Agenda – Executive Policy Committee – September 17, 2024

Report – Standing Policy Committee on Property and Development – September 13, 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. 10 Extension of Time – Subdivision and Rezoning – 1266, 1300 & 1350 Dugald Road
(Transcona Ward)
File DASZ 13/2020

STANDING COMMITTEE RECOMMENDATION:

On September 13, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law 69/2023 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.

Agenda – Executive Policy Committee – September 17, 2024

Report – Standing Policy Committee on Property and Development – September 13, 2024

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 13, 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 September 4, 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 – Subdivision and Rezoning – 1266, 1300 & 1350 Dugald Road – File No. DASZ 13/2020

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

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Hammerberg	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law 69/2023, under File No. DASZ 13/2020, will expire on September 29, 2024. The Developer has not been able to satisfy all 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 69/2023 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 Developer will be allowed a time extension to September 29, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On March 25, 2021, Council adopted Item No. 10 of the Executive Policy dated March 17, 2021, which recommended approval of a subdivision and rezoning to an “M2” Manufacturing General District and a “PR1” Parks and Recreation 1 (Neighbourhood) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

On April 27, 2023, Council adopted Item No. 5 of the Report of the Standing Policy Committee on Property and Development, dated April 6, 2023, extending the time limit for enactment of the necessary rezoning by-law under File No. DASZ 13/2020 to March 25, 2024.

The rezoning By-law No. 69/2023 was enacted by Council on September 29, 2023.

Sections 3 and 4 of By-law No. 69/2023 stipulate the following:

Coming into force

3 This By-law comes into force when the plan of subdivision and the Zoning Agreement is 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. 69/2023 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 is set to expire on September 29, 2024.

On July 15, 2024, the Applicant, 7475323 Manitoba Ltd., Attention: Paige Peach, 4 – 1090 McDermot Avenue, Winnipeg, Manitoba, R3E 3S6 applied for a second Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law 69/2023 be extended to September 29, 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 as circumstances leading to the original approval remain unchanged.

FINANCIAL IMPACT

N/A

CONSULTATION

N/A

OUR WINNIPEG POLICY ALIGNMENT

The proposed development is consistent with *OurWinnipeg* and the *Complete Communities Direction Strategy 2.0* employment land policies.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposal aligns with the following Key Direction in the Winnipeg Climate Action Plan:

4.2 Ensure New Areas of Growth are Designed According to the Principles of Complete Communities.
4.4 Support Redevelopment of Former Commercial and Industrial Lands into Active Use.

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: September 16, 2024
File No: DASZ 13/2020
Attachments: Appendix “A” – DASZ 13/2020 Map
Appendix “B” – Letter Requesting Extension of Time

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APPENDIX "A" – DASZ 13/2020 MAP

August 12, 2020

By-Law No.

