Agenda – Executive Policy Committee – December 5, 2023

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

Item No. 6 Extension of Time – Subdivision and Rezoning – 180 Creek Bend Road – File No. DASZ 12/2021
(St. Norbert-Seine River Ward)
File DASZ 12/2021

STANDING COMMITTEE RECOMMENDATION:

On November 22, 2023, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 52/2022 be extended to October 28, 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 Riel Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On November 16, 2023, the Riel 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 – 180 Creek Bend Road – File No. DASZ 12/2021

Critical Path: Riel 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. 52/2022, under File No. DASZ 12/2021, expired on October 28, 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. 52/2022 be extended to October 28, 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 October 28, 2024, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On November 25, 2021, Council adopted Item No. 5 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated November 10, 2021 which recommended approval of a subdivision and rezoning to an "RMF-M" Residential Multi-Family (Medium) District and a “PR1” Parks and Recreation 1 (Neighbourhood) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 52/2022 was enacted by Council on April 28, 2022.

Sections 3 and 4 of By-law No. 52/2022 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.

On June 22, 2023, Council adopted Item No. 10 of the Report of the Standing Policy Committee on Property and Development dated June 1, 2023 extending the time limit to satisfy the Coming into Force provisions of By-law 52/2022 to October 28, 2023.

By-law No. 52/2022 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 October 28, 2023.

On October 26, 2023, 10115220 Manitoba Ltd., Attention: Amit Bindra, 11 Brookstone Place, Winnipeg, Manitoba, R3Y 0C4, applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 52/2022 be extended to October 28, 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

- *The Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg.
- The subject property is located in an "Established Neighbourhood – Recent Community" in *Complete Communities'* Urban Structure map. Established Neighbourhoods will accommodate contextually sensitive growth and change to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.

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.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

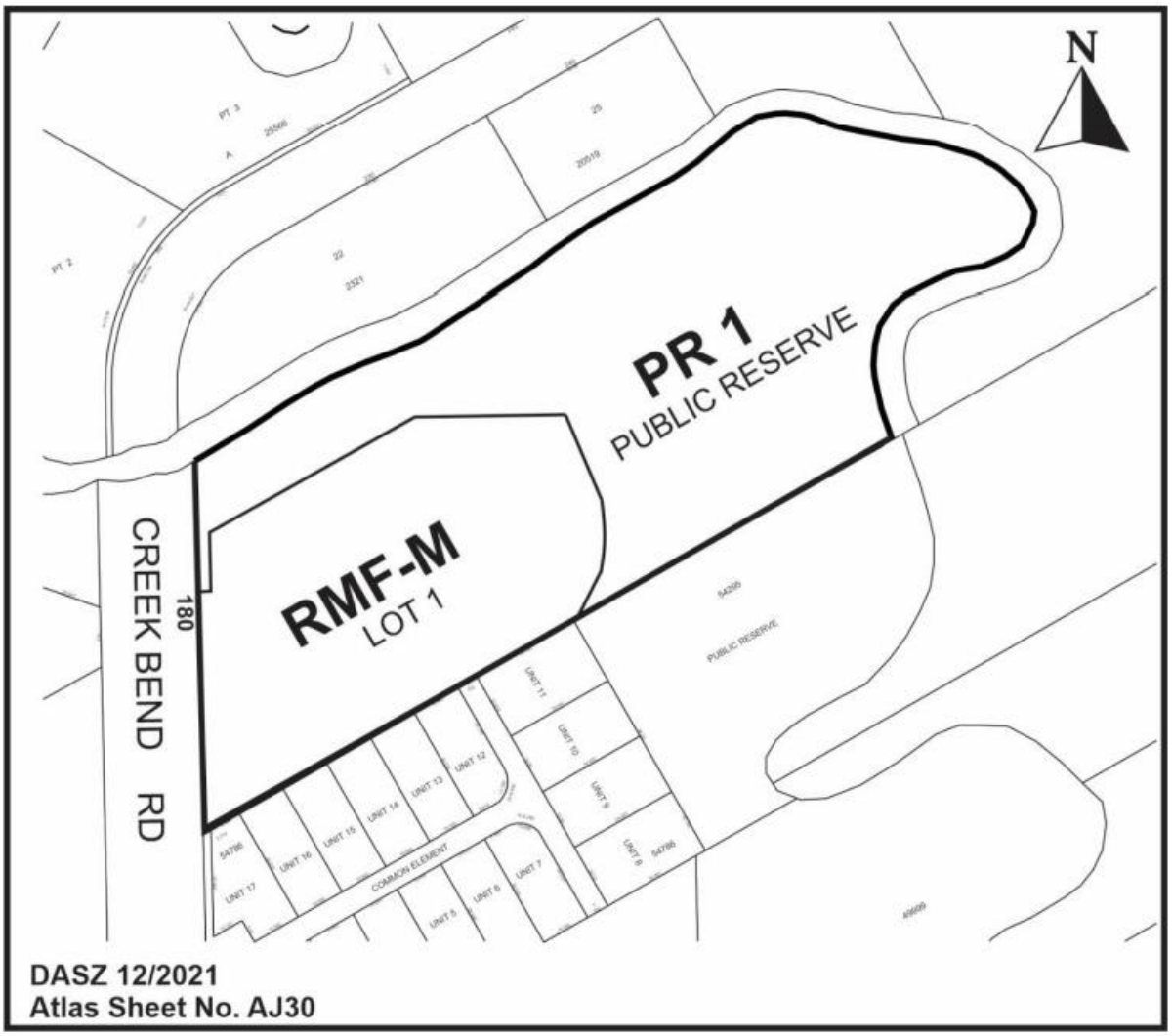
N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Land Development Services Coordinator
Date: October 31, 2023
File No: DASZ 12/2021
Attachments: Appendix “A” – DASZ 12/2021 Map
Appendix “B” – Letter Requesting Extension of Time

O:\Reports Directive\Land Development, Geomatics and Land Information Services\Land Development\Extension of Time\Extension of Time Request #2 - DASZ 12-21.docx

APPENDIX "A" – DASZ 12/2021 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

October 19, 2023

Planning, Property & Development
Main Floor, 65 Garry Street
Winnipeg, MB. R3C 4K4

Re: Extension of Time Application – 180 Creek Bend Road (DASZ 12/2021)
Letter of Intent

Please be advised that I am the secretary of 10115220 Manitoba Ltd., the registered owner of 180 Creek Bend Road. I purchased the shares of the corporation on September 1, 2022.

Currently the By-Law is set to expire on October 28, 2023, we are submitting this request for an extension of time. We require this extension as economic conditions have continued to deteriorate in 2023. Interest rates are double what they were a few years ago, and inflation is at an all time high compared to recent years. We are working through these issues, and our plans for the development of the property remain unchanged. We are proceeding with the development; it is just taking a little longer to get started construction due to these economic conditions.

Please take this as my request for a one-year extension of time for registration of By-Law No. 52/2022 and the accompanying subdivision documents.

Sincerely,

10115220 Manitoba Ltd.

Per: Keith Jordan

Keith Jordan CPA
Secretary