Minute No. 596
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – June 6, 2022

Item No. 8 **Extension of Time – Subdivision and Rezoning – 874/876/880 Grosvenor Avenue**
(Fort Rouge-East Fort Garry Ward)
File DASZ 16/2020

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. 46/2021 be extended to May 27, 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 – June 6, 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 June 15, 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 June 6, 2022, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 30, 2022, the City Centre 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 – 874/876/880 Grosvenor Avenue – File No. DASZ 16/2020

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

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Trenchard	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 46/2021 under File No. DASZ 16/2020 will expire on May 27, 2022. 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. 46/2021 be extended to May 27, 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 recommendations are concurred in, the Owner will be allowed a time extension to May 27, 2023, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On December 17, 2020, Council adopted Item No. 17 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated December 7, 2020 which recommended approval of a subdivision and rezoning to an "RMF-L PDO-1 CORYDON OSBORNE" Residential Multi-Family (Large) District under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

The rezoning By-law No. 46/2021 was enacted by Council on May 27, 2021.

Sections 3 and 4 of By-law No. 54/2020 stipulate the following:

Coming into force

3 This By-law comes into force when the plan of subdivision is 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 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. 46/2021 has not come into force by the required registration of the Plan of Subdivision and the one (1) year time limit will expire on May 27, 2022.

On May 12, 2022, the Applicant, Ventura Developments Inc., Attention: Pascal Toupin-Selinger, 2-475 Dovercourt Drive, Winnipeg, Manitoba, R3Y 1G4 on behalf of the Owner, Grosvenor Apartments Inc. applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 46/2021 be extended to May 27, 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 and circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OUR WINNIPEG POLICY ALIGNMENT

The subject properties are currently within the Areas of Stability – Recent Communities Policy Area under Complete Communities Direction Strategy. The proposed development will result in the establishment of a multi-family residential development that is consistent with policies in the *Corydon Osborne Area Plan*. The proposed development will increase residential density, thereby increasing housing options in the pedestrian oriented, bikeable, transit connected, amenity rich mature neighbourhood.

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: May 17, 2022
File No: DASZ 16/2020
Attachments: Appendix “A” – DASZ 16/2020 Map
Appendix “B” – Letter Requesting Extension of Time

