Agenda – Council – June 22, 2023

Report – Standing Policy Committee on Property and Development – June 1, 2023

Item No. 14 Extension of Time – Subdivision and Rezoning – 385 Grassie Boulevard
(Transcona Ward)
File DASZ 33/2020

STANDING COMMITTEE RECOMMENDATION:

On June 12, 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 33/2020 be extended to April 29, 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 – June 1, 2023

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 12, 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 June 1, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 23, 2023, the East Kildonan-Transcona 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 –385 Grassie Boulevard – File No. DASZ 33/2020

Critical Path: East Kildonan-Transcona 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 enactment by Council of the necessary rezoning by-law under DASZ 33/2020 expired on April 29, 2023. The Developer has requested an extension of time in order to enact the rezoning by-law.

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 33/2020 be extended to April 29, 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 Developer will be allowed an extension of time to April 29, 2024, to enact the required rezoning by-law under DASZ 33/2020 and complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On April 29, 2021, Council adopted Item No. 11 of the Executive Policy Committee, dated April 21, 2021, which recommended approval of a subdivision and rezoning to an “R1-M” Residential Single-Family (Medium) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

Recommendation 5 of the above-referenced report states:

> "That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the “By-law”) is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension."

The necessary by-law has not been enacted and the two 2-year period expired on April 29, 2023.

On April 25, 2023, the Applicant, Grantham Law Offices., Attention: Douglas Grantham, 1 – 278 Main Street, P.O. Box 1400, Stonewall, Manitoba, R0C 2Z0 submitted a request for a one (1) year extension of time in order to satisfy the necessary by-law enactment requirements and complete the necessary registrations at the Winnipeg Land Titles Office. 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

N/A

OUR WINNIPEG POLICY ALIGNMENT

OurWinnipeg Goal: City Building

Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support *Complete Communities* principles, to achieve this Plan's sustainable development goals.

- Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods, to enhance the ability of the urban environment to contribute towards this Plan's goals.

Objective 2: Integrate resilient land use, transportation and infrastructure planning, and investments.

- Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.

Objective 3: Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset.

- New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to health food, daily needs, employment, education, recreation, and green infrastructure.

Applicable Policies for Established Neighbourhoods – Recent Communities

6.1 Sustainable Urban Growth

- The City must accommodate physical development that reflects this Plan's goals, and achieves a continuum of complete and connected communities over the lifecycle of the Plan.

6.16 Established Neighbourhoods

- Designate Established Neighbourhoods within the Urban Structure, representing lands that will accommodate additional growth in a context-sensitive manner, while promoting the efficient use of land, cost-effective municipal servicing, enhanced housing choice and affordability, and conservation of green infrastructure and heritage resources and districts, as defined in Complete Communities.

6.44 Compatible Growth

- Plan for and protect green and built infrastructure and resources from incompatible development that would compromise achievement of this Plan's goals.

The proposed development aligns with *OurWinnipeg* in general because it would enable the maintenance of one single-family dwelling and the future development of two single-family dwellings in an established neighbourhood that is compatible with the surrounding single-family residential land uses.

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.

The proposed development aligns with the *Winnipeg Climate Action Plan* in that it provides infill development in a recent neighbourhood and increases the number of homes available in the Grassie neighbourhood.

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: May 12, 2023
File No: DASZ 33/2020
Attachments: Appendix “A” – DASZ 33/2020 Map
Appendix “B” – Letter Requesting Extension of Time

