Minutes – Council – March 21, 2024

Minute No. 212
Report – Standing Policy Committee on Property and Development – March 7, 2024

Item No. 3 **Extension of Time – Closing of Ravelston Avenue West, adjoining 1555 Lagimodière Boulevard**
(Transcona Ward)
File DAC 5/2021

COUNCIL DECISION:

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

1. That Recommendation 3 under File DAC 5/2021 approved by Council on December 16, 2021, be deleted and replaced with the following:

   "3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted by December 16, 2025, unless:

      a) The Purchaser applies for an extension of time before December 16, 2025; and

      b) Council approves the extension of time.

   4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land by December 16, 2026, unless:

      a) The Purchaser applies for an extension of time no later December 16, 2026; and

      b) Council approves the extension of time."

      and that all subsequent recommendations be renumbered.

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 – March 7, 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

His Worship Mayor Gillingham and Councillor Chambers were absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 12, 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 March 7, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 26, 2024, the East Kildonan-Transcona 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 – Closing of Ravelston Avenue West, adjoining 1555 Lagimodière Boulevard – File DAC 5/2021

Critical Path: East Kildonan-Transcona Community Committee - Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee - Council

AUTHORIZATION

Author	A/Department Head	CFO	CAO
M. Pittet	H. Borys	N/A	N/A

EXECUTIVE SUMMARY

On December 16, 2021, Council approved the closing of a portion of Ravelston Avenue West, adjoining 1555 Lagimodière Boulevard (Appendix A and Appendix B). A condition of that approval was that a closing by-law was to be enacted by Council within two (2) years following the date of approval.

On November 6, 2023, the applicant submitted a request for an extension of time to December 16, 2026 (Appendix C). The applicant advised that the purchase and sale negotiations have been complex, resulting in the applicant's inability to successfully fulfill its obligations from Council's approval of December 16, 2021. The Real Estate Branch and the applicant anticipate that a formal agreement will be formalized early in 2024.

The Public Service supports an extension of time until December 16, 2026.

RECOMMENDATIONS

1. That Recommendation 3 under File DAC 5/2021 approved by Council on December 16, 2021, be deleted and replaced with the following:

   "3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the By-law is not enacted by December 16, 2025, unless:

      a) the Purchaser applies for an extension of time before December 16, 2025; and

      b) Council approves the extension of time.

   4. That the By-law will expire and this matter will be deemed to be concluded if the By-law is not registered at the Winnipeg Land by December 16, 2026, unless:

a) the Purchaser applies for an extension of time no later December 16, 2026; and

b) Council approves the extension of time."

and that all subsequent recommendations be renumbered.

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 for a road closing.

IMPLICATIONS OF THE RECOMMENDATIONS

Should Council concur in the recommendation, the applicant will be permitted an extension of time to December 16, 2026 to satisfy the intent of Council's December 16, 2021 decision.

HISTORY/DISCUSSION

On December 16, 2021, approved the closing of that portion of Ravelston Avenue West, adjoining 1555 Lagimodière Boulevard shown illustrated and identified as "Proposed Closing – DAC 5/2021 Area: 967.7± m^2 (10,416± ft^2)" on Appendix A and Appendix B, attached. A condition of that approval required a closing by-law was to be enacted by Council within two (2) years following the date the report was approved by Council.

On November 6, 2023, the applicant submitted a request for an extension of time to December 16, 2026 (Appendix C). The applicant advised that the purchase and sale negotiations have been complex, resulting in the applicant's inability to successfully fulfill its obligations from Council's approval of December 16, 2021. The Real Estate Branch and the applicant anticipate that a formal agreement will be formalized early in 2024.

The Public Service supports an extension of time until December 16, 2026.

CONSULTATION

Because this report is made in connection with a request for extension of time only, neither the Public Service nor Public Utilities were consulted.

