Minutes – Council – January 25, 2024

Minute No. 140
Report – Standing Policy Committee on Property and Development – January 11, 2024

Item No. 12 **Extension of Time – Subdivision and Rezoning –1792 Pembina Highway**
(River Heights-Fort Garry Ward)
File No. DASZ 48/2021

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Property and Development and adopted the following:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 133/2022 be extended to June 15, 2024.

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

Report – Standing Policy Committee on Property and Development – January 11, 2024

DECISION MAKING HISTORY:

Moved by Councillor Rollins,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

Councillors Schreyer and Wyatt were absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On January 16, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On January 11, 2024, 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 January 5, 2024, 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 –1792 Pembina Highway – File No. DASZ 48/2021

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. 133/2022, under File No. DASZ 48/2021, expired 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. 133/2022 be extended to June 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 June 15, 2024, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On July 21, 2022, Council adopted Item No. 14 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 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. 133/2022 was enacted by Council on December 15, 2022.

Sections 3 and 4 of By-law No. 133/2022 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. 133/2022 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 December 15, 2023.

On November 17, 2023, Ironclad Developments Inc., Attention: Irene Borgonia, RRP, MCIP, 101-57158 Symington Road 20E, Springfield, Manitoba, R2J 4L6, applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 133/2022 be extended to June 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

The subject subdivision and rezoning will result in the establishment of a high-density multi-family residential development that is consistent with policies in the *OurWinnipeg 2045, Complete Communities 2.0* and area context.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposal complies with the Winnipeg Climate Action Plan because the proposed development would increase the density of urban development along a key transit corridor.

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: November 22, 2023
File No: DASZ 48/2021
Attachments: Appendix “A” – DASZ 48/2021 Map
Appendix “B” – Letter Requesting Extension of Time

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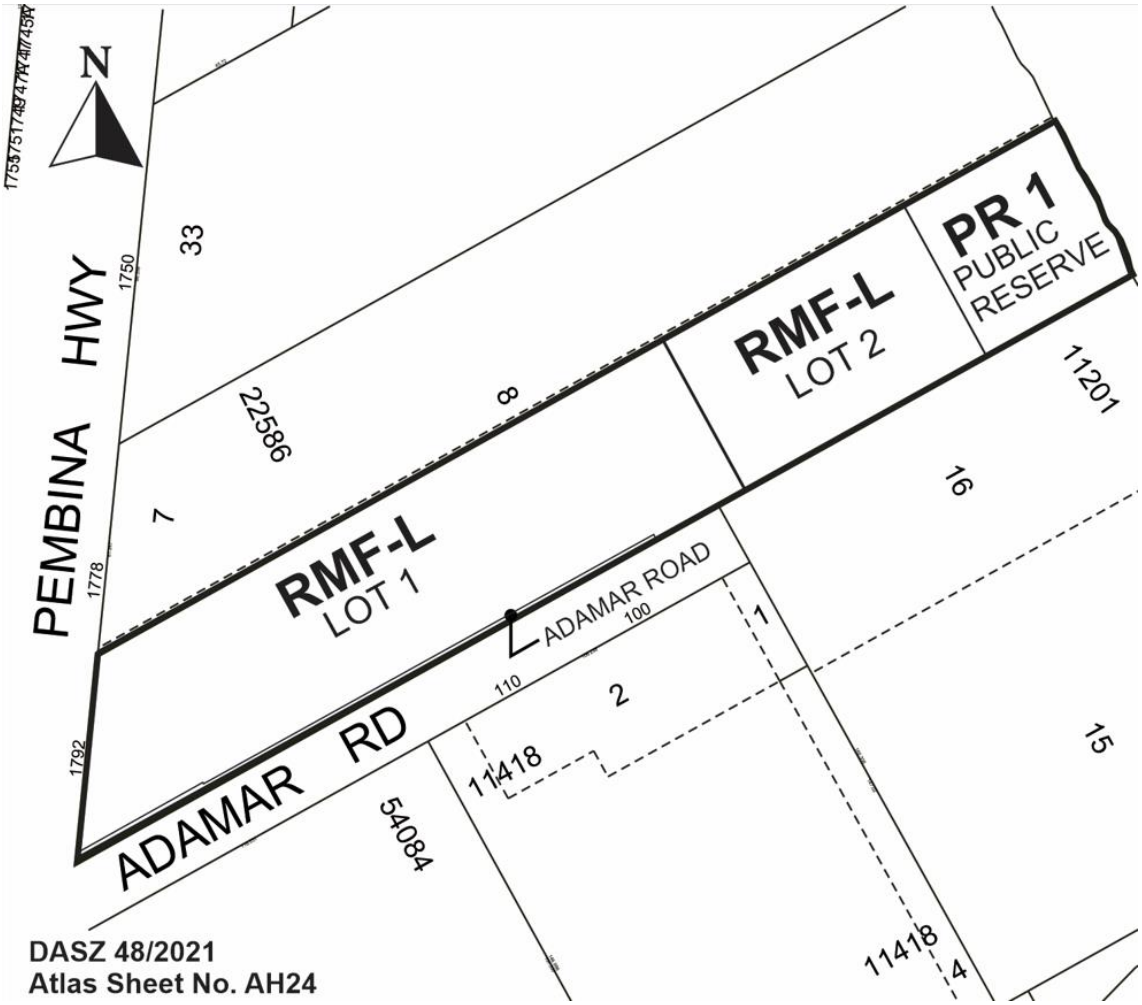
APPENDIX "A" – DASZ 48/2021 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

IRONCLAD DEVELOPMENTS INC.

November 14, 2023

By email to MHammerberg@winnipeg.ca

City of Winnipeg
Land Development Branch
65 Garry Street
Winnipeg, MB, R3C 4K4

Attention: Michele Hammerberg
Land Development Service Coordinator

Dear Ms. Hammerberg

Subject: Request for Extension of Time – Subdivision & Rezoning of Public Reserve Lands
55 Adamar Rd (formerly part of 1792 Pembina Hwy)
City File No. DASZ 48/2021

Ironclad Developments Inc. hereby submits this Extension of Time application in relation to the aforementioned development application.

Plan of Subdivision

- Request to subdivide the property into three parts: Part One includes an existing Residential Multi-Family building, Part Two includes a proposed Multi-Family Building, and Part Three includes a Parks and Open Space Dedication to the City of Winnipeg.

Rezoning

- Request to rezone Part Three from Residential Multi-Family Large (RMF-L) to Parks and Recreation (PR-1).

Applications were submitted, and approvals for all the above, along with the new By-Law No. 133/2022, were received on December 15, 2022. We acknowledge that the By-law No. 133/2022 will expire one (1) year after its enactment if:

(a) the Plan of Subdivision and the Zoning Agreement are not registered at the Winnipeg Land Titles Office, and
(b) the owner has not applied for an Extension of Time.

Ironclad Developments is on the verge of completing the DASZ application. We anticipate that all development application requirements will be fulfilled in the coming months. However, as a precautionary measure, we respectfully request that the Council consider granting a six (6) month extension to finalize this application.

If you have any questions, please do not hesitate to reach out. We look forward to continuing discussions with City staff regarding this exciting proposal.

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www.ironcladdevelopments.com

Respectfully submitted,
IRONCLAD DEVELOPMENTS INC.
Irene Borgonia, RPP MCIP
Urban Planner

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