Agenda – Council – February 23, 2023

Report – Standing Policy Committee on Property and Development – February 2, 2023

Item No. 7 Extension of Time – Proposed Subdivision and Rezoning – 836-842 Taché Avenue (St. Boniface Ward) File DASZ 26/2016

STANDING COMMITTEE RECOMMENDATION:

On February 14, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the time limit to provide for the enactment of the necessary rezoning by-law under File No. DASZ 26/2016 be extended to January 24, 2024.

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 – February 2, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 14, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 2, 2023, the Standing Policy Committee on Property and 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 24, 2023, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- In Recommendation 1, delete “November 16, 2024” and replace with “January 24, 2024”.

and forwarded the matter to the Standing Policy Committee on Property and Development.

On January 3, 2023, the Riel Community Committee further laid the matter over to its meeting on January 24, 2023.

On November 14, 2022, the Riel Community Committee laid the matter over to its meeting on January 3, 2023.

Real Rioux submitted a communication in opposition to the matter.

ADMINISTRATIVE REPORT

Title: Extension of Time – Proposed Subdivision and Rezoning – 836-842 Taché Avenue – File No. DASZ 26/2016

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 enactment by Council of the necessary rezoning by-law under DASZ 26/2016 will expire on November 16, 2022. The Developer has not been able to satisfy all of the conditions prior to expiry and has requested a third extension of time to enact the by-law and 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 26/2016 be extended to November 16, 2024.

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 November 16, 2024, to enact the required rezoning by-law under DASZ 26/2016.

HISTORY/DISCUSSION

On November 16, 2016, Council adopted Item No. 5 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated November 8, 2016 which recommended approval of a subdivision and rezoning to “R2” Residential Two-Family District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

Recommendation 5 of the above-referenced report states:

> "That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension."

On January 31, 2019, Council adopted Item No. 21 of the report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 7, 2019 which recommended approval of an Extension of Time and that the time limit for enactment of the necessary by-law for DASZ 26/2016 be extended to November 16, 2020.

On December 17, 2020, Council adopted Item No. 9 of the report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated December 7, 2020 which recommended approval of a second Extension of Time and that the time limit for enactment of the necessary by-law for DASZ 26/2016 be extended to November 16, 2022.

On October 13, 2022, the Developer, Qualico Communities, Attention: Lyne Jones, 1 Dr. David Friesen Drive, Winnipeg, Manitoba, R3X 0G8, submitted an application for a third Extension of Time and requested that the time limit for enactment of the necessary by-law for DASZ 26/2016 be further extended to November 16, 2024. 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

Urban Planning Division, District Planner, Elise Finnigan

OURWINNIPEG 2045 POLICY ALIGNMENT

The site is located within an “Established Neighbourhood - Mature Communities” Policy Area under the *Complete Communities Direction Strategy 2.0* of *OurWinnipeg 2045.* The site is also located within the High Density Residential Policy Area of the *North St. Boniface Secondary Plan.*

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: October 25, 2022
File No: DASZ 26/2016

Attachments:
Appendix “A” – DASZ 26/2016, Subdivision and Rezoning Map
Appendix “B” – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 26/2016 MAP

By-Law No. _____

File No. **DASZ 26/16**

Atlas Sheet No.

N

Z26
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 836-842 Tache Avenue from an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the closure of a public lane for the inclusion and consolidation of lands to allow for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

One Dr. David Friesen Drive Winnipeg, MB R3X 0G8
QUALICOCOMMUNITIES.COM

QUALICO communities

October 13, 2022

Michele Hammerberg
The City of Winnipeg
Planning, Property, and Development
Main Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Dear Michele,

Pointe Hebert
Extension of Time Request – DASZ 26/2016

At its meeting held on November 16th, 2016, Council approved the subdivision and rezoning application under DASZ 26/2016 alongside DAC 9/2016 to close the adjacent lane. Subsequently, Council approved extensions to the time limit to pass the by-law for DASZ 26/2016 to November 16, 2022.

We have continued to work with builders on concepts for the site at the corner of Rue Hebert and Tache that would meet our commitments to the residents of Pointe Hebert. However, it is our understanding that there is not enough sewage capacity to pursue the multi-family concepts originally contemplated for the site. We are currently exploring alternatives to these sewage capacity issues with the City of Winnipeg to alleviate this matter. Accordingly, we have been unable to progress this project to a point where we can meet the deadline of November 16, 2022 for passage of the by-law.

We trust the City will be willing to grant a further extension of time that will allow us to resolve sewage capacity issues for a suitable multi-family project for this parcel of land.

Please confirm that this letter will meet your requirements for requesting a further two (2) year extension of time to pass the by-law under DASZ 26/2016.

Payment for this request can be processed through our trust account 12-04-1169TR.

Yours truly,

QUALICO DEVELOPMENTS (WINNIPEG) LTD.

Lyne B. Jones
Senior Development Manager

/lj