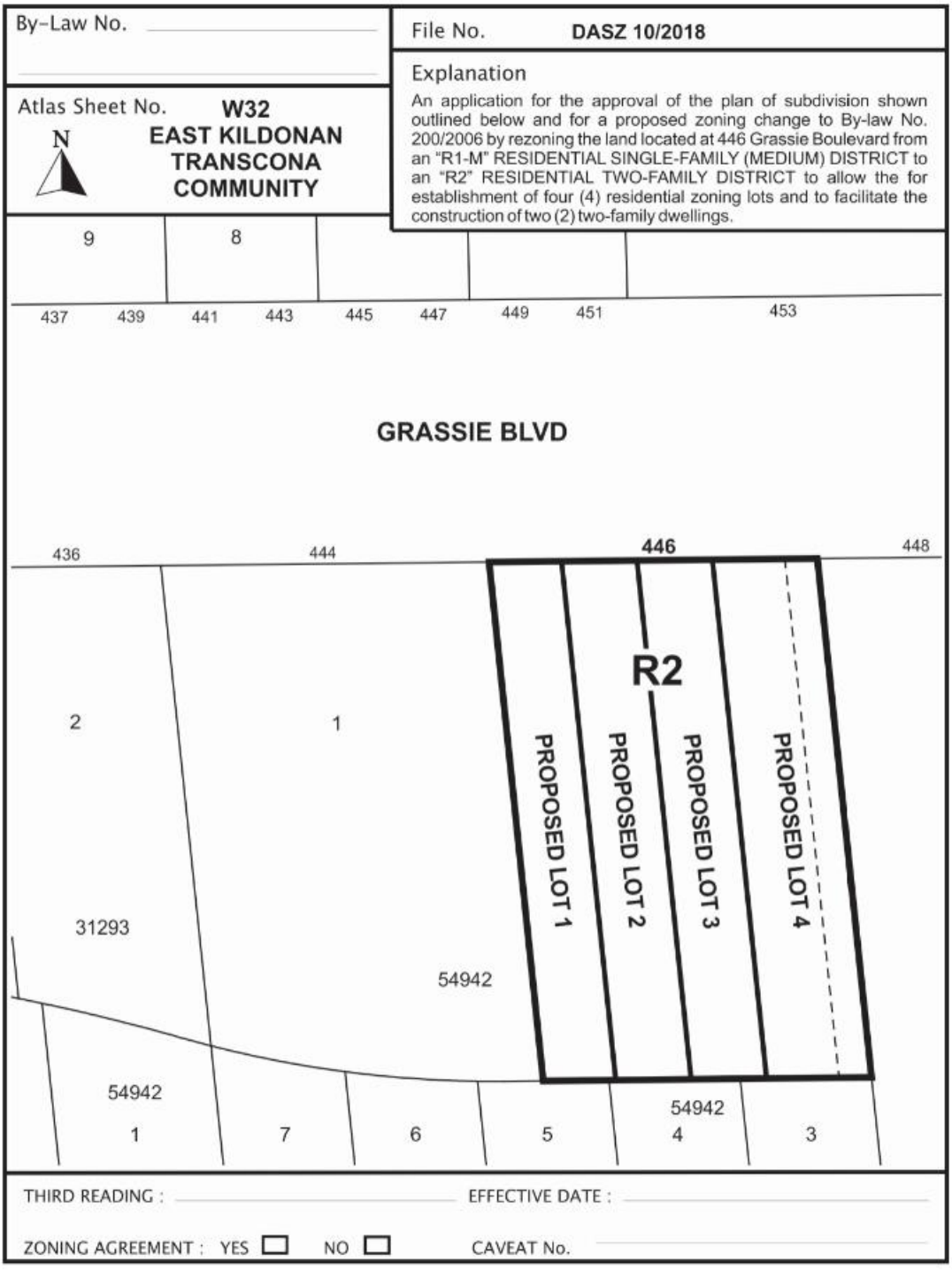
## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

## SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: November 8, 2021
File No: DASZ 10/2018
Attachments: Appendix "A" – DASZ 10/2018 Map
Appendix "B" – Letter Requesting Extension of Time

**APPENDIX "A" – DASZ 10/2018 MAP**



**APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME**

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

November 06, 2021

**RE: Letter of Intent – DASZ 10/2018 - 446 Grassie Boulevard**

Mr. Bernhard Goertzen of Global Homes is the proponent of this property and development, and is requesting an extension to the above noted file. Our understanding is the agreements will be released imminently by the City, within weeks, and we are taking cautious steps to request an extension to ensure sufficient time for such a release. Attached is copy of the latest land title.

Thank you for your attention to this matter and we look forward to your timely response. Feel free to contact me anytime at *jwintrup@me.com*

Regards,



**John Scott Wintrup**, B.A.(Hons), M.Sc.Pl., MCIP, RPP, AICP, CNU-A, LEED® Green Associate™
301-139 Roslyn Road
Winnipeg, Manitoba R3L 0G7
Encl.