Agenda – Council – May 30, 2023

Report – Standing Policy Committee on Property and Development – May 4, 2023

Item No. 5 Extension of Time – Subdivision and Rezoning – 1922 and 1924 St. Mary's Road
(St. Norbert-Seine River Ward)
File DASZ 19/2021

STANDING COMMITTEE RECOMMENDATION:

On May 16, 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 satisfy the Coming into Force provisions of By-law No. 24/2022 be extended to March 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 – May 4, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 16, 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 May 4, 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 April 24, 2023, 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.

ADMINISTRATIVE REPORT

Title: Extension of Time – Subdivision and Rezoning – 1922 and 1924 St. Mary's Road – File No. DASZ 19/2021

Critical Path: Riel Community Committee – Standing Policy Committee on Property and 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. 24/2022, under File No. DASZ 19/2021, expired on March 24, 2023. 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. 24/2022 be extended to March 24, 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 recommendations are concurred in, the Owner will be allowed a time extension to March 24, 2024, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On September 29, 2021, Council adopted Item No. 11 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated September 14, 2021 which recommended approval of a subdivision and rezoning to an "RMF-L" Residential Multi-Family (Large) District and a “PR1” Parks and Recreation 1 (Neighbourhood) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 24/2022 was enacted by Council on March 24, 2022.

Sections 3 and 4 of By-law No. 24/2022 stipulate the following:

Coming into force

3 This By-law comes into force when the plan of subdivision and the Zoning Agreement 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 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.

By-law No. 24/2022 has not come into force by the required registration of the Plan of Subdivision and the Zoning Agreement and the one (1) year time limit expired on March 24, 2023.

On March 7, 2023, the Applicant StreetSide Developments, Attention: Jonathan Osachuk, One Dr. David Friesen Drive, Winnipeg, Manitoba, R3X 0G8 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 24/2022 be extended to March 24, 2024 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 Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg.
- The subject property is located in an "Established Neighbourhood – Recent Community" in *Complete Communities'* Urban Structure map. Established Neighbourhoods will accommodate contextually sensitive growth and change to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

- **Key Direction 4.1:** Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service
- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Development Applications Coordinator
Date: March 24, 2023
File No: DASZ 19/2021
Attachments: Appendix "A" – DASZ 19/2021 Map
Appendix "B" – Letter Requesting Extension of Time

