Agenda – Executive Policy Committee – September 14, 2022

REPORTS

Item No. 32 Subdivision and Rezoning – Closure of Ross Avenue, 225/235 McPhillips Street and 1030 Pacific Avenue (Point Douglas Ward) File DASZ 28/2022

COMMUNITY COMMITTEE RECOMMENDATION:

On September 1, 2022, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 28/2022 be approved for preparation as a plan of survey (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 1, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "M2" Manufacturing General District as shown on the map dated September 1, 2022 and included within Schedule "A", subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. That no permanent or temporary structure be permitted for construction anywhere within 39.37 feet (12 metres) of the south property line of the consolidated land.

    B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 2.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

    C. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

COMMUNITY COMMITTEE RECOMMENDATION (continued):

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 28/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of survey (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 5 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement is not registered in accordance with recommendations 7 and 8 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

COMMUNITY COMMITTEE RECOMMENDATION:

On September 1, 2022, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, submitted its recommendation to the Executive Policy Committee.

PUBLIC HEARING SUMMARY

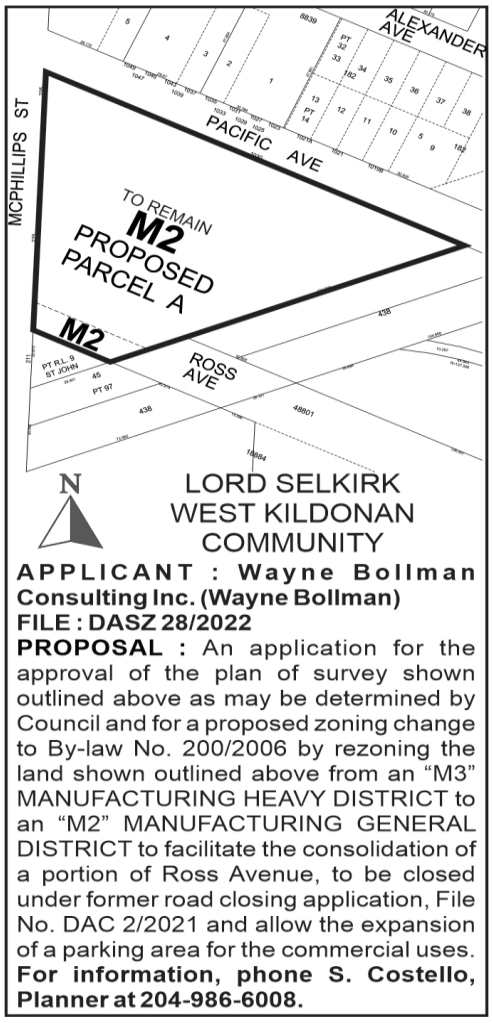
File: DASZ 28/2022

Before: Lord Selkirk-West Kildonan Community Committee
Councillor Sharma, Chairperson
Councillor Eadie
Councillor Santos

Public Hearing: September 1, 2022
Council Building, 510 Main Street

Applicant: Wayne Bollman Consulting Inc. (Wayne Bollman)

Subject:



Premises Affected: Ross Avenue and 225/235 McPhillips Street and 1030 Pacific Avenue

For submission to: Executive Policy Committee

Prepared by: P. Prinsloo, Senior Committee Clerk
Lord Selkirk-West Kildonan Community Committee

Report date: September 2, 2022

Community Committee Recommendation:

On September 1, 2022, the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Winnipeg Public Service and, via the Priority Rezoning Process, recommended to the Executive Policy Committee:

1. That the subdivision under Development Application No. DASZ 28/2022 be approved for preparation as a plan of survey (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated September 1, 2022 and attached as Schedule "A" and with the Proposed By-law attached as Appendix "B" to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an "M2" Manufacturing General District as shown on the map dated September 1, 2022 and included within Schedule "A", subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. That no permanent or temporary structure be permitted for construction anywhere within 39.37 feet (12 metres) of the south property line of the consolidated land.

    B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 2.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

    C. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 28/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

5. That upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor be directed to return the By-law to Council to be given second and third reading to the By-law if a legal plan of survey (the "Plan"), prepared by the Manitoba Land Surveyor in accordance with Recommendations 1 and 5 of this Report, and all associated ancillary fees (the "Fees") are submitted to the City within 2 years after the By-law has been given first reading.

6. That the matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Plan and all associated ancillary fees (the "Fees") are not submitted within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension.

