Minute No. 783
Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – September 8, 2022

Item No. 11 **Extension of Time – Subdivision and Rezoning – 2700 King Edward Street and Lot 5 Plan 17736**
(Point Douglas Ward)
File DASZ 17/2018

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. 86/2020 be extended to July 23, 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 – September 8, 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 September 14, 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 September 8, 2022, 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 September 1, 2022 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 – 2700 King Edward Street & Lot 5 Plan 17736 – File No. DASZ 17/2018

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

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 86/2020 under File No. DASZ 17/2018 expires on July 23, 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. 86/2020 be extended to July 23, 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 July 23, 2023, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On December 13, 2018, Council adopted Item No. 1 of the Executive Policy Committee dated December 5, 2018 which recommended approval of a subdivision and rezoning to an "M1 PDO-2 Inksbrook Employment Lands Planned Development Overlay" Manufacturing Light District under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

The rezoning By-law No. 86/2020 was enacted by Council on July 23, 2020.

Sections 3 and 4 of By-law No. 86/2020 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. 86/2020 has not come into force by the required registration of the Plan of Subdivision. The required Zoning Agreement DASZ 17/2018 has not been registered by caveat in the Winnipeg Land Titles Office and the one (1) year time limit expires on July 23, 2021.

On June 24, 2021, Council adopted Item No. 21 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated June 8, 2021 which recommended approval of an extension of time in order to complete the necessary registration of the Plan of Subdivision and the required Zoning Agreement DASZ 17/2018 by caveat in the Winnipeg Land Titles Office.

On June 23, 2022, the Developer, Landmark Planning & Design Inc., Attention: Andrei Friesen, 298 Waterfront Drive, Winnipeg, Manitoba, R3B 0G5 submitted an application for a second Extension of Time on behalf of the Owner, The Winnipeg School Division No 1 and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 86/2020 be

extended to July 23, 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

Under the Complete Communities Direction Strategy (CCDS) this development is within the "Employment Lands-General Manufacturing" policy area and the proposed development complies with the policies therein. The recent CCDS 2.0 polices for this particular neighbourhood also remain unchanged.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

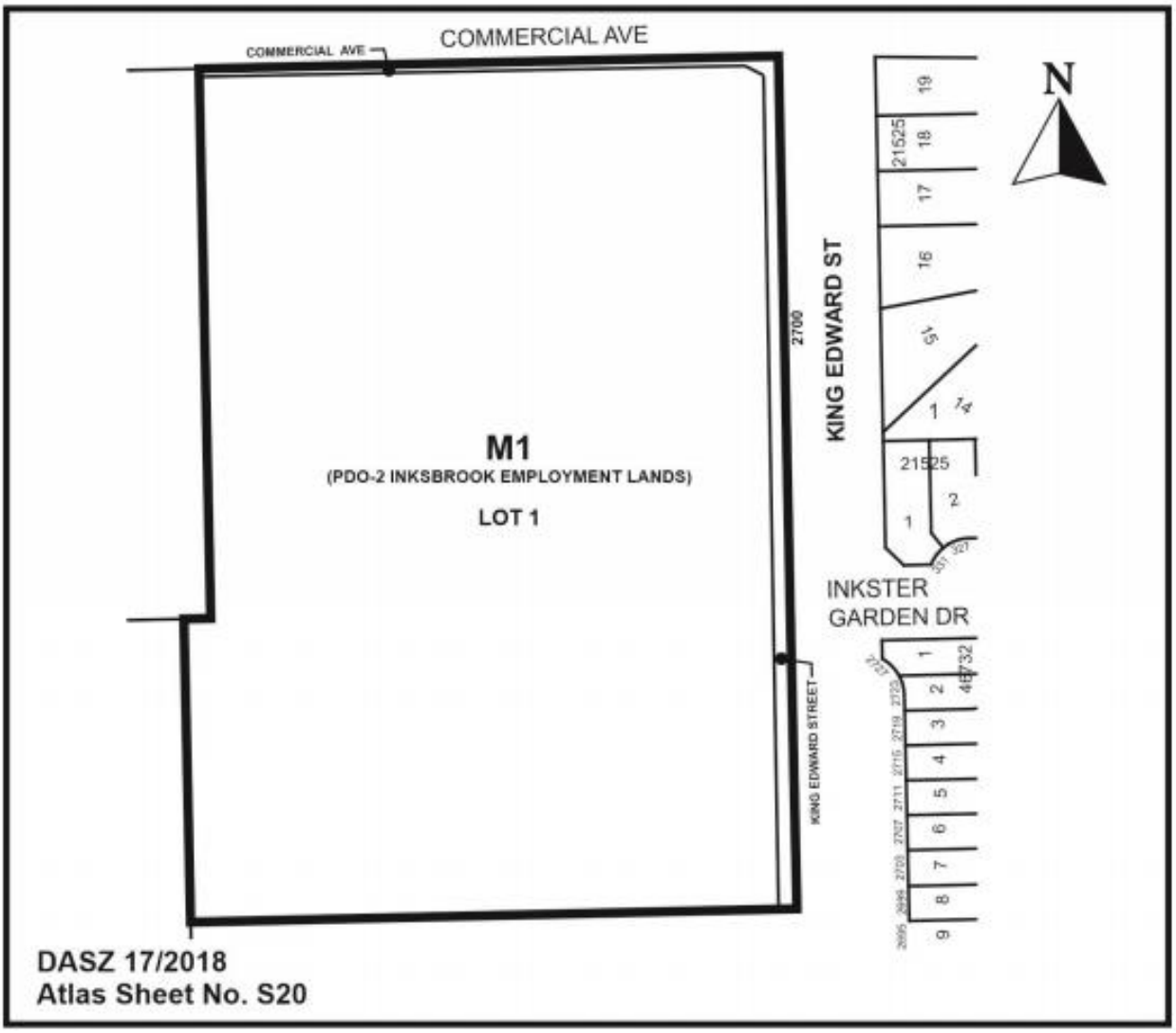
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: June 28, 2022
File No: DASZ 17/2018
Attachments: Appendix "A" – DASZ 17/2018 Map
Appendix "B" – Letter Requesting Extension of Time