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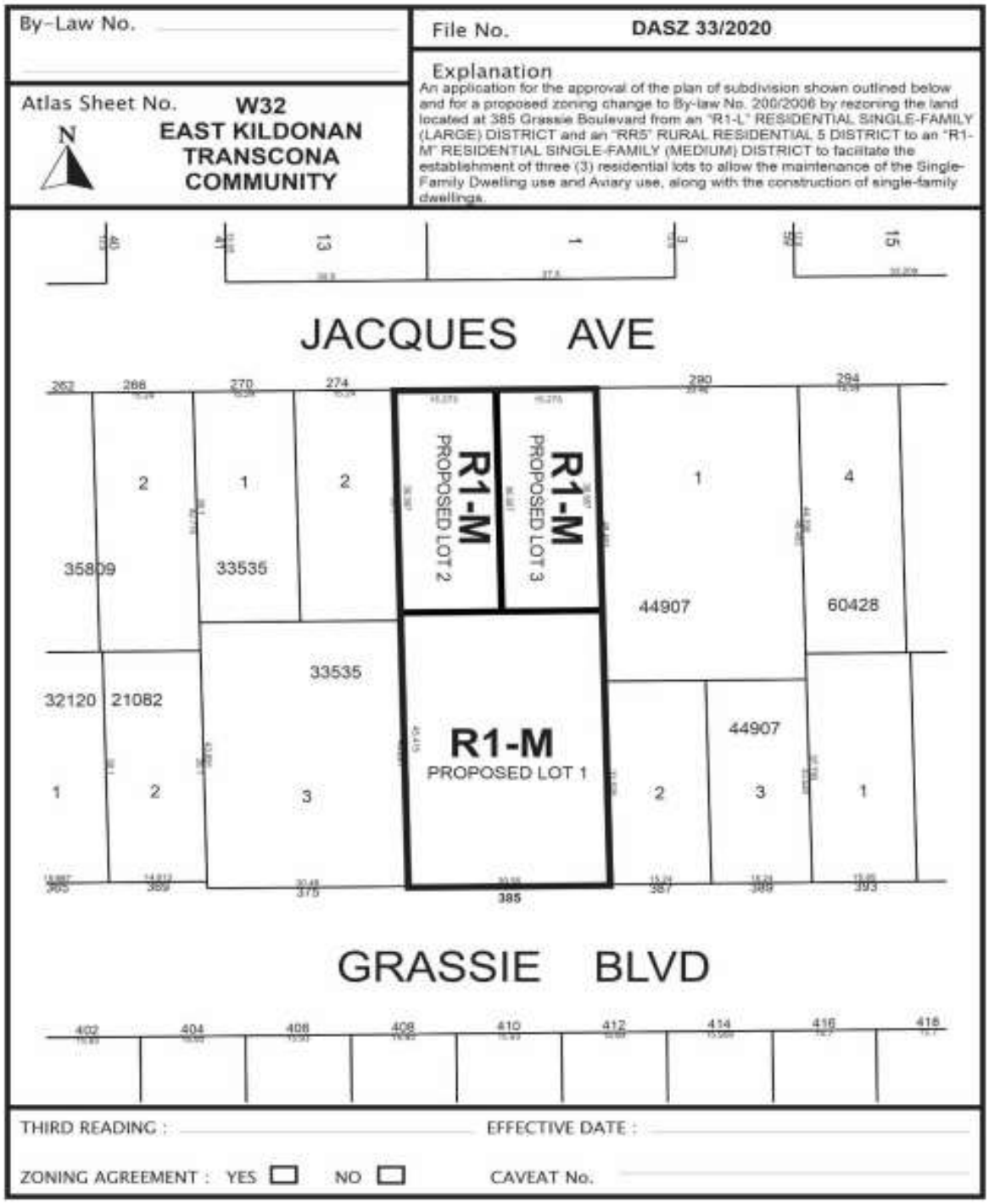
APPENDIX "A" – DASZ 33/2020 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

GRANTHAM LAW OFFICES*

Lawyers and Notaries Public

Douglas W. Grantham, B.Sc., LL.B.

1 – 278 Main Street
P.O. Box 1400
Stonewall, Manitoba
R0C 2Z0

Telephone (204) 467-5527
Fax (204) 467-5550
Email: granthamlaw.joy@mts.net

OUR FILE: 2L1924D

April 24, 2023

LETTER OF INTENT

City of Winnipeg
Planning, Property and Development
Unit 31 – 30 Fort St.
Winnipeg, Manitoba
R3B 1B9

Attention: Michelle Hammerberg

Dear Madam:

Re: 385 Grassie Blvd., Winnipeg – DASZ 33/2020

Further to your email to Mrs. Loewen on April 24, 2023, we wish to request that the above-noted subdivision and time to have the required by-law enacted, be extended for one year. The reason that this has taken so long is that there is a dispute ongoing between the land owners/Vendors and the proposed purchaser, as to whose responsibility it is to satisfy the terms of the subdivision. It is anticipated this dispute will be resolved in the near future. The Vendors still wish to have the subdivision completed. This will confirm that we act on behalf of the registered owners, Robert and Teresa Loewen.

Attached please find the following:

1. Application;
2. Letter of Authorization.

*practicing through Grantham Law Corporation

We would ask that you please review this matter as soon as possible and provide your comments and confirm the extension.

If you have any questions, please do not hesitate to contact the writer.

Yours truly,

GRANTHAM LAW OFFICES

Douglas W. Grantham
/js
Encs.
Delivered

*practicing through Grantham Law Corporation