File No. **DASZ 13/2020**

Atlas Sheet No. **AB30**
EAST KILDONAN TRANSCONA COMMUNITY

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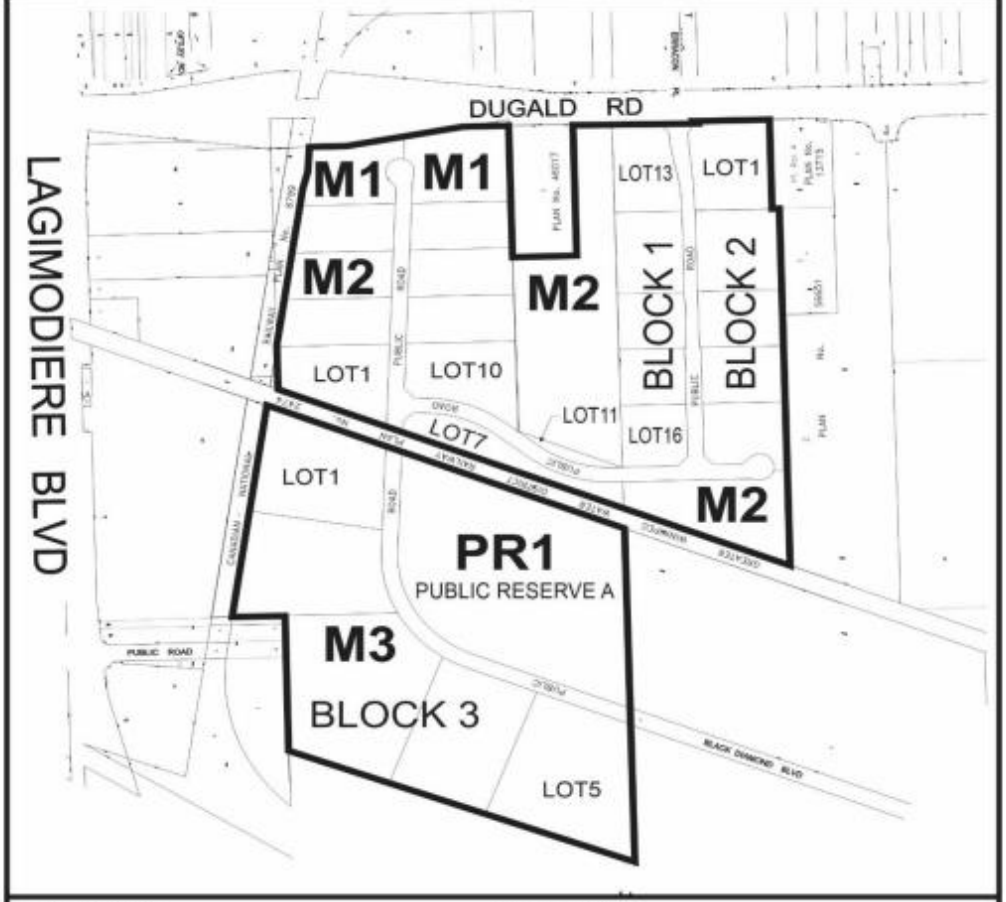
Explanation

An application for the approval of the plan of subdivision shownoutlined below and for a proposed zoning change to By-law No. 200/2006 by rezoning the land located at 1266, 1300, 1330 and 1350 Dugald Road from "M1", "M2" and "M3" MANUFACTURING DISTRICTS to "M1", "M2" and "M3" MANUFACTURING DISTRICT and a "PR1" PARKS AND RECREATION 1 (NEIGHBOURHOOD) DISTRICT to allow the creation of industrial zoning lots, Public Reserve and the establishment of public right-of-ways for future development.



THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

7475323 Manitoba Ltd.
4-1090 McDermot Ave
Winnipeg, MB, R3E 3S6
Canada

June 19, 2024

Land Development
Branch Main Floor
65 Garry St.
Winnipeg, MB, R3C 4K4
Attn: Michele Hammerberg

Re: Letter of Intent for Extension of Time Application - DASZ 13/2020

7475323 Manitoba Ltd. (the Applicant) would like to request an extension of time on development application DASZ 13/2020.

This is a joint application between two land owners and will be represented by the Applicant. The legal description of the lands comprising the Property, located at 1266, 1300, 1330, and 1350 Dugald Rd, are as follows:

Owner: 7475323 Manitoba Ltd. (the Applicant)

1. 2921397/1 - Lot 1 Plan 40049 WLTO
2. 2921398/1 - Lot 2 Plan 40049 WLTO
3. 2921401/1 - Lot 3 Plan 40049 WLTO
4. 2921403/1 - Lot 4 Plan 40049 WLTO
5. 2921395/1 - Parcel 4 Plan 6917 WLTO

Owner: Big Stone Bay Enterprises Inc.

6. 2215779/1 - Lot 2 Plan 46017 WLTO*

**Note: 2.5 acres of the south portion has been sold to 7475323 Manitoba Ltd.. The registration of land title for this 2.5-acre parcel will be processed upon the approval of this subdivision.*

Owner: 725 Panet Inc.

7. 1396644/1 - Lot 234 Plan 433 WLTO
8. 1396679/1 - Lot 234 Plan 433 WLTO
9. 1396646/1 - Lot 235 Plan 433 WLTO

We are requesting an extension of one (1) year on application DASZ 13/2020 to allow for sufficient time for the City of Winnipeg legal services department to prepare and execute the

Development Agreement. Our legal representative, Brett Williams, has been in contact with legal services and is waiting for a draft of the agreement. An extension of one year would provide sufficient time for both parties to review and execute the agreement.

Sincerely,



Paige Peach
7475323 Manitoba Ltd.
4-1090 McDermot Ave
Winnipeg, MB, R3E 3S6

Cc. Rijad Hadzic
Michael Culjak
Brett Williams