7. That the subdivision section of the By-law will come into force when the Plan is registered in the Winnipeg Land Titles Office.

8. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein.

9. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement is not registered in accordance with recommendations 7 and 8 unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

10. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1-year period and Council approves the extension.

11. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

The Lord Selkirk-West Kildonan Community Committee provided the following supporting reasons for its recommendation:

1. I really appreciate the applicant working with my office for the last 3 years in our reimagining of this derelict building and turning it into Manitoba Building Trades which I have had a chance to go in and visit and do the grand opening with my Council colleagues a couple of years ago and it's a fantastic space.

2. I commend them so this is just kind of the last final touches to what they're doing to take the parking lot, resurface it and I fully support them doing this and kind of bringing more connections and more rehabilitation to an area that so desperately needs and this will be the catalyst to improve the specific area so I fully support this recommendation.

Objections under the Charter:

Total number of **v**alid objections as per section 125(2) – 0

In accordance with section 236.1(1), the threshold for sufficient objection has not been met.

Exhibits Filed:

1. Application dated April 29, 2022
2. Notification of Public Hearing dated July 6, 2022
3. Manitoba Status of Title 3150962/1
4. Letter of authorization dated March 11, 2022 from Manitoba Building Trades Institute (MBTI) to Wayne Bollman Consulting Inc.
5. Surveyor's Building Location Certificate and sketch dated September 12, 2019
6. Proposed Subdivision of part of River Lot 9 Parish of St John Being Parcel A Plan 66445 WLTO and Parcel A (Ross Avenue to be Closed)
7. Site Plan (Parking/Entrance Ross Avenue)
8. Report from the Urban Planning Division dated August 16, 2022
9. Inspection Report
10. Communication dated August 31, 2022, from Ben McGillivary, in support of the application

REPRESENTATIONS:

In Support:

Wayne Bollman

In Opposition:

Nil

For Information:

Quang Hiep Luu

For the City:

R. Hayer, Planner, Planning, Property and Development Department
S. Costello, Planner, Planning, Property and Development Department
D. Trenchard, Land Development Engineer, Planning, Property and Development Department

Exhibit “8” referred to in File DASZ 28/2022

ADMINISTRATIVE REPORT

Title: DASZ 28/2022 – Closure of Ross Avenue, 225/235 McPhillips Street and 1030 Pacific Avenue.

Issue: For consideration at the public hearing for Plan of Subdivision and Rezoning to consolidate a commercial lot with the closed right-of-way to rezone from “M3” to “M2” and develop an accessory parking lot.

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
S. Costello, BURPl.	n/a	n/a	

RECOMMENDATIONS

1. That the subdivision under Development Application No. DASZ 28/2022 be approved for preparation as a plan of survey (the “Plan”) by a Manitoba Land Surveyor in accordance with the map dated September 1, 2022 and attached as Schedule “A” and with the Proposed By-law attached as Appendix “B” to this report, with such changes as may be required, and registration in the Winnipeg Land Titles Office.

2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to an “M2” Manufacturing General District as shown on the map dated September 1, 2022 and included within Schedule “A”, subject to the following conditions:

    A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following:

        i. That no permanent or temporary structure be permitted for construction anywhere within 39.37 feet (12 metres) of the south property line of the consolidated land.

    B. That the City enter into, execute and deliver with the developer a Zoning Agreement in accordance with recommendation 2.A., and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements").

C. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City.

3. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 28/2022, as determined by the City's Director of Planning, Property and Development.

4. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare a By-law in accordance with this report and bring same directly to Council for first reading at the next available Council meeting.

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11. 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

- The applicant intends to rezone the property from “M3” to “M2” and consolidate a commercial lot with the closed right-of-way to allow for the development of an accessory parking lot.
- DAC 2/2022 approved the Closure of Ross Avenue, with a condition that a subdivision/rezoning (DASZ) application be applied for to consolidate the lands.
- Rezoning applications require a public hearing as per the Development Procedures By-law and The City of Winnipeg Charter.
- The Report is being submitted for the Committee’s consideration of the development application at the public hearing.

IMPLICATIONS OF THE RECOMMENDATIONS

- If the recommendations of the Winnipeg Public Service are concurred in, the subject property may be consolidated and rezoned consistent with the map provided in Schedule “A” of this report.

