Minute No. 239
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – February 7, 2022

Item No. 6 **Extension of Time – Rezoning – 2029 Bishop Grandin**
(Parcel A, Plan 50068)
(St. Vital Ward)
File DAZ 201/2020

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. 9/2021 be extended to January 28, 2023.

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 – February 7, 2022

DECISION MAKING HISTORY:

Moved by Councillor Gilroy,

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 February 16, 2022, 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 February 7, 2022, 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 January 26, 2022, 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 – Rezoning –2029 Bishop Grandin (Parcel A, Plan 50068) – File No. DAZ 201/2020

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
G. Jasper	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 9/2021 under File No. DAZ 201/2021 will expire on January 28, 2022. The Developer has not been able to satisfy all of the conditions prior to expiry and has requested an extension of time in order 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. 9/2021 be extended to January 28, 2023.

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 28, 2023, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On October 29, 2020, Council adopted Item No. 8 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated October 16, 2020 which recommended approval of a rezoning to an "RMU" Residential Mixed-Use District under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

Recommendation 4 of the above-referenced report states:

> "That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension."

On January 28, 2021, By-law No. 9/2021 was enacted by Council. Sections 2 and 3 of By-law No. 9/2021 stipulate the following:

Coming into force
2 This By-law Comes into force when the Zoning Agreement is registered at the Winnipeg land Titles Office.

Extensions of time
3(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 Zoning Agreement has not been registered at the Winnipeg Land Titles Office; and

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

3(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. 9/2021 has not come into force by the required registration of the Zoning Agreement and the one (1) year time limit will expire on January 28, 2022.

On January 12, 2022, the Owner, 69352 Manitoba Ltd., Attention: John Pearson, 1355 Taylor Avenue, Unit 200, applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 9/2021 be extended to January 28, 2023 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 as 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 a "Community Mixed Use Centre" in Complete Communities' Urban Structure map. This proposal aligns with the key policies guiding the development of Community Mixed Use Centres.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

WINNIPEG POVERTY REDUCTION STRATEGY 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 17, 2022
File No: DAZ 201/2020

Attachments: Appendix "A" – DAZ 201/2020 Map
Appendix "B" – Letter Requesting Extension of Time

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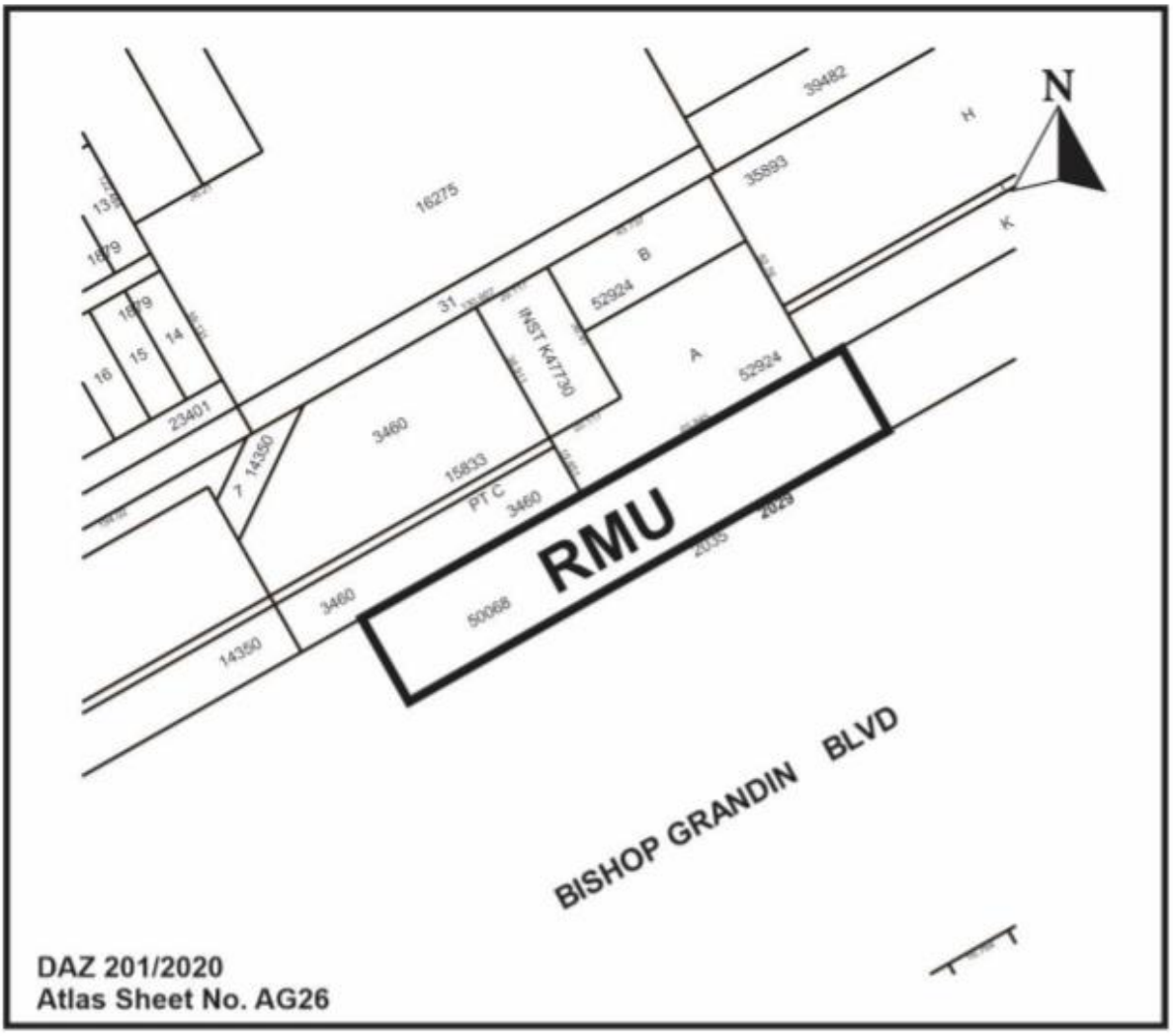
APPENDIX "A" – DAZ 201/2020 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

Shindico
Succeeding By Helping Others Succeed

January 12, 2022

VIA COURIER

Land Development Branch Administrator
City of Winnipeg
Main Floor, 65 Garry Street
Winnipeg, MB R3C 4K4

To Whom It May Concern

Proposed Rezoning of Land at 2029 Bishop Grandin Blvd.
Riel Community
File No. DAZ 201/2020

The current By-Law for the above-referenced rezoning application expires on January 28, 2022. The last remaining condition is the registration of the Zoning Agreement, which is near finalization. We have been diligently concluding matters, however there is a chance that the last remaining condition will not be satisfied in the required timeline. We therefore are requesting an extension and provide you with the following required information:

- Updated Titles #2450753 and #2601481; and
- Please contact Linda Cymbalisty of our office to arrange payment by credit card ($610.00 plus GST). Her phone number is 204-928-8207.

We appreciate your assistance in this regard. Please advise if you require anything further at this time.

Yours truly,

SHINDICO REALTY INC.
As Authorized agent for 69352 Manitoba Limited

John C. Pearson, B.Sc., M.N.R.M.
President, ICI Properties (Independent Broker)

JCP/mlb
Encl.

cc. Justin Zarnowski, Shindico Realty – via email

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