Agenda – Council – February 22, 2024

Report – Standing Policy Committee on Property and Development – February 1, 2024

Item No. 3 Extension of Time – Subdivision and Rezoning – 3707 Roblin Boulevard (Charleswood-Tuxedo-Westwood Ward) File DASZ 1/2022

STANDING COMMITTEE RECOMMENDATION:

On February 13, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 83/2022 be extended to January 26, 2025.

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 – February 1, 2024

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 13, 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 February 1, 2024, 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 January 23, 2024, 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 – 3707 Roblin Boulevard – File No. DASZ 1/2022

Critical Path: Assiniboia 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. 83/2022 under File No. DASZ 1/2022 expires on January 26, 2024. 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. 83/2022 be extended to January 26, 2025.

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 January 26, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On May 26, 2022, Council adopted Item No. 13 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated May 9, 2022, 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. 83/2022 was enacted by Council on January 26, 2023.

Sections 3 and 4 of By-law No. 83/2022 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. 83/2022 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 expires on January 26, 2024.

On December 22, 2023, Tuxedo Lands Ltd., c/o Marc Kipnes, 3676 Roblin Boulevard, Winnipeg, Manitoba, R3R 0E1, submitted an application for an Extension of Time and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 83/2022 be extended until January 26, 2025. 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

OurWinnipeg 2045 Goal – City Building

A successful strategy for sustainable city growth uses a variety of planning approaches. It strikes a balance between 'growing out' and 'growing up', offering choices ranging from traditional, single-family neighbourhoods to denser forms of urban housing and new neighbourhoods designed around a mix of land uses and a sustainable transportation system.

Building a city of complete communities provides the following additional benefits:

- Minimization of environmental impacts per capita, in support of better air quality, resource efficiency, waste management, and climate change mitigation
- Adaptability to climate change and resilience to natural hazards
- Promotion of more active lifestyles and increased social interaction.

City Building Objectives

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 2. Integrate resilient land use, transportation and infrastructure planning, and investments**:** Ensure that land use, transportation, and infrastructure planning are aligned to provide the conditions for compact, complete and connected communities, supported by sustainable transportation options and municipal infrastructure capacity.

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

A more compact use of land through the introduction of multi-unit housing aligns with policy objectives of reducing or limiting the increases in Green House Gasses (GHG) per the Winnipeg Climate Action Plan.

- Under Section 5.1 Emission Reduction Sector Targets, the Climate Action Plan indicates the following:
    - The contribution of land use to GHG emission reductions is primarily realized through other sectors (i.e., transportation and buildings). For example, as the City becomes more spread out with growth occurring primarily at the periphery, the number and length of personal vehicle travel increases, and other mobility options become less viable or more costly to implement. The type of residential development influences building emissions – in general single detached houses are more energy intensive than multi-unit residential buildings. Therefore, supporting diverse housing forms, density, complete community and transit-oriented development are land use strategies that support the reduction of GHG emissions from transportation and buildings. Evaluating the success of land use related actions therefore necessitates a consideration of indicators in these other sectors. To work towards the City's overall emission reduction goals, the City seeks to support residential infill and greater densities in strategic locations that provide convenient access to transit. More specifically, it is envisioned that by 2031: » 50% of all new residential construction takes place in strategic infill locations.

- One of the Vision Statement's in the Climate Action Plan is that:
    - Winnipeg facilitates compact development and healthy neighbourhoods that are connected through a network of active and transit-oriented mobility options. This means that the City strategically integrates climate action within both land use and transportation decision-making.

- 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

- Strategic Opportunity #5 Low Carbon and Energy Efficient Buildings
    - In order to lower energy and greenhouse gases used in Winnipeg's new and existing buildings, the City and community need to find better ways to understand the energy use and emissions from buildings and provide builders with the tools and resources (where needed and feasible) to support these retrofits and designs.
    - *5.2* Improve energy performance of new buildings

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: January 4, 2024
File No: DASZ 1/2022
Attachments: Appendix “A” – DASZ 1/2022 Map
Appendix “B” – Letter Requesting Extension of Time

