Minutes – Council – December 12, 2024

Minute No. 73
Report – Standing Policy Committee on Property and Development – December 2, 2024

Item No. 2 **Extension of Time – Subdivision and Rezoning – 180 Creek Bend Road**
(St. Norbert-Seine River Ward)
File DASZ 12/2021

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. 52/2022 be extended to October 28, 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 – December 2, 2024

DECISION MAKING HISTORY:

Pursuant to the Members of Council Code of Conduct By-law No. 19/2018, Councillor Chambers advised that he would refrain from entering the discussion and voting on the matter, because of a potential conflict of interest due to perceived apprehension of bias, and left the meeting.

Moved by Councillor Rollins,

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

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 4, 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 December 2, 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 November 15, 2024, the Riel Community Committee concurred in the recommendation of the Winnipeg Public Service, and forwarded the matter to the Standing Policy Committee on Property and Development.

David Watson submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Extension of Time – Subdivision and Rezoning – 180 Creek Bend Road – File No. DASZ 12/2021

Critical Path: Riel 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. 52/2022, under File No. DASZ 12/2021, expired on October 28, 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. 52/2022 be extended to October 28, 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 October 28, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On November 25, 2021, Council adopted Item No. 5 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated, November 10, 2021, which recommended approval of a subdivision and rezoning to an "RMF-M" Residential Multi-Family (Medium) District and a “PR1” Parks and Recreation 1 (Neighbourhood) District under Winnipeg Zoning By-Law 200/2006. See Appendix “A” map attached.

The Rezoning By-law No. 52/2022 was enacted by Council on April 28, 2022.

Sections 3 and 4 of By-law No. 52/2022 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:

(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.

On June 22, 2023, Council adopted Item No. 10 of the Report of the Standing Policy Committee on Property and Development, dated June 1, 2023, extending the time limit to satisfy the Coming into Force provisions of By-law 52/2022 to October 28, 2023.

On December 14, 2023, Council adopted Item No. 6 of the Report of the Standing Policy Committee on Property and Development, dated November 22, 2023, extending the time limit to satisfy the Coming into Force provisions of By-law 52/2022 to October 28, 2024.

By-law No. 52/2022 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 expired on October 28, 2024.

On October 21, 2024, 10115220 Manitoba Ltd, Attention: Keith F. Jordan, 11 Brookstone Place, Winnipeg, Manitoba, R3Y 0C4, applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 52/2022 be extended to October 28, 2024, 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

- *The Complete Communities Direction Strategy 2.0* (CCDS 2.0) is a citywide secondary plan that guides growth, development, and land use in the city of Winnipeg.
- The subject property is located in an "Established Neighbourhood – Recent Community" in *Complete Communities'* Urban Structure map. Established Neighbourhoods will accommodate contextually sensitive growth and change to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic Opportunity #4: Facilitate Compact, Complete Development and Increase Density

- **Key Direction 4.1:** Increase strategic infill development that provides access to and capitalizes on existing and planned corridors with frequent transit service
- **Key Direction 4.2:** Ensure new areas of growth are designed according to the principles of Complete Communities.

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, Land Development Services Coordinator
Date: November 1, 2024
File No: DASZ 12/2021
Attachments: Appendix “A” – DASZ 12/2021 Map
Appendix “B” – Letter Requesting Extension of Time

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