OURWINNIPEG POLICY ALIGNMENT

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

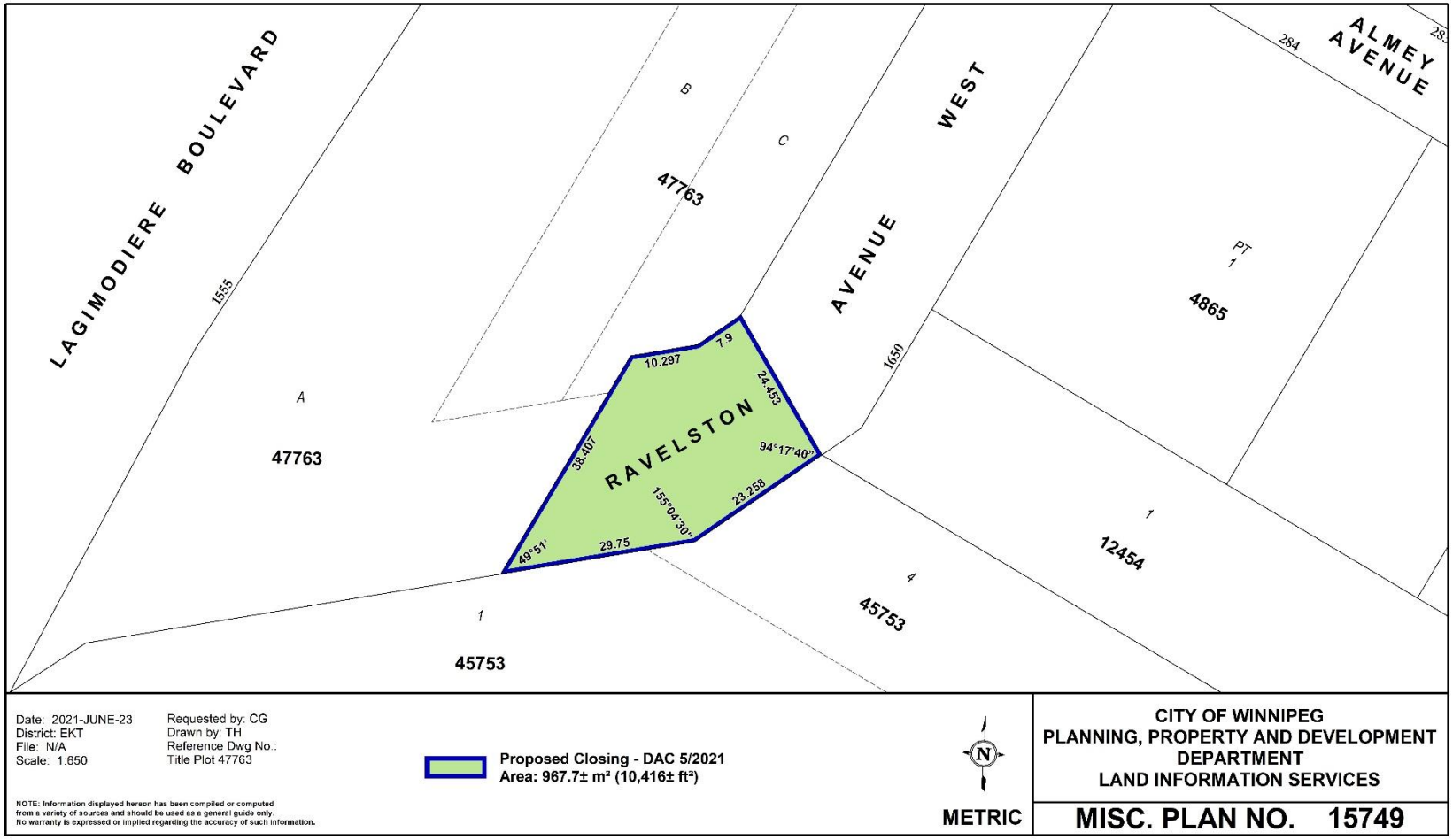
N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Geomatics
Prepared by: Catherine P. Gagnon
Date: January 19, 2024
File No: DAC 5/2021

Attachments:
Appendix A - Miscellaneous Plan 15749
Appendix B - Aerial View of Subject Closing
Appendix C - Extension of Time Request Letter dated November 6, 2023

APPENDIX A – MISCELLANEOUS PLAN 15749



APPENDIX B – AERIAL VIEW OF SUBJECT CLOSING



APPENDIX C – EXTENSION OF TIME REQUEST LETTER DATED NOVEMBER 6, 2023

10023987 Manitoba Ltd.

November 6, 2023

Attention: C. Gagnon

The City of Winnipeg
Planning, Property and Development Department
2nd Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Re: Request for Extension - Proposed Closing of a portion of Ravelston Avenue West, adjoining 1555 Lagimodière Boulevard
DAC 5/2021

On December 16, 2021, Council approved our application to close a portion of Ravelston Avenue West, adjoining our property at 1555 Lagimodière Boulevard. That approval contained conditions including but not limited to, a successful purchase of the closing land, approval of a further development application to facilitate consolidation of the closing land with our property, and the granting of easements in favour of the City, one of which was for an active transportation path. The City's negotiator commenced the purchase and sale negotiations process in October 2022. The negotiations were protracted and exhaustive because of the need to address the requirements for the active transportation path and its proposed location. Consultations with both the City's negotiator and the City's area planner were necessary. On October 24, 2023, the City's negotiator provided us with a proposal for the purchase price of the closing area land and on October 31, 2023, we confirmed our acceptance. We are currently awaiting receipt of the formal purchase and sale agreement for our execution. Without that formal execution, we are unable to proceed with the required development application necessary to facilitate consolidation of the closing area land with our adjoining property which is a condition of Council's approval of

1400 KENASTON BLVD, WINNIPEG, MANITOBA, R3P 2V6

DAC 5/2021 and the purchase and sale agreement. This delay will result in our inability to comply with Council's recommendation 3 of its decision of December 16, 2021.

Contemplating the requirements for a further development application, its approval, preparation of relevant plans to facilitate the closing and consolidation conditions, preparation, and enactment by Council, of a requisite closing by-law, preparation and execution of relevant easement agreements, and completion of registrations at the Winnipeg Land Titles Office necessary to formalize the legal closing and consolidation, we are requesting an extension of time to December 16, 2026 to allow us sufficient time to satisfy the purchaser's obligations of Council's approval under DAC 5/2021.

Sincerely,



Brian Lowes
President