Minutes – Council – October 24, 2024

Minute No. 507
Report – Standing Policy Committee on Property and Development – October 3, 2024

Item No. 1 Extension of Time – Rezoning –51 Roslyn Road
(Fort Rouge-East Fort Garry Ward)
File DAZ 200/2022

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. 99/2022 be extended to September 22, 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 – October 3, 2024

DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Standing Policy Committee on Property and Development be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 16, 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 October 3, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On September 23, 2024, the City Centre 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 – Rezoning –51 Roslyn Road – File No. DAZ 200/2022

Critical Path: City Centre 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 No. 99/2022 under File No. DAZ 200/2022 will expire on September 22, 2024. The Developer has not been able to satisfy all of the conditions prior to expiry and has requested an extension of time in order 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. 99/2022 be extended to September 22, 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 September 22, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On June 23, 2022, Council adopted Item No. 9 of the Report of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated June 6, 2022 which recommended approval of a rezoning to an “RMF-L” Residential Multi-Family (Large) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

Recommendation 5 of the above-referenced report states:

> "That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the Fees are not paid within 2 years after the By-law has been given first reading unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension.”

On September 22, 2022, By-law No. 99/2022 was enacted by Council. Sections 2 and 3 of By-law No. 99/2022 stipulate the following:

Coming into force
2 This By-law comes into force when the Zoning Agreement is registered at the Winnipeg Land Titles Office.

Extensions of time
3(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 Zoning Agreement has not been registered at the Winnipeg Land Titles Office; and

(b) the owner has not applied for an extension of time.

3(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.

On October 26, 2023, Council adopted Item No. 8 of the Report of the Standing Policy Committee on Property and Development, dated October 6, 2023, extending the time limit to satisfy the Coming into Force provisions of By-law 99/2022 to September 22, 2024.

By-law No. 99/2022 has not come into force by the required registration of the Zoning Agreement and the one (1) year time limit will expire on September 22, 2024.

On September 10, 2024, the applicant, h5 architecture Inc., c/o Hélio Rodrigues, 610-a Broadway, Winnipeg, Manitoba, R3C 0W8 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 99/2022 be extended to September 22, 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 proposal aligns with the Key Direction of *OurWinnipeg* that applies to the Mature Communities Policy Area, which states: "*Enhance the quality, diversity, completeness and sustainability of stable neighbourhoods and expand housing options for Winnipeg's changing population."*

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The proposal complies with the *Winnipeg Climate Action Plan* because the proposed development would increase the residential intensification of an established neighbourhood.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

