Agenda – Executive Policy Committee – September 21, 2023

Report – Standing Policy Committee on Property and Development – September 18, 2023

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 16 Extension of Time - Subdivision and Rezoning - 2700 King Edward Street & Lot 5 Plan 17736
(Point Douglas Ward)
File DASZ 17/2018

STANDING COMMITTEE RECOMMENDATION:

On September 18, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 86/2020 be extended to July 23, 2024.

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

Agenda – Executive Policy Committee – September 21, 2023

Report – Standing Policy Committee on Property and Development – September 18, 2023

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 18, 2023, the Standing Policy Committee on Property and 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 7, 2023, 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:

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 – 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 expired on July 23, 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. 86/2020 be extended to July 23, 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 July 23, 2024, 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.

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 September 22, 2022, Council adopted Item No. 11 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated September 8, 2022 extending the time limit to satisfy the Coming into Force provisions of By-law 86/2020 to July 23, 2023.

By-law No. 86/2020 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 July 23, 2023.

On July 5, 2023, the Developer, Landmark Planning & Design Inc., Attention: Andrei Friesen, 298 Waterfront Drive, Winnipeg, Manitoba, R3B 0G5 submitted an application for a third 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 by two months since registration is imminent. The Public Service recommends extending the application by one (1) year, being consistent with extension applications in order to accommodate for any unforeseen circumstances and 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

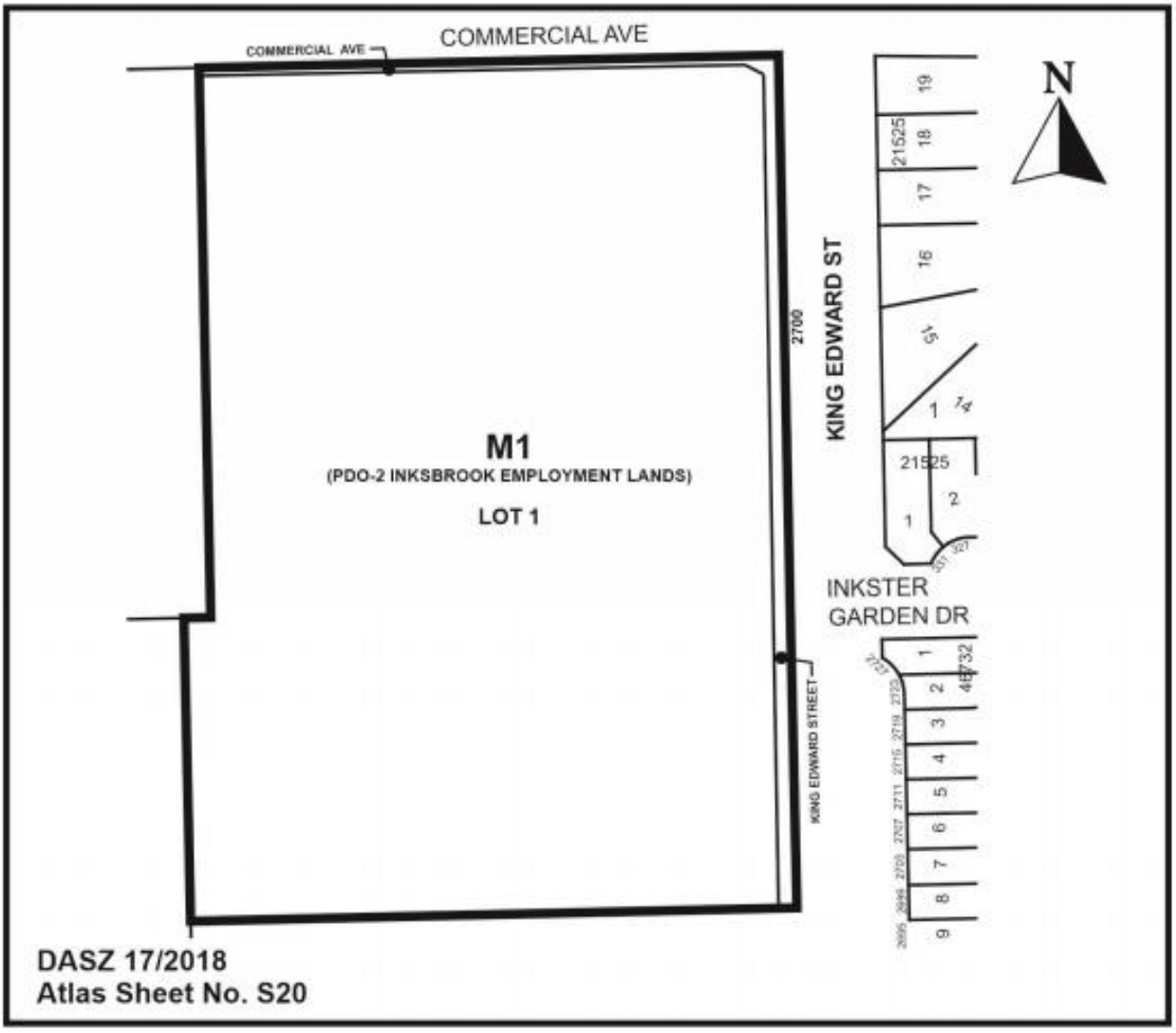
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: A. Savage, Land Development Services Coordinator
Date: July 5, 2023
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

Landmark
Planning & Design Inc.

July 5, 2023

ATTN: Angela Savage

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

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 Winnipeg School Division has signed the required Servicing Agreement with the City of Winnipeg and has completed all conditions of approval for this application. The only outstanding matter is registering all associated documents at the Winnipeg Land Titles Office (WLTO).

Taking the above into consideration, concluding this DASZ application is imminent and it is anticipated that all development application documentation will be registered within the coming month based on WLTO registration timelines. However, to be prudent, we respectfully request that Council consider granting a two (2) 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 on this application extension.

Sincerely,

Andrei Friesen
Partner, RPP, MCIP, LEED AP
Landmark Planning & Design Inc.

298 Waterfront Drive
Winnipeg, MB R3B 0G5
landmarkplanning.ca