Agenda – Executive Policy Committee – April 16, 2024

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

Moved by Councillor

That Rule 10(3) of The Procedure By-law No. 50/2007 be suspended in order that the following item, which was received less than four business days preceding the committee meeting, be considered by Committee.

Item No. 7 Extension of Time – Subdivision and Rezoning – 836-842 Taché Avenue
(St. Boniface Ward)
File DASZ 26/2016

STANDING COMMITTEE RECOMMENDATION:

On April 11, 2024, 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 26/2016 be extended to January 24, 2025.

2. That the Winnipeg Public Service provide an update on the status of the project to the Riel Community Committee at its meeting on September 24, 2024.

3. 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 – April 11, 2024

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On April 11, 2024, 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 April 5, 2024, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, with the following amendment:

- Add the following new Recommendation 2 and renumber the remaining accordingly:

    "2. That the Winnipeg Public Service provide an update on the status of the project to the Riel Community Committee at its meeting on September 24, 2024."

and forwarded the matter to the Standing Policy Committee on Property and Development.

ADMINISTRATIVE REPORT

Title: Extension of Time – Proposed Subdivision and Rezoning – 836-842 Tache Avenue – File No. DASZ 26/2016

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 enactment by Council of the necessary rezoning by-law under DASZ 26/2016 expired on January 24, 2024. The Developer has not been able to satisfy all of the conditions prior to expiry and has requested a fourth extension of time to enact the by-law and 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 provide for the enactment of the necessary rezoning by-law under File No. DASZ 26/2016 be extended to January 24, 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 recommendation is concurred in, the Developer will be allowed a time extension to January 24, 2025, to enact the required rezoning by-law under DASZ 26/2016.

HISTORY/DISCUSSION

On November 16, 2016, Council adopted Item No. 5 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated November 8, 2016 which recommended approval of a subdivision and rezoning to an “R2” Residential Two-Family District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

Recommendation 5 of the above-referenced report states:

> "That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension."

On January 31, 2019, Council adopted Item No. 21 of the report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated January 7, 2019 which recommended approval of an Extension of Time and that the time limit for enactment of the necessary by-law for DASZ 26/2016 be extended to November 16, 2020.

On December 17, 2020, Council adopted Item No. 9 of the report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated December 7, 2020 which recommended approval of a second Extension of Time and that the time limit for enactment of the necessary by-law for DASZ 26/2016 be extended to November 16, 2022.

On February 23, 2023, Council adopted Item No. 7 of the report of the Standing Policy Committee on Property and Development dated February 2, 2023 which recommended approval of a third Extension of Time and that the time limit for enactment of the necessary by-law for DASZ 26/2016 be extended to January 24, 2024.

On January 17, 2024, the Developer, Qualico Communities, Attention: Veronica Eno, 1 Dr. David Friesen Drive, Winnipeg, Manitoba, R3X 0G8, submitted an application for a fourth Extension of Time and requested that the time limit for enactment of the necessary by-law for DASZ 26/2016 be further extended to January 24, 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 as circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OURWINNIPEG 2045 POLICY ALIGNMENT

The site is located within an “Established Neighbourhood - Mature Communities” Policy Area under the *Complete Communities Direction Strategy 2.0* of *OurWinnipeg 2045.* The site is also located within the High Density Residential Policy Area of the *North St. Boniface Secondary Plan.*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Acting Land Development Services Coordinator
Date: February 20, 2024
File No: DASZ 26/2016

Attachments:
Appendix “A” – DASZ 26/2016, Subdivision and Rezoning 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 #4 - DASZ 26-16.docx

APPENDIX "A" – DASZ 26/2016 MAP

By-Law No. _____

File No. **DASZ 26/16**

Atlas Sheet No.

N

Z26
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 836-842 Tache Avenue from an "R1-S" RESIDENTIAL SINGLE-FAMILY (SMALL) DISTRICT to an "R2" RESIDENTIAL TWO-FAMILY DISTRICT to facilitate the closure of a public lane for the inclusion and consolidation of lands to allow for future residential development as shown outlined below.



THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

One Dr. David Friesen Drive Winnipeg, MB R3X 0G8
QUALICOCOMMUNITIES.COM

QUALICO communities

January 17, 2024

Michele Hammerberg
The City of Winnipeg
Planning, Property, and Development
Main Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Dear Michele,

Pointe Hebert Extension of Time Request – DASZ 26/2016

At its meeting held on November 16th, 2016, Council approved the subdivision and rezoning application under DASZ 26/2016 and the associated DAC 9/2016 to close the adjacent lane. Subsequently, Council has approved extensions to the time limit to pass the by-law for DASZ 26/2016 to January 24, 2024.

Over the past year, progress has been made on several aspects of the above-noted application. Unfortunately, the adjacent land owned by Qualico (147-155 Rue Darveau) remains undevelopable due to a City of Winnipeg Transit caveat. These lands are integral to the overall redevelopment of this area. We are working diligently to have this caveat removed since the Transit Master Plan was adopted by Council in April 2021. However, the City has indicated that the caveat must remain until the Eastern Corridor Study is completed and approved by Council as well. That is expected to happen in the spring of 2024.

Given these above, we request an extension to allow time to finalize the conditions of DASZ 26/2016 and also complete the caveat removal for the adjacent lands.

If the extension is approved, the next steps include receiving and agreeing to a Purchase Agreement for the laneway, following which the By-law can be forwarded to Council. Once Council passes the By-law, the Public Service will prepare the Development Agreement and Zoning Agreement. It will only be after the execution of those agreements that this subdivision will be ready to proceed to Land Titles for registration.

In our experience, the above process is expected to take several months to complete. We anticipate being able to achieve all conditions and complete all process by the end of 2025.

Please confirm the fee for this application and we will issue payment immediately.

Yours truly,

QUALICO COMMUNITIES

Veronica Eno, MCIP, RPP
Land Development Project Manager