Minutes – Council – July 18, 2024

Minute No. 414
Report – Standing Policy Committee on Property and Development – July 4, 2024

Item No. 4 **Extension of Time – Plan of Subdivision and Rezoning –230 University Crescent and Parcel "A", Plan 17862 (Waverley West Ward) File DASZ 15/2022**

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. 132/2022 be extended to September 29, 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 – July 4, 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

Councillor Wyatt was absent from the vote on the above motion.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 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 July 4, 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 June 21, 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 – Plan of Subdivision and Rezoning –230 University Crescent and Parcel "A", Plan 17862 – File No. DASZ 15/2022

Critical Path: Assiniboia – Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
K. Kowalyk	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 132/2022 under File No. DASZ 15/2022 will expire on September 29, 2024. The Developer has not been able to satisfy all of the conditions 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. 132/2022 be extended to September 29, 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 September 29, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On July 21, 2022, Council adopted Item No. 26 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development, dated July 4, 2022, which recommended approval of a plan of subdivision and rezoning to an “RMU PDO-2 North Campus” Residential Mixed-Use District, “RMF-S PDO-2 North Campus” Residential Multi-Family (Small) District and a “PR1 PDO-2 North Campus” Parks and Recreation 1 (Neighbourhood) District under Winnipeg Zoning By-Law 200/2006.

The Rezoning By-law No. 132/2022 was enacted by Council on September 29, 2023. See Appendix “A” map attached.

Sections 3 and 4 of By-law No. 132/2022 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:

(b) the plan of subdivision and 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. 132/2022 has not come into force by the required registration of the Plan of Subdivision and Zoning Agreement, File No. DASZ 15/2022, by caveat in the Winnipeg Land Titles Office and the one (1) year time limit is set to expire on September 29, 2024.

On May 31, 2024, Scatliff + Miller + Murray, c/o Tom Janzen, Suite1120, 201 Portage Avenue, Winnipeg, Manitoba, R3B 3K6, on behalf of UM Properties GP Inc., submitted a request for an extension of time in order to complete the necessary registrations at the Winnipeg Land Titles Office. 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 2045 POLICY ALIGNMENT

6.26 Major Redevelopment Sites: Designate Major Redevelopment Sites within the Urban Structure for land uses that provide a transformative, sustainable, well-designed and pedestrian-oriented urban environment, through a comprehensive and collaborative secondary planning process.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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 #3: Advancing Sustainable Transportation – Increasing Mobility Options and Shift to Zero Emission Vehicles

- Increasing access to mobility options and fuel switching are key directions for reducing emissions from transportation. Key directions aim to directly shift residents out of single-occupancy vehicles through sustainable transportation options with lower or no emissions (walking, cycling, public transit, car share and carpooling) or indirectly enable diverse mobility choices through the development of higher density, and more complete communities.

  3.1 Increase Use and Efficiency of Public Transit Systems
  3.2 Increase the Density of Urban Development Along Key Transit Corridors.

