Agenda – Council – June 27, 2024

Report – Standing Policy Committee on Property and Development – June 4, 2024

Item No. 7 **Extension of Time – Subdivision and Rezoning – 1361, 1377, 1379, 1385, 1399 & 1425 McPhillips Street File DASZ 45/2022**

STANDING COMMITTEE RECOMMENDATION:

On June 18, 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. 42/2023 be extended to May 30, 2025.

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

Agenda – Council – June 27, 2024

Report – Standing Policy Committee on Property and Development – June 4, 2024

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 18, 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 June 4, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On May 28, 2024, the Lord Selkirk-West Kildonan 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 – 1361, 1377, 1379, 1385, 1399 & 1425 McPhillips Street – File No. DASZ 45/2022

Critical Path: Lord Selkirk-West Kildonan 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. 42/2023 under File No. DASZ 45/2022 will expire on May 30, 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. 42/2023 be extended to May 30, 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 May 30, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On February 23, 2023, Council adopted Item No. 14 of the Standing Policy Committee on Property and Development dated February 2, 2023 which recommended approval of a subdivision and rezoning to an "RMF-L" Residential Multi-Family (Large) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The rezoning By-law No. 42/2023 was enacted by Council on May 30, 2023.

Sections 3 and 4 of By-law No. 42/2023 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. 42/2023 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 will expire on May 30, 2024.

On April 29, 2024, the applicant, McGowan Russell Group Inc., Attention: Susan Russell, 825 St. Joseph Street, Winnipeg, Manitoba, R2H 3A8 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 42/2023 be extended to May 30, 2025 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

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.

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.

6.21: Regional Mixed-Use Corridors - Recognize that a primary function of designated Regional Mixed-Use Corridors is for the efficient movement of people, goods and services while transitioning the functional design over time to support mixed-use intensification and transit orientation.

6.25: Mixed Use Centres - Designate Mixed Use Centres within the Urban Structure, representing the largest commercial areas in the city with the ability to accommodate major retail uses, and become pedestrian-oriented environments connected by integrated and sustainable transportation options, and offering a variety of housing, employment, amenities and services.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the Strategic Opportunities and Key Directions in the Climate Action Plan and it was determined that the Plan is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the Strategic Opportunities and Key Directions in the Climate Action Plan and it was determined that the Plan is not applicable to this specific report.

SUBMITTED BY

Department:	Planning, Property and Development
Division:	Real Estate and Land Development
Prepared by:	A. Savage, Acting Land Development Administrator
Date:	May 6, 2024
File No:	DASZ 45/2022
Attachments:	Appendix “A” – DASZ 45/2022 Map
	Appendix “B” – Letter Requesting Extension of Time

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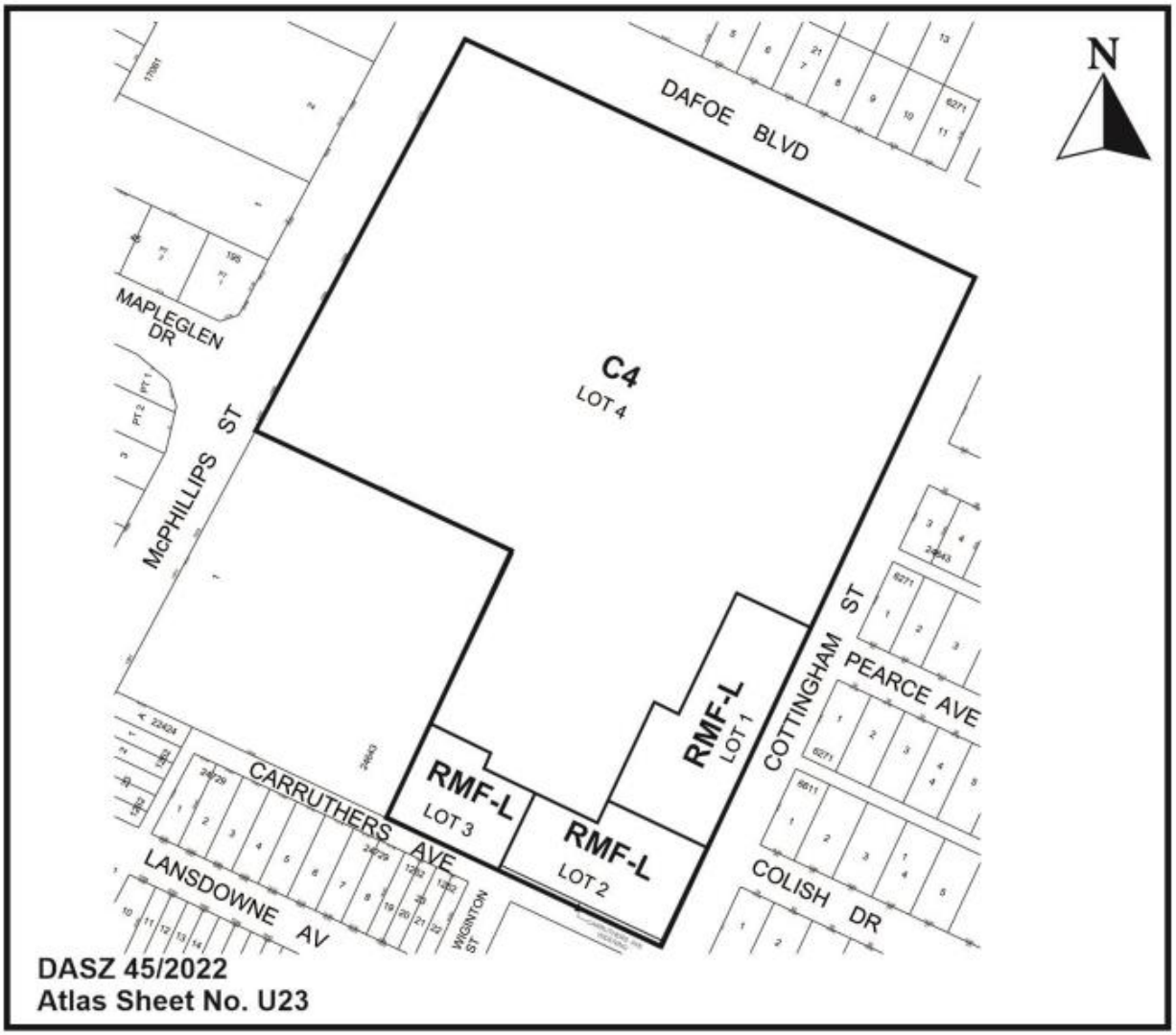
APPENDIX "A" – DASZ 45/2022 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

McGOWAN•RUSSELL

April 23, 2024

City of Winnipeg
Planning, Property and Development Department
Land Development Branch
65 Garry Street
Winnipeg, Manitoba R3C 4K4

To Whom it may concern,

RE: EXTENSION OF TIME FOR DASZ 45/2022, BY-LAW NO. 42/2023 – 1399 MCPHILLIPS STREET

2851351 Manitoba Limited requests an extension of time to May 30, 2025, for DASZ 45/2022. The zoning by-law (By-Law 42/2023) was passed on May 30, 2023, with a requirement to complete registration of the plan by May 30, 2024.

Extra time will be required to register the plans and agreements at the Winnipeg Land Titles Office (WLTO).

Please call should you have any questions or require additional information.

Thank you,

McGowan Russell Group Inc.

S. Russell

Susan Russell, M.A.L.A., C.S.L.A.
President

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McGowan Russell Group Inc.