OURWINNIPEG 2045 POLICY ALIGNMENT

6.31 Employment Lands: Designate Employment Lands within the Urban Structure, to accommodate forecasted job growth and advance economic development in both the City and region, while mitigating incompatible land use conflicts, to provide a stable operating environment for businesses, and to promote community health and safety.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether the PRS is applicable, however it was determined that it does not apply.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by	Shaylyn Costello, BURPl.
Date:	August 16, 2022
File No.	DASZ 28/2022

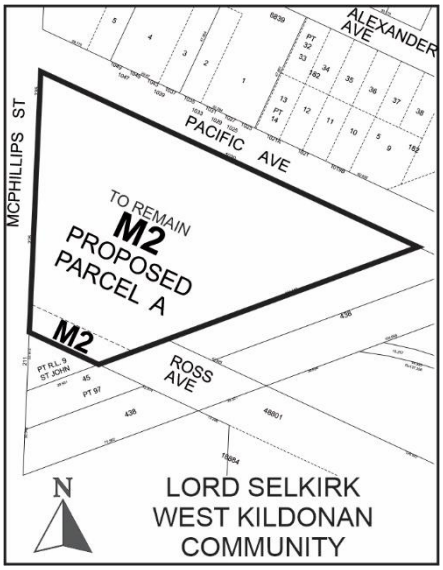
List of Schedules and Attachments

- **Appendix “A” – Planning Discussion.**
- **Schedule “A” for File no. 28/2022.**
- **Appendix “B” – Proposed By-law.**

APPENDIX 'A'

DATE: August 15, 2022
FILE: **DASZ 28/2022**
RELATED FILES: N/A
COMMUNITY: Lord Selkirk-West Kildonan Committee
NEIGHBOURHOOD #: 3.101 Logan-C.P.R.

SUBJECT: Lot Consolidation and Rezoning to "M2" District
LOCATION: **Closure of Ross Ave, 225/235 McPhillips St and 1030 Pacific Ave**
LEGAL DESCRIPTION: PARCEL "A" PLAN 66445 WLTO IN 9 60 TO 63 PARISH OF ST JOHN



APPLICANT: Wayne Bolman Consulting Inc. (Wayne Bolman)
71 Lindenshore Dr.
Winnipeg, MB R3P 2N1

OWNER: MBT ONE 909 INC.
225 McPhillips Ave
Winnipeg, MB R3E 1G4

HISTORY

DAZ 200/2020

This application was approved for the lands to be rezoned rom “M3” to “M2” for the establishment of a commercial school (B/L 105/2020).

In addition to the rezoning, the applicant has also obtained variances to accommodate the proposed uses within the existing building, and a temporary change of use variance under file DAV 20-126403/D.

DAC 2/2021

The Manitoba Building Trades Institute applied to the City to close a portion of Ross Avenue east of McPhillips Street, south of Pacific Avenue to accommodate plans to use the land for vehicle ingress/egress, parking, and aesthetic improvements in relation to its adjoining property to the north. It was legally closed and declared Surplus by the City under this application.

DISCUSSION

SITE DESCRIPTION

- The subject property is at the south-west corner of Pacific Avenue and McPhillips St, in the Logan-C.P.R. neighbourhood of the Point Douglas Ward.
- The property is 88,310 square feet in area and currently contains a multi-tenant warehouse building with surface parking to the west accessed via Pacific Ave. The resulting lot area upon consolidation is approximately 98,010 sq. ft. The site has approximately 264 ft. of frontage along McPhillips Street and 533 ft. along Pacific Avenue.
- Ross Avenue, which was closed under a DAC application, is located to the south of the site. The lands are currently vacant and used for parking.
- The subject site is designated “Employment Lands – Core Industrial” policy area under the *Complete Communities Direction Strategy 2.0*, and is split-zoned “M2” Manufacturing General to the west and “M3” Manufacturing Heavy District to the east under Zoning Bylaw no. 200/2006.



Figure 1: Air Photo Map of Property and Surrounding Area *(flown 2021)*

SURROUNDING LAND USE AND ZONING (See Figure 2)

North: Pacific Avenue, then self-storage and office warehouses uses zoned “M3” and an auto recycling facility zoned “M1.”

East: Canadian Pacific Railway line zoned “M3” Manufacturing Heavy.

South: Ross Ave (closed) then vehicle service shop zoned and Canadian Pacific Railway line zoned “M3” Manufacturing Heavy.