APPENDIX "A" – DASZ 17/2018 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

June 7, 2022

Planning, Property & Development Department
Main Floor, 65 Garry St.
Winnipeg, Manitoba R3C 4K4

Attention: Angela Savage
Land Development Branch Administrator

RE: LETTER OF INTENT – EXTENSION OF TIME APPLICATION
File No. DASZ 17/2018, 2700 King Edward Street

Dear Mrs. Savage,

Landmark Planning & Design Inc. is submitting this Extension of Time Application on behalf of the Winnipeg School Division with respect to the above-mentioned development application. The northwest quadrant of Winnipeg continues to see substantial growth since this application was initially submitted in 2018. As a result, the Winnipeg School Division continues to collaborate with Manitoba Education to allocate resources to ensure the new high school proposed for the subject property can meet the needs of this growing community. Since our initial extension request in May 2021, the following progress has occurred to move this development application forward:

- The Winnipeg School Division has retained LM Architectural Group to assist with site planning and building design for the proposed school.

- Collaborating with Public Works and the adjacent developer to the north of the subject property, Stantec has prepared numerous road configurations for Commercial Avenue. The Report of The Administrative Co-Ordinating Group initially requested that the Commercial Avenue right-of-way be widened by approximately 0.942 metres. The road design preferred by Public Works now requires Commercial Avenue to be widened by 4.03 metres which has triggered revisions to the surveyor's legal plan and easement plans which are currently underway.

- Manitoba Hydro has requested revisions to their easement requirements and the School Division continues to collaborate with them.

- The Winnipeg School Division has reviewed the draft Servicing Agreement provided by the Land Development Branch. As this is a publicly funded project, the School Division is working with

Stantec to confirm project costs. This information will be relayed to Manitoba Education so they can properly allocate funding for this project.

Taking the above-mentioned progress into consideration, the Winnipeg School Division is very close to completing the subject DASZ application. It is anticipated that all development application requirements will be completed in the coming months, however, to be prudent, we respectfully request that Council consider granting an eight (8) month extension to finalize this application.

If you have any questions or require additional information, please contact the undersigned at 204-453-8008. We thank you for your cooperation and look forward to working with your office in the coming months.

Yours truly,
LANDMARK PLANNING & DESIGN INC.



Andrei Friesen
Planner

Landmark
Planning & Design Inc.

298 Waterfront Drive
Winnipeg, Manitoba R3B 0G5
Tel: 204.453.8008
E-mail: info@landmarkplanning.ca