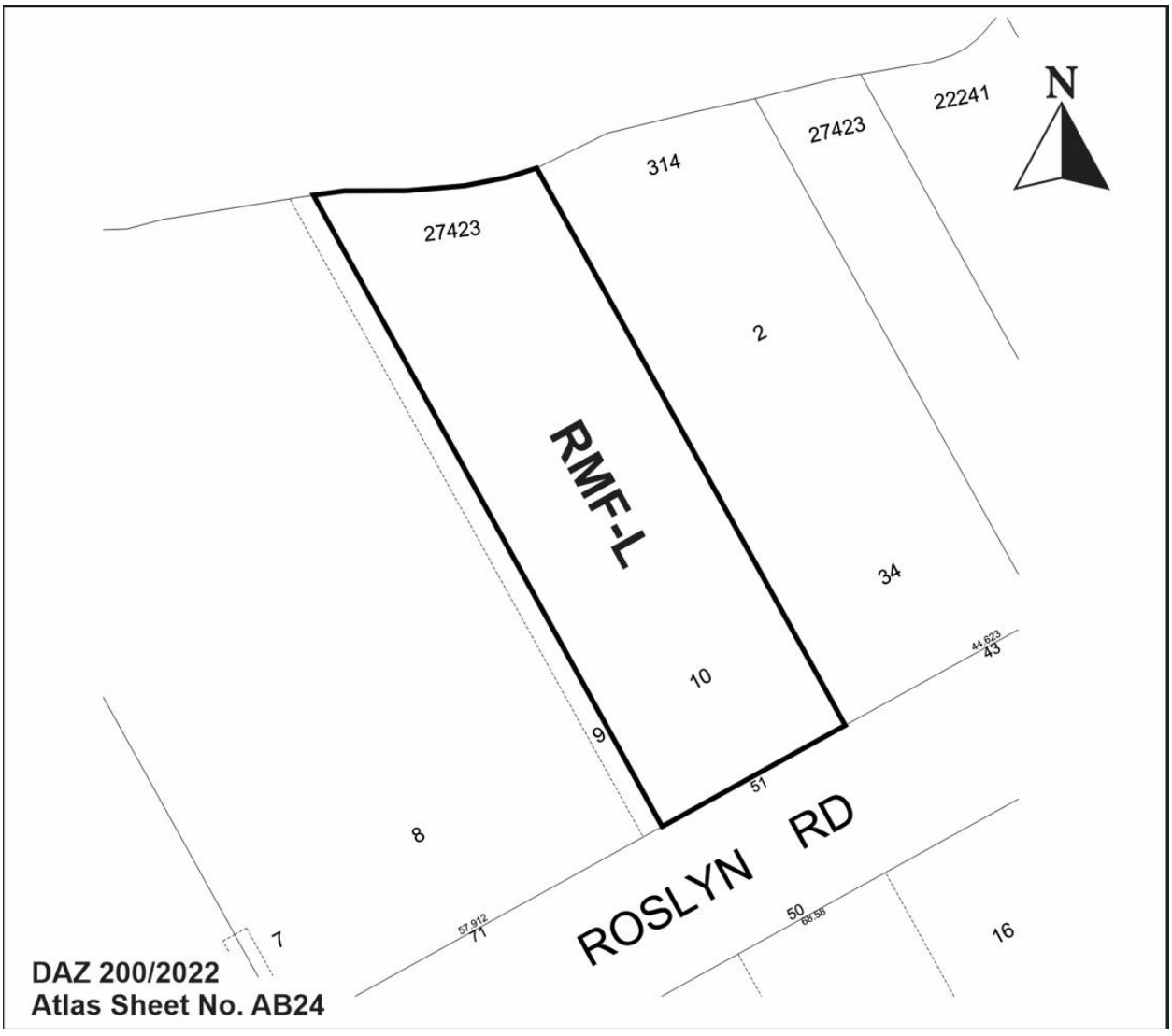
SUBMITTED BY

Department: Planning, Property and Development
Division: Real Estate and Land Development
Prepared by: M. Hammerberg, Land Development Service Coordinator
Date: September 12, 2023
File No: DAZ 200/2022

Attachments: Appendix "A" – DAZ 200/2022 Map
Appendix "B" – Letter Requesting Extension of Time

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APPENDIX "A" – DAZ 200/2022 MAP



APPENDIX "B" – LETTER REQUESTING EXTENSION OF TIME

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610-a Broadway
Winnipeg, Manitoba R3C 0W8

t. 204.774.0012
e. info@h5architecture.ca
www.h5architecture.ca

Principal Architect
Helio Rodrigues
MArch, MAA, SAA, MRAIC, LEED AP, CEC

letter of intent

September 10, 2024

Planning, Property & Development
Land Development Branch
Main Floor, 65 Garry Street
Winnipeg, MB, R3C 4K4

Attention: Michele Hammerberg, Land Development Services Coordinator

RE: File No. DAZ 200/2022 - 51 Roslyn Road

Dear Michele,

We are writing to formally request an extension of time regarding the above-referenced File No. to submit the necessary information required to proceed with the rezoning by-law, as outlined in the letter we received from your department dated June 28, 2022.

The delay in preparing and submitting the requested information is primarily due to two factors: the economic challenges faced over the past two years following the global COVID-19 pandemic and the complexity of developing a site servicing plan that aligns with both the City of Winnipeg Land Development Branch's conditions and the financial constraints of the project.

In recent months, the economic climate has shown signs of improvement, providing renewed momentum for this project. We have been diligently working to develop a site servicing solution that meets the aforementioned conditions. This solution was submitted to the Land Development Branch Engineer for review and approval on September 9, 2024. Once we receive approval on the site servicing proposal, we will have all the information requested and will be able to proceed to the next phase of the rezoning by-law process.

Thank you for considering our request. We remain committed to moving this project forward and appreciate your understanding and cooperation.

Sincerely,

Hélio Rodrigues, principal
MArch, MAA, SAA, MRAIC, LEED AP, CEC

cc: Angie Savage, Land Development Branch Administrator, City of Winnipeg
Kayla Samsoondar, Land Development Legal Services, Legal Assistant, City of Winnipeg
Joel Shuster, Atlas Acceptance Corporation Ltd, Director