West: A U-Haul facility, auto service uses and surface parking zoned “M3” and a vacant parcel zoned “MMU.”

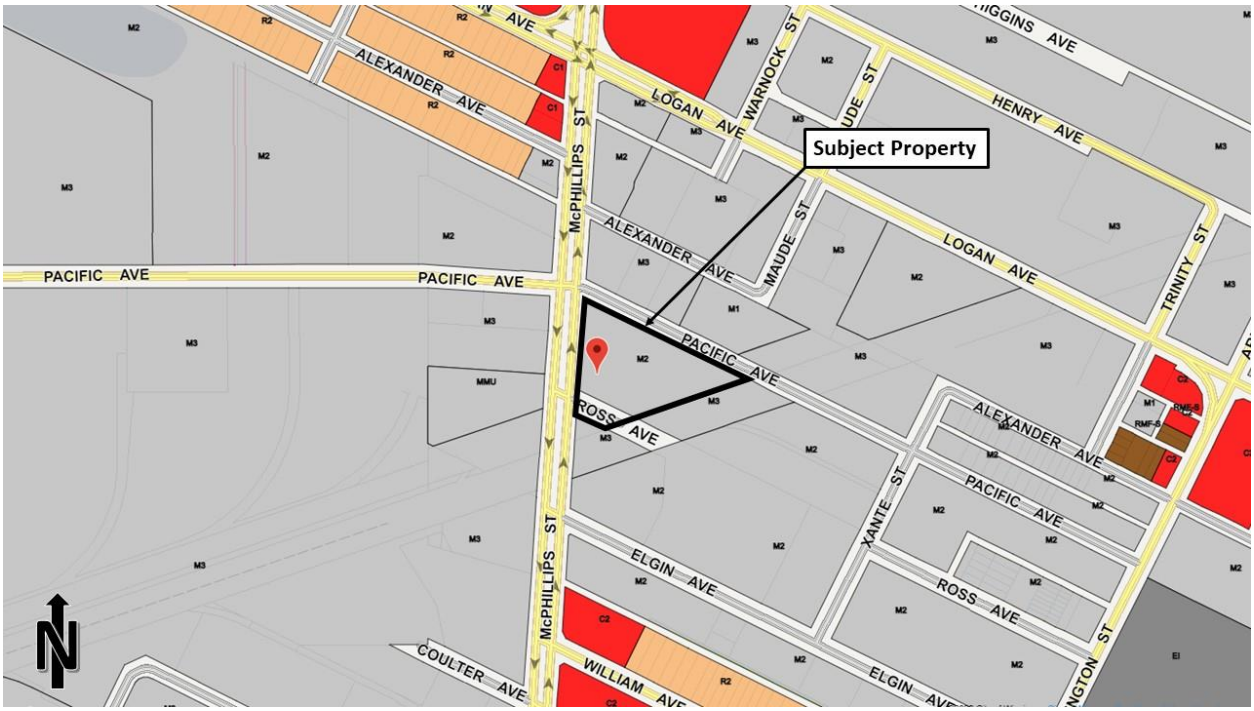


Figure 2: Zoning of the site and surrounding area.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant is proposing to consolidate the lands to the south of the property, previously known as Ross Avenue and consolidate with the property to establish an accessory parking lot to the south of the site. Ross Avenue was closed under DAC 2/2021 to use as parking, ingress and egress, and site improvements accessory to the proposed commercial school (Manitoba Building Trades Institute). This use was approved by a rezoning from “M3” to “M2” which permits a Commercial School, with associated variances approved to reduce yard requirement as well as parking and loading requirements (DAV 126403/2020D).

The property is currently split-zoned “M2” and “M3,” with the “M3” zoning located on the closed Ross Ave, so the application further proposes to rezone the resulting lot to a uniform “M2” district.

The consolidation of the south portion of land will be developed with 18 parking stalls – 7 south of the drive aisle (including two accessible) and the remaining stalls to the north. Landscaping is proposed on either side of the entrance, including coniferous trees, as well as an entrance sign north of the entrance off McPhillips St.

A cross access-agreement is required for 211 McPhillips Street to the south to provide shared access off the existing approach as well as 4 parking stalls adjacent to its property for their use at May’s Autobody Shop.

Due to the lot consolidation, the southern property line is now in close proximity to the adjacent building on 211 McPhillips Street. To prevent any conflicts with the Manitoba Building Code, a Zoning Agreement has been included as a condition of approval to establish a “no build zone” to the south of the site. As the proposed use of these lands is for parking, this does no have any adverse impacts on the proposal.

