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. 17 **Extension of Time – Subdivision and Rezoning – Land located at the Northeast Corner of Gull Lake Road and Markham Road – File No. DASZ 21/2021**
(Waverley West Ward)
File DASZ 21/2021

STANDING COMMITTEE RECOMMENDATION:

On September 18, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 105/2022 be extended to July 21, 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 Assiniboia Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 7, 2023, the Assiniboia 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 – Land located at the Northeast Corner of Gull Lake Road and Markham Road – File No. DASZ 21/2021

Critical Path: Assiniboia 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. 105/2022 under File No. DASZ 21/2021 expired on July 21, 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. 105/2022 be extended to July 21, 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 21, 2024, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On September 29, 2021, Council adopted Item No. 9 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 under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 105/2022 was enacted by Council on July 21, 2022.

Sections 3 and 4 of By-law No. 105/2022 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. 105/2022 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 July 21, 2023.

On June 26, 2023, the applicant, 10090181 Manitoba Ltd., Attention: Tony Bagnulo, 159B Lilac Street, 2nd Floor, Winnipeg, Manitoba, R3M 2S1 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 105/2022 be extended to July 21, 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

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.

6.24 Transit-Oriented Development

- Support Rapid Transit and other primary transit corridors with strategically located transit stations, that facilitate transit ridership through development intensification, a mix of complementary land uses, and a pedestrian and cycling-oriented environment consistent with transit-oriented development principles.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

4.1 Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service.
4.3 Pursue transit-oriented development.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

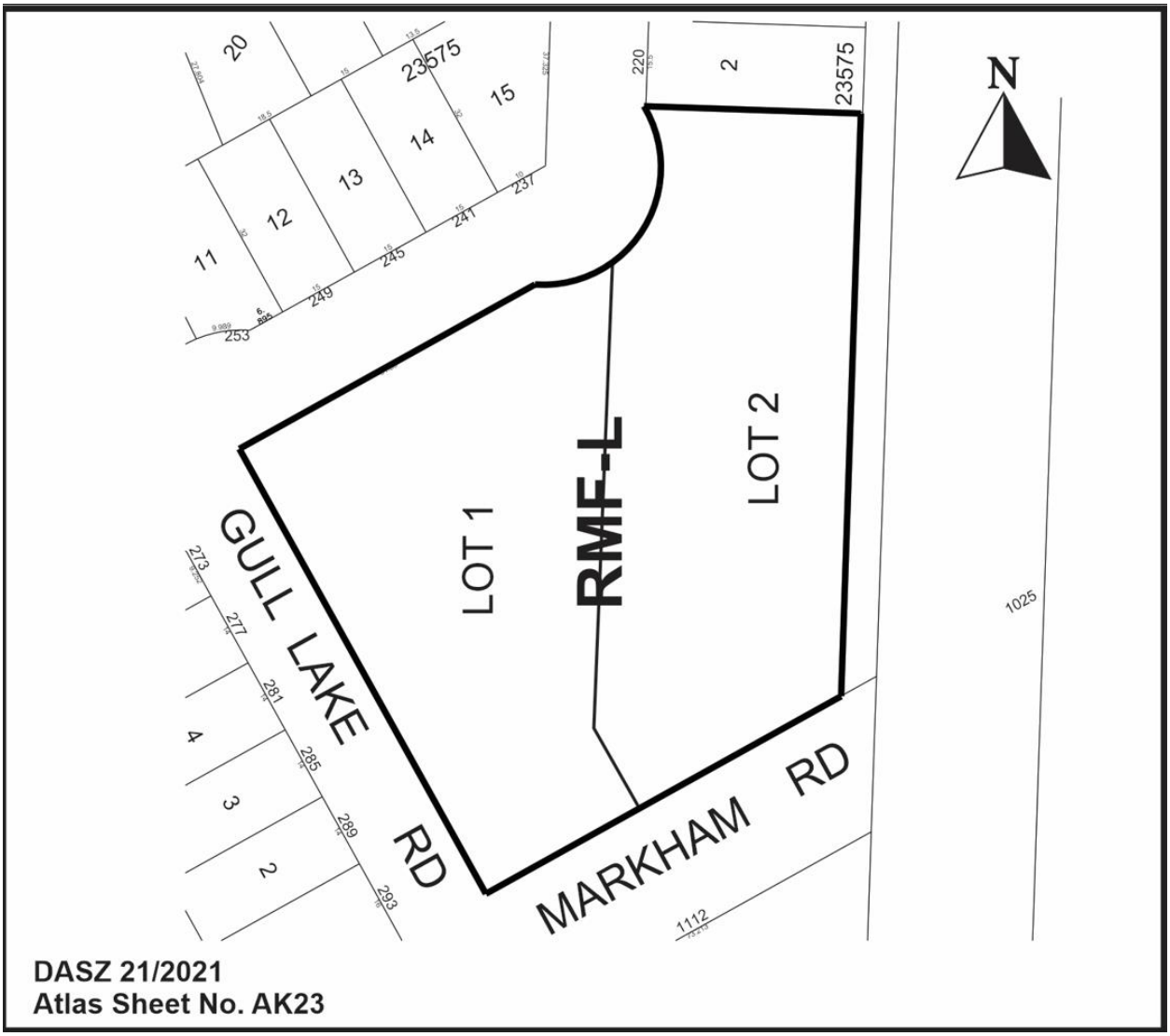
N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Development Applications Coordinator
Date: August 18, 2023
File No: DASZ 21/2021
Attachments: Appendix “A” – DASZ 21/2021 Map
Appendix “B” – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 21/2021 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME