Agenda – Executive Policy Committee – October 17, 2023

Report – Standing Policy Committee on Property and Development – October 6, 2023

Item No. 8 Extension of Time – Rezoning –51 Roslyn Road
(Fort Rouge-East Fort Garry Ward)
File DAZ 200/2022

STANDING COMMITTEE RECOMMENDATION:

On October 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 99/2022 be extended to September 22, 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 – October 17, 2023

Report – Standing Policy Committee on Property and Development – October 6, 2023

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On October 6, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 25, 2023, the City Centre 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 – Rezoning –51 Roslyn Road – File No. DAZ 200/2022

Critical Path: City Centre 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. 99/2022 under File No. DAZ 200/2022 will expire on September 22, 2023. The Developer has not been able to satisfy all of the conditions prior to expiry and has requested an extension of time in order 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. 99/2022 be extended to September 22, 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 September 22, 2024, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On June 23, 2022, Council adopted Item No. 9 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated June 6, 2022 which recommended approval of a rezoning to an “RMF-L” Residential Multi-Family (Large) 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 the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.”

On September 22, 2022, By-law No. 99/2022 was enacted by Council. Sections 2 and 3 of By-law No. 99/2022 stipulate the following:

Coming into force
2 This By-law comes into force when the Zoning Agreement is registered at the Winnipeg Land Titles Office.

Extensions of time
3(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 Zoning Agreement has not been registered at the Winnipeg Land Titles Office; and

(b) the owner has not applied for an extension of time.

3(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. 99/2022 has not come into force by the required registration of the Zoning Agreement and the one (1) year time limit will expire on September 22, 2023.

On August 17, 2023, the Owner, Atlas Acceptance Corporation Ltd., Attention: Joel Shuster, President, 664 Ash Street, Winnipeg, Manitoba, R3N 0R6 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 99/2022 be extended to September 22, 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 as circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OUR WINNIPEG POLICY ALIGNMENT

The proposal aligns with the Key Direction of *OurWinnipeg* that applies to the Mature Communities Policy Area, which states: "*Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposal complies with the *Winnipeg Climate Action Plan* because the proposed development would increase the residential intensification of an established neighbourhood.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