ANALYSIS AND ISSUES

COLLABORATIVE PLANNING

The applicant has been in continued communication with the Public Service throughout the various phases of this proposal.

COMPLETE COMMUNITIES DIRECTION STRATEGY 2.0

The subject property is located within a Core Industrial Area in the Employment Lands designation. Relevant policies for Core Industrial Areas are as follows:

1.2 Ensure that Core Industrial areas:

> *a. Provide for a range of light to heavy industrial uses, including those that are land intensive; and*
>
> *b. Provide for limited employment-supportive commercial uses to serve the needs of employees within the employment area. These areas should be subordinate to the larger intent of the Core Industrial designation.*

4.8 Permit light, medium, and heavy industrial uses in Core Industrial areas where compatible with surrounding land uses.

CCDS 2.0 includes policies for Quasi-industrial uses, which are uses that are more commercial in nature that, due to larger land requirements, are drawn to Employment Lands as an economically viable means of supporting their operational requirements, including schools. The applicable policies are as follows:

4.14 Manage quasi-industrial uses to mitigate land use incompatibility and to protect the City's supply of Employment Lands and industrial floor space for core industrial purposes, while also accommodating uses that have large land requirements and are not easily accommodated elsewhere.

4.15 Discourage quasi-industrial uses in Core Industrial areas.

4.16 Permit quasi-industrial uses in General Industrial and Business Park areas where it can be demonstrated that such uses cannot be accommodated elsewhere in the Urban Structure.

4.16.1 Where appropriate, encourage the siting of quasi-industrial uses along arterial roads and where they can be used as buffers between traditional industrial and more sensitive land uses.

4.17 Quasi-industrial uses in General Industrial, Core Industrial, and Business Park areas may be permitted where they are not purpose-built and can be accommodated as tenants in industrial buildings as long as they do not preclude the building's potential future use for planned industrial activities.

The Commercial School is proposed along an arterial street and has been approved. Upgrades and renovations have occurred on the existing property and building to accommodate the proposed use. The proposed application is concerned with consolidation for the accessory parking, so nothing is in contravention to the above policies.

SUBDIVISION & REZONING ANALYSIS

- Typically, the uniform zoning of a property is encouraged to perpetuate planned and orderly development.

- The property is designated employment lands and contains mostly General Manufacturing and Heavy Manufacturing Zone Districts.
- The current use of the property, is a permitted use in the “M2” District but is not permitted in the “M3” District.
- The consolidation of lands will permit the establishment of accessory parking to the south of the site where aerial photos show it has been used as a parking area for 25+ years. The proposed parking area will serve those attending the commercial school.
- The closed Ross Avenue will have increased use and serve the subject property as well as southern property in a manner that complies with the Winnipeg Zoning By-law.
- As the closure of Ross Avenue has already been approved on the basis that a subdivision-rezoning would be applied for to consolidate and uniformly zone the lands, there are no anticipated adverse impacts to approving the proposed application(s).
- The acquired lands will result in accessory parking for both the subject property, and the abutting neighbor to the south, for which an agreement is in place with both property owners.

REASONS FOR RECOMMENDATIONS

The Urban Planning Division recommends approval the subdivision and rezoning for the following reasons**:**

- The subdivision and rezoning application would conform with *OurWinnipeg 2045* and *the Complete Communities Direction Strategy 2.0*, and would be compatible with the surrounding area.
- The DASZ application would resolve the building and parking requirements for both the subject property and the lot to the south.
- The rezoning to an “M2” District will result in uniform zoning of the lot.
- Supporting a commercial school for building trades will provide economic and educational opportunities for the City of Winnipeg.
- The proposed accessory parking area complies with the Winnipeg Zoning By-law.

This Report Submitted by:
Planning, Property and Development Department
Urban Planning and Design Division
Report Prepared by: Shaylyn Costello, B.U.R.Pl.
DASZ File Number: 28/2022

SCHEDULE "A" FOR FILE NO. DASZ 28/2022, LORD SELKIRK-WEST KILDONAN COMMUNITY COMMITTEE, SEPTEMBER 1, 2022

By-Law No. _____

File No. **DASZ 28/2022**

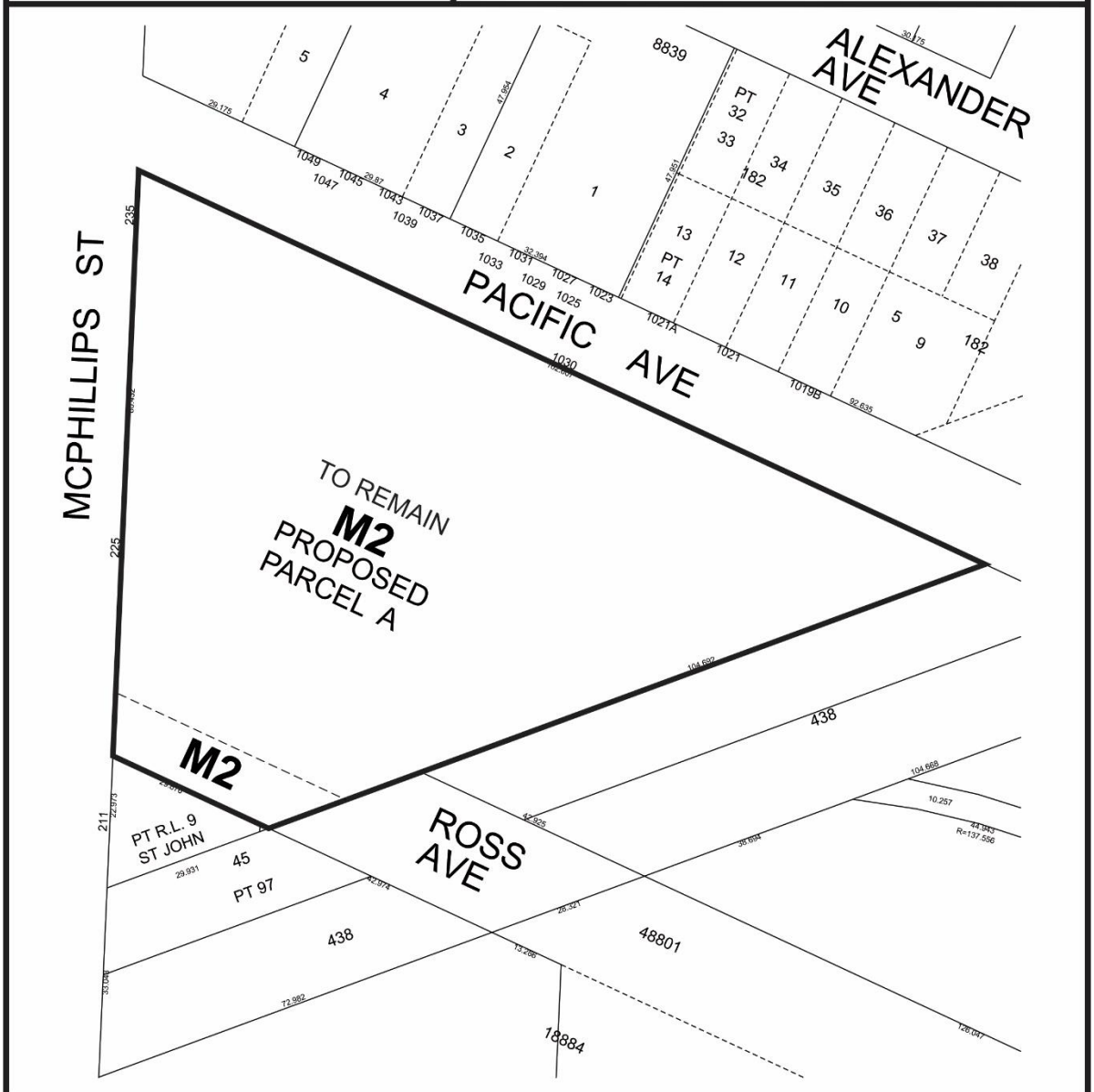
Atlas Sheet No. **X23**

N

LORD SELKIRK WEST KILDONAN COMMUNITY

Explanation

An application for the approval of the plan of survey shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 225 and 235 McPhillips Street, 1030 Pacific Avenue and the right-of-way to be closed under former road closing application, File No. DAC 2/2021, from an "M3" MANUFACTURING HEAVY DISTRICT to an "M2" MANUFACTURING GENERAL DISTRICT to facilitate the consolidation of the closed right-of-way and allow the expansion of a parking area for the commercial uses.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX B – PROPOSED BY-LAW

THE CITY OF WINNIPEG

BY-LAW NO.

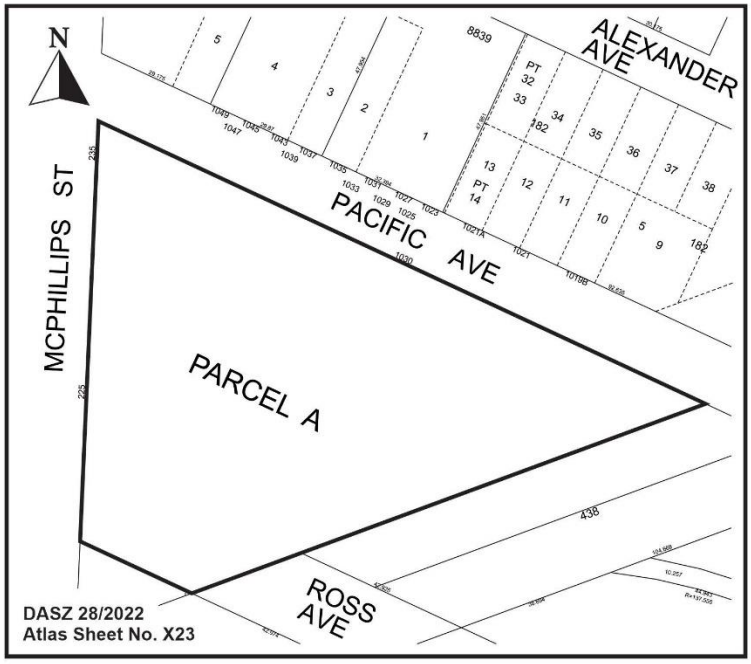
A By-law of THE CITY OF WINNIPEG to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 225 and 235 McPhillips Street, 1030 Pacific Avenue and portion of Ross Avenue, closed under DAC 2/2021, in the Lord Selkirk-West Kildonan Community pursuant to Development Application No. DASZ 28/2022.

DRAFT

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Plan of subdivision

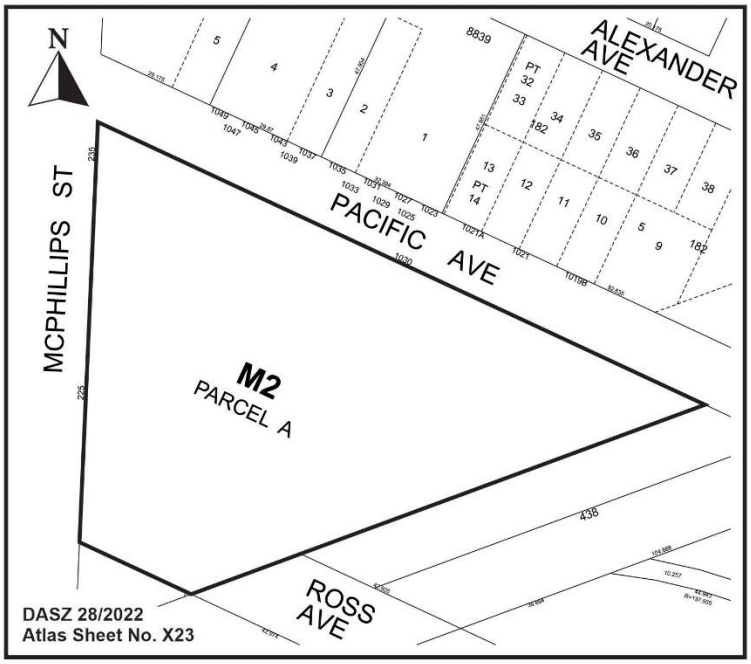
1 The plan of subdivision shown below is approved.



Zoning

2 Winnipeg Zoning By-law No. 200/2006 is amended by adding the following in Schedule B:

2( ) Notwithstanding anything elsewhere contained in this By-law or shown on the Zoning Maps, the lands designated on the plan below as "M2" are hereby zoned as an "M2" Manufacturing General District, the zoning districts and zoning district boundaries are hereby located as shown on that plan, and the Zoning Maps shall hereafter be read and construed as shown on that plan, subject to a Zoning Agreement being entered into between The City of Winnipeg and the registered owner or persons entitled to be registered owner of the subject land.



DRAFT

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 the 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.

DRAFT

Exhibit “7” referred to in File DASZ 28/2022