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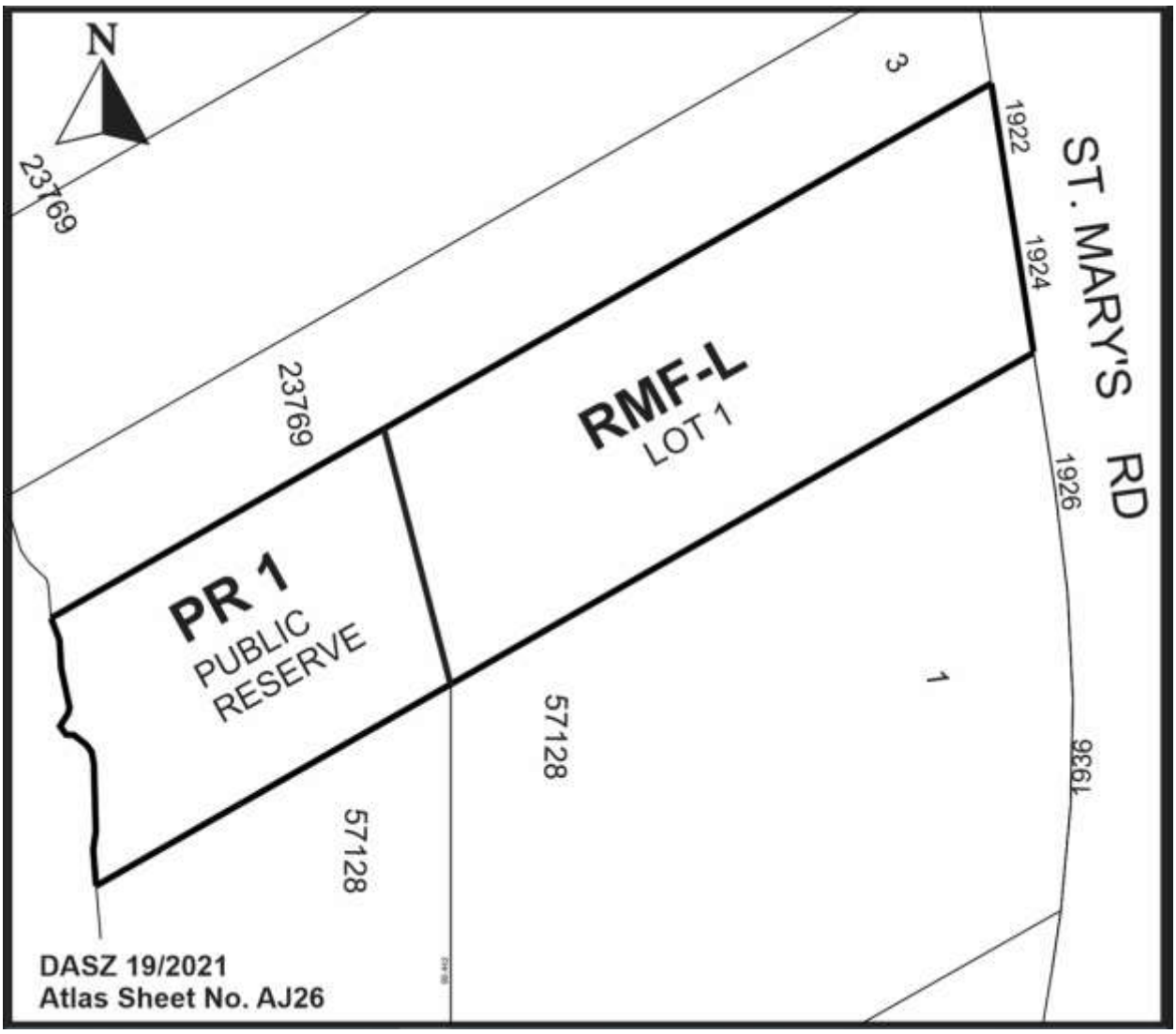
APPENDIX "A" – DASZ 19/2021 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

STREETSIDE DEVELOPMENTS A QUALICO® Company

March 7th, 2023

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

RE: REQUEST FOR EXTENSION OF DASZ 19/2021 FOR 1922 – 1924 ST. MARY'S ROAD

Dear Zoning Development Officer,

StreetSide Developments is requesting a one-year extension on the timeline to complete the Subdivision and Rezoning, DASZ 19/2021, for our proposed multi-family condominium development at 1922-1924 St. Mary's Road. The current timeline expires on March 23, 2023.

We are currently awaiting delivery of a proposed utility easement agreement from Manitoba Hydro, which is the only outstanding item needed. Once received and signed, we will complete final coordination with The City and subsequently submit the plans to the Land Titles Office for registration. We anticipate submission in March or April of 2023.

The number of parties involved in the process of creating the plans and obtaining the required approvals/agreements, each with their own processing times, along with the estimated processing times for registration with the Land Titles Office, makes the one-year period a tight timeline in which to complete registration. Since the property immediately to the north of this site was concurrently completing a subdivision and rezoning, we faced some non-typical challenges with coordination and timing since the application needed to be prepared and evaluated against what will be existing rather than what is currently existing. This ultimately resulted in the need to revise our proposed plan mid-way through the approval process to reflect the new legal descriptions for this site to the north, requiring some re-approvals and extended our timeline.

We will continue to expeditiously work towards completing these registrations and anticipate that they will be completed in the spring of 2023, with the Development Permit and Building Permit applications to follow immediately after registration is completed. Please contact me if you require any additional information at josachuk@qualico.com or 204-254-9294.

Sincerely,

StreetSide Developments

Jonathan Osachuk, CET, GSC, CHP,
Project Manager

One Dr. David Friesen Drive | Winnipeg | Manitoba | R3X 0G8
Phone: (204) 233-2451 | Fax: (204) 231-8220 | streetsidewinnipeg.com