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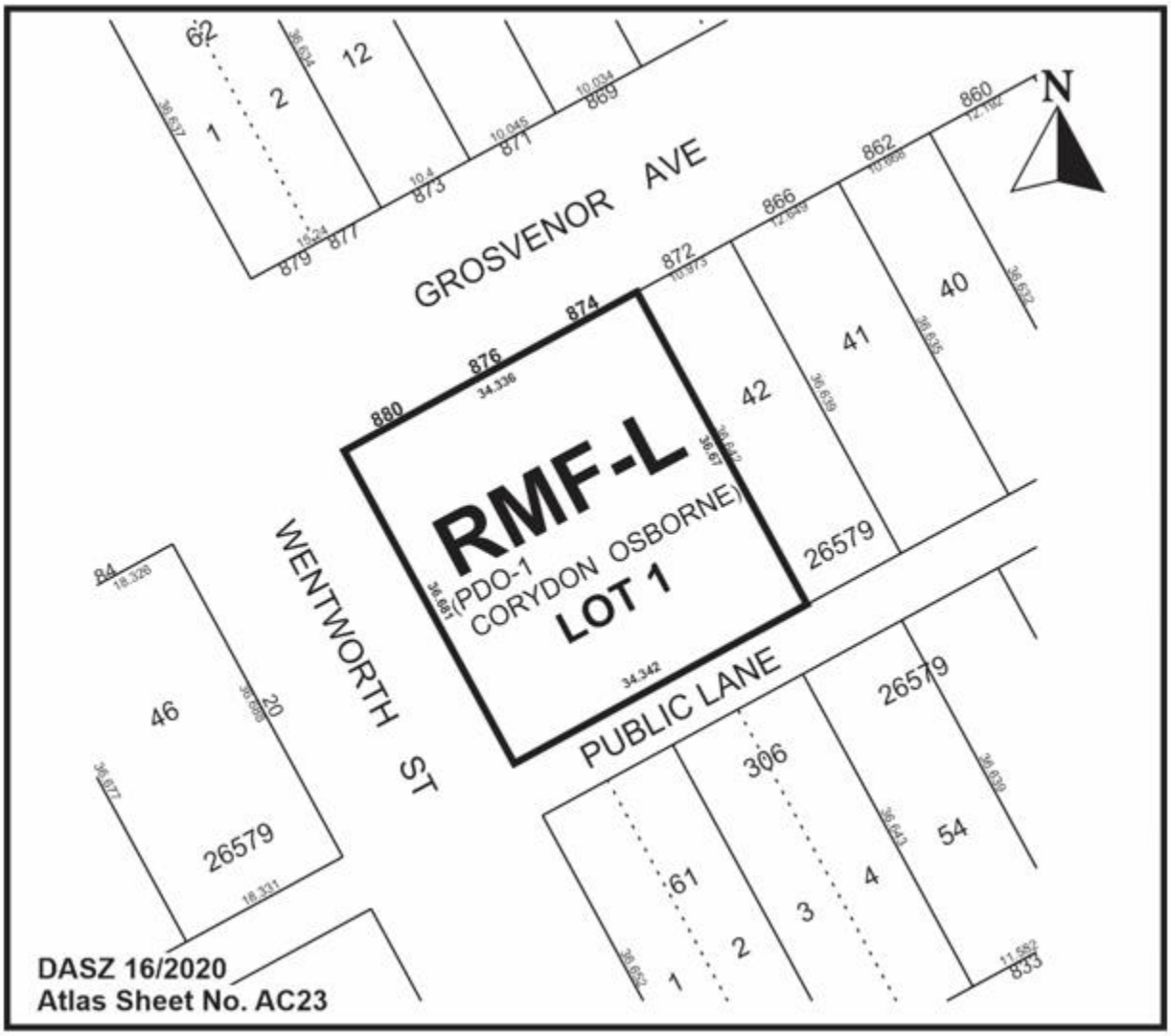
APPENDIX "A" – DASZ 16/2020 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

EXTENSION OF TIME APPLICATION
FILE NO. DASZ 16/2020
Bylaw NO. 46/2021

2-475 Dovercourt Drive
Winnipeg MB
R3Y 1G4
ventura.mb.ca

874,876, AND 880 GROSVENOR AVE.

Dear Land Development Branch Administrator,

Ventura Developments Inc. on behalf of Ventura Development Inc. (the Owner), is requesting an extension of time for the subject bylaw (46/2021) that has yet to come into affect.

The bylaw was passed by council on May 27, 2021 and is set to expire on May 27, 2022 if an extension is not granted. The bylaw has not come into force and effect by registration of the Plan of Subdivision in the Winnipeg Land Titles Office due to not receiving an Easement Agreement for execution and registration on title from Manitoba Hydro, BellMTS and Shaw Cable Systems.

The request for an extension should not exceed one year, as the request to have an Easement Agreement drafted and executed has been made by the applicant. The land surveyor for this application has also confirmed that all utilities have requested a blanket easement through Manitoba Hydro, and that the subdivision mylars are therefore ready for registration once the Easement Agreement has been executed. However, we have been informed by our lawyer that his experience with Manitoba Hydro as of late is that they are "backed up with requests for Statutory Easements and it is taking quite some time for Hydro to send out." As such, we request an allotment of time that will allow Manitoba Hydro to catch up on such requests and process this applications request.

Thank you for your consideration on this matter.

Sincerely,

Pascal Toupin-Selinger

Pascal Toupin-Selinger
Director of Multi-Family Development
Ventura Developments Inc.