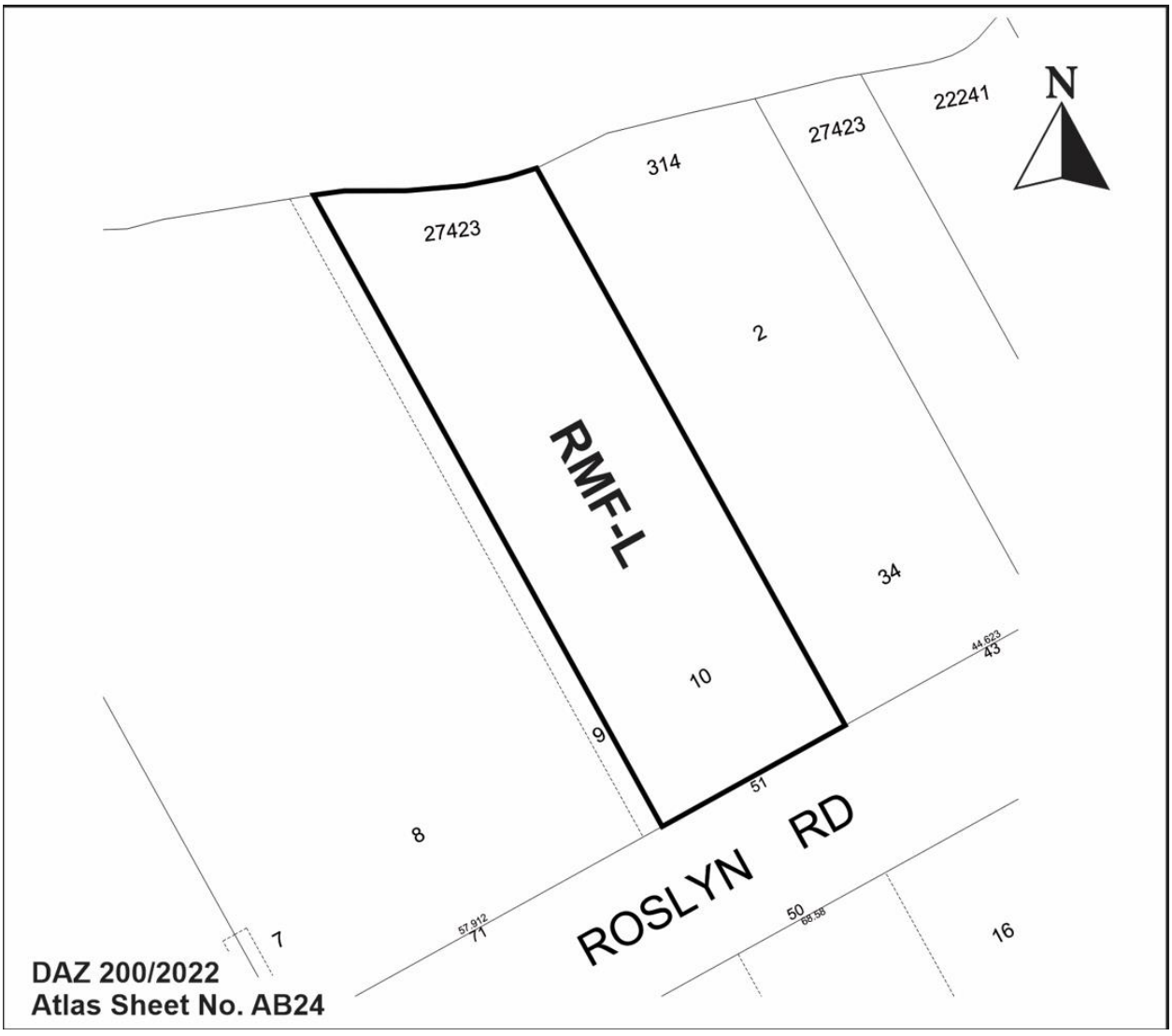
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Development Applications Coordinator
Date: September 6, 2023
File No: DAZ 200/2022

Attachments: Appendix "A" – DAZ 200/2022 Map
Appendix "B" – Letter Requesting Extension of Time

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APPENDIX "A" – DAZ 200/2022 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

148-162-2025 CORYDON AVE
WINNIPEG, MANITOBA R3P 0N5
(P) 487-7439
(F) 487-7451

ATLAS ACCEPTANCE CORP LTD.

AUGUST 18, 2023

LAND DEVELOPMENT BRANCH
MAIN FLOOR 65 GARRY STREET
WINNIPEG, MANITOBA
R3C 4K4

RE; 51 ROSLYN ROAD

DEVEOPMENT APPLICATION DAZ 200/2022
BYLAW NO. 99/2022

PLEASE FIND THIS LETTER AS YOUR LETTER OF INTENT TO REQUEST TO EXTEND THE TIMELNE OF THE ABOVE NOTED APPLICATION AND BYLAWS FOR 1 YEAR PAST THE CURRENT SEPTEMBER 22, 2022, EXPIREY

THE REASON FOR THE REQUEST IS DUE TO NUMEROUS FACTORS, ONE BEING THE CONTINUING RISING INTERSTS RATES WHICH HAVE CAUSED THE PROJECT COST TO INCREASE SUBSTANTIALLY. SECONDLY, WE HAVE HAD ADDITIONAL DELAYS WITH FINDING A CONSTRUCTION COMPANY WHOSE COSTS HAVE NOT INCREASED AS WELL OVER THE LAST YEAR.

IT IS OUR OPINION THAT ONCE THE YEAR 2024 COMEMENCES WE WILL BE IN POSITION TO COMMENCE THE DEVEOPMENT OF THIS PROJECT.

YOURS TRU;Y

MR. JOEL SHUSTER
PRESIDENT;