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

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

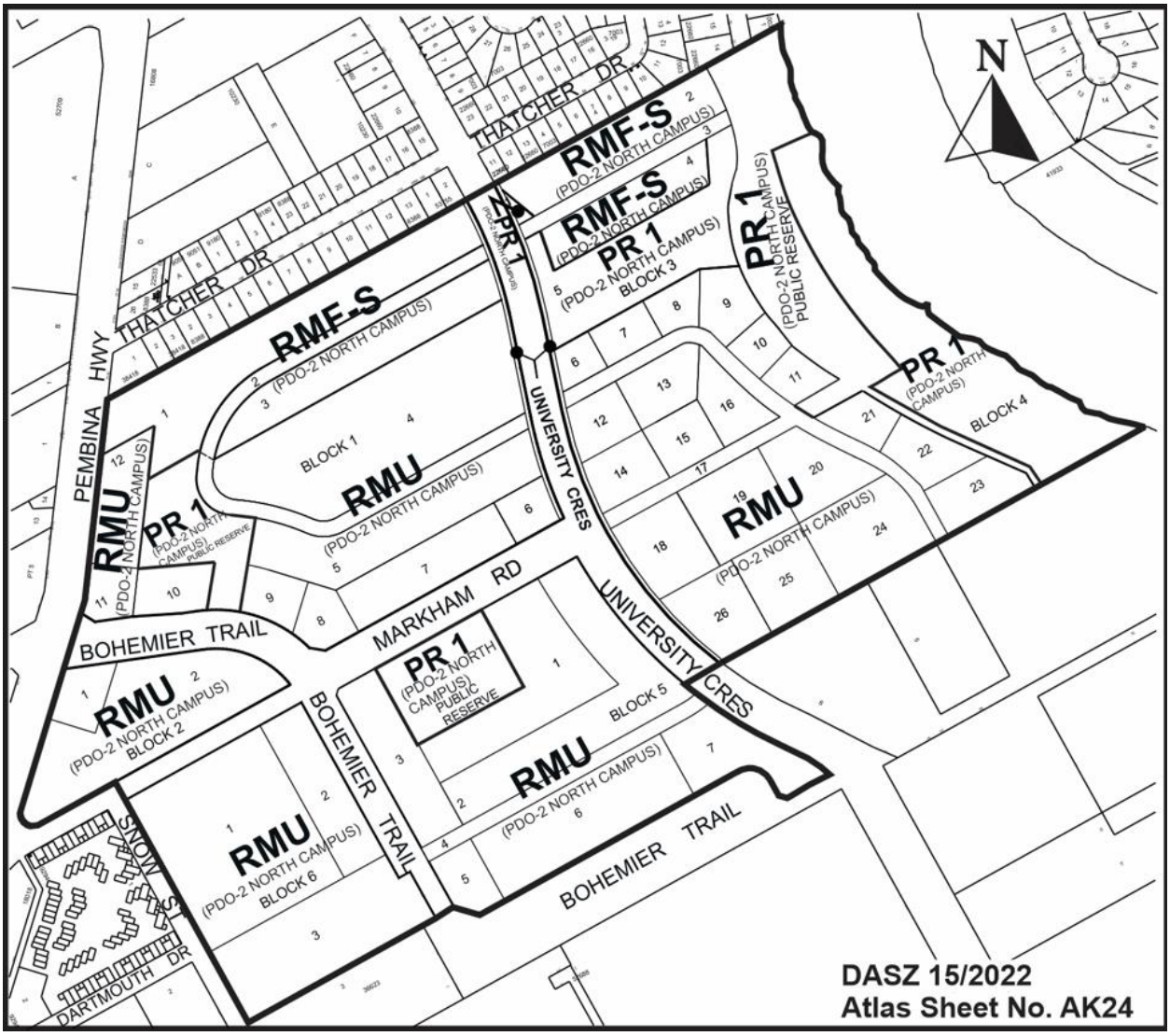
Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the PRS and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Development Applications Coordinator
Date: June 13, 2024
File No: DASZ 15/2022
Attachments: Appendix “A” – DASZ 15/2022 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 - DASZ 15-22.docx

APPENDIX "A" – DASZ 15/2022 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

SCATLIFF + MILLER + MURRAY
visionary urban design + landscapes

May 31, 2024

Michele Hammerberg
Land Development Service Coordinator
Real Estate and Land Development
Planning, Property and Development
City of Winnipeg
mhammerberg@winnipeg.ca

RE: LETTER OF INTENT – EXTENSION OF TIME REQUEST
DASZ 15/2022

Dear Michele,

On behalf of UM Properties GP Inc., the purpose of this letter of intent is to formally request an Extension of Time to the subject subdivision and rezoning by-law (DASZ 15/2022) coming into force.

While UM Properties has been working expeditiously on this development, the steps to secure the closure of Markham Road have taken longer than anticipated. UM Properties is working closely with the City through this process, however until complete, UM Properties is unable to register the approved Plan of Subdivision and Zoning Agreement.

Accordingly, UM Properties is seeking a 1-year extension from the original deadline to finalize the registration process.

Please find enclosed the following in support of this request:

- Letter of Authorization from UM Properties GP Inc.; and
- Current Status of Title.

Thank you for your ongoing assistance on this file and consideration in this matter.

Sincerely,



Tom Janzen, M.Sc.Pl, MCIP, RPP, LEED AP
Associate