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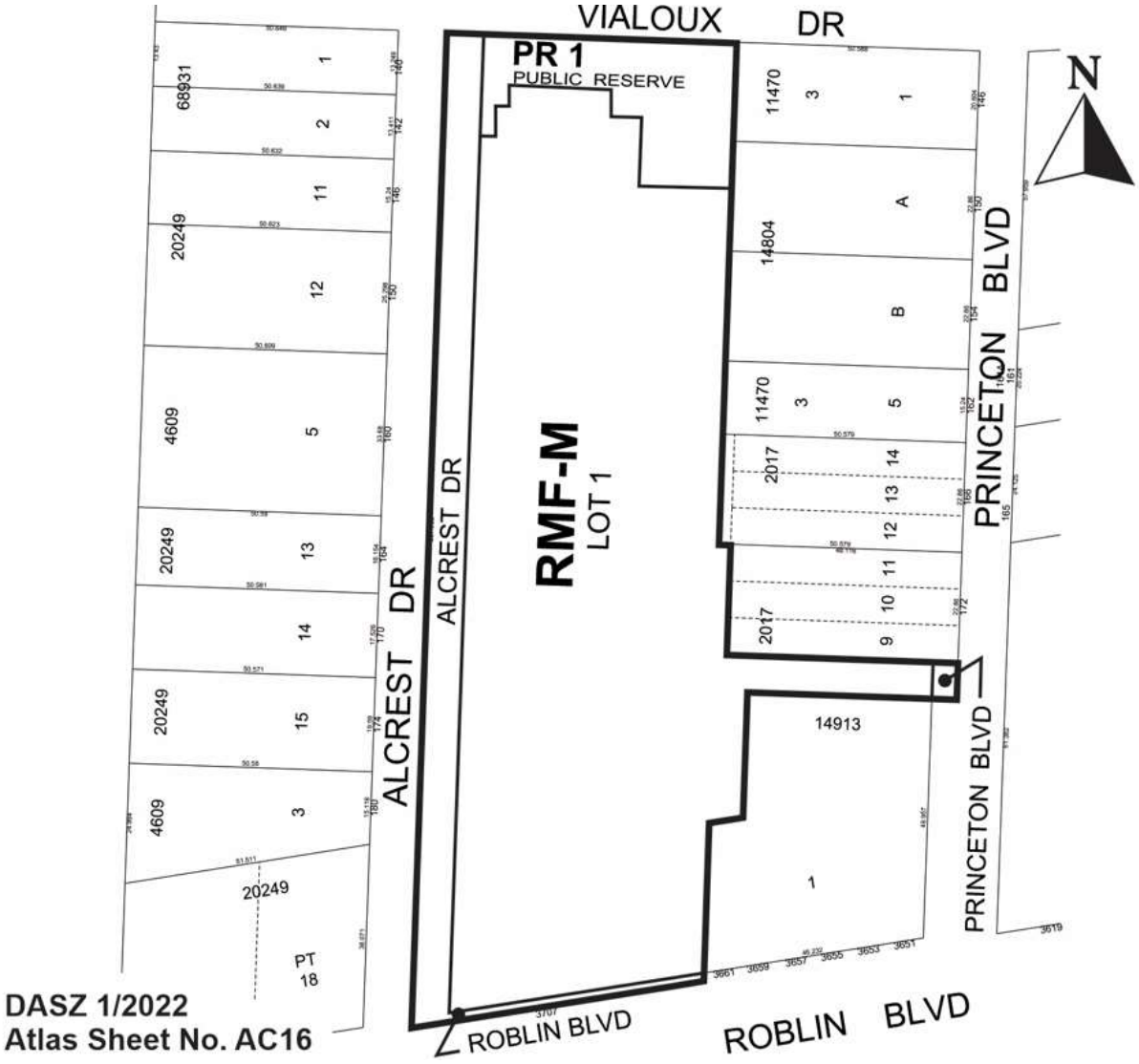
APPENDIX "A" – DASZ 1/2022 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

January 4th, 2024

Tuxedo Lands Ltd.

To Whom It May Concern,

This letter is to request an extension of time for our development at 3707 Roblin Blvd (DASZ 1-2022 3707 Roblin). We require an additional twelve months to complete our zoning and subdivision. We require the additional time due a miscommunication with our civil engineer. Our servicing agreement and development agreement have been signed, and are now with the City of Winnipeg's legal department.

Thank you for your time,



Myles Kraut
President – Tuxedo Lands Ltd