Agenda – Executive Policy Committee – December 5, 2023

Report – Standing Policy Committee on Property and Development – November 22, 2023

Item No. 5 Extension of Time – Subdivision and Rezoning – South side of John Brebeuf Place, West of Centennial Street, North of Grant Avenue (River Heights-Fort Garry Ward)
File DASZ 21/2022

STANDING COMMITTEE RECOMMENDATION:

On November 22, 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. 131/2022 be extended to December 15, 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 – December 5, 2023

Report – Standing Policy Committee on Property and Development – November 22, 2023

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On November 22, 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 November 15, 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 – Subdivision and Rezoning – South side of John Brebeuf Place, West of Centennial Street, North of Grant Avenue – File No. DASZ 21/2022

Critical Path: City Centre Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Savage	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 131/2022 under File No. DASZ 21/2022 will expire on December 15, 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. 131/2022 be extended to December 15, 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 December 15, 2024, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On July 21, 2022, Council adopted Item No. 13 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated July 4, 2022 which recommended approval of a subdivision and rezoning to an "RMF-S" Residential Multi-Family (Small) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 131/2022 was enacted by Council on December 15, 2022.

Sections 3 and 4 of By-law No. 131/2022 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 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. 131/2022 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 will expire on December 15, 2023.

On October 10, 2023, the applicant, McGowan Russell Group Inc., Attention: Susan Russell, 825 St. Joseph Street, Winnipeg, Manitoba, R2H 3A8 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 131/2022 be extended to December 15, 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

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.

City Building 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 healthy food, daily needs, employment, education, recreation, and green infrastructure.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Land Development Service Coordinator
Date: October 27, 2023
File No: DASZ 21/2022
Attachments: Appendix “A” – DASZ 21/2022 Map
Appendix “B” – Letter Requesting Extension of Time

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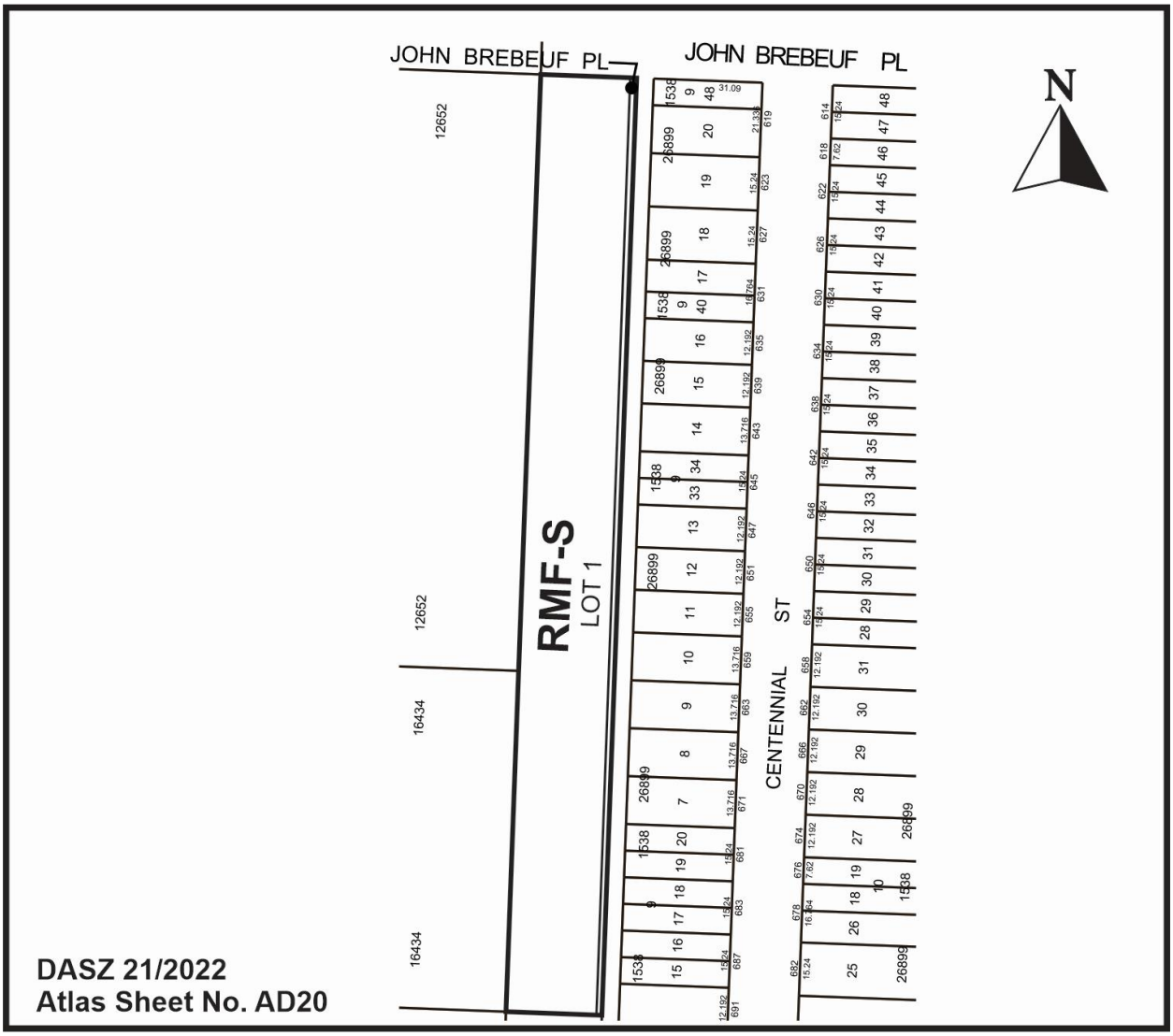
APPENDIX "A" – DASZ 21/2022 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

McGOWAN•RUSSELL

October 10, 2023

City of Winnipeg
Planning, Property and Development Department
Land Development Branch
65 Garry Street
Winnipeg, Manitoba R3C 4K4

To Whom it may concern,

RE: DASZ 21/2022, BY-LAW NO. 131/2022 – SOUTH SIDE OF JOHN BREBEUF PLACE, WEST OF CENTENNIAL STREET, NORTH OF GRANT AVE - EXTENSION OF TIME

LREIT Kenaston Land Holdings Corp. requests an extension of time to December 15, 2024, for DASZ 21/2022. The zoning by-law (By-Law 131/2022) was passed on December 15, 2022, with a requirement to complete registration of the plan by December 15, 2023.

The Servicing Agreement and Zoning Agreement were received by the client on September 25th, 2023. The owner is requesting a 1-year extension to facilitate the confirmation of outstanding complicated easements with the utilities (CN, Bell MTS, Gas, etc.) which includes a fiber optic cable alignment required for the release of the registration package and for final registration at WLTO.

Please call should you have any questions or require additional information.

Thank you,

McGowan Russell Group Inc.

S. Russell

Susan Russell, M.A.L.A., C.S.L.A.
President

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