Agenda – Executive Policy Committee – January 21, 2025

Report – Standing Policy Committee on Property and Development – January 13, 2025

Item No. 12 Extension of Time – Subdivision – Moore Avenue (Lot Located Between 35 and 39 Moore Avenue)
(St. Vital Ward)
File DAS 14/2021

STANDING COMMITTEE RECOMMENDATION:

On January 13, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 156/2022 be extended to December 15, 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 – January 21, 2025

Report – Standing Policy Committee on Property and Development – January 13, 2025

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On January 13, 2025, 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 January 8, 2025, 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.

ADMINISTRATIVE REPORT

Title: Extension of Time – Subdivision – Moore Avenue (Lot Located Between 35 and 39 Moore Avenue) – File No. DAS 14/2021

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. 156/2022 under File No. DAS 14/2021 expired on December 15, 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. 156/2022 be extended to December 15, 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 December 15, 2025, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On September 29, 2021, Council adopted Item No. 10 of the Standing Policy Committee on Property and Development, Heritage and Downtown Development dated September 14, 2021 which recommended approval of a plan of subdivision under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

The rezoning By-law No. 156/2022 was enacted by Council on December 15, 2022.

Sections 2 and 3 of By-law No. 156/2022 stipulate the following:

Coming into force

2 This By-law comes into force when the Development Agreement required under Section 1 is executed on behalf of The City of Winnipeg and the plan of subdivision 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 plan of subdivision 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 January 25, 2024, Council adopted Item No. 3 of the Report of the Standing Policy Committee on Property and Development dated January 11, 2024 extending the time limit to satisfy the Coming into Force provisions of By-law 156/2022 to December 15, 2024.

By-law No. 156/2022 has not come into force by the required registration of the plan of subdivision and the one (1) year time limit expired on December 15, 2024.

On December 9, 2024, the applicant, John Scott Wintrup Planning & Development, Attention: John Wintrup, 301-139 Roslyn Road, Winnipeg, Manitoba, R3L 0G7 applied for an Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 131/2022 be extended one (1) additional year to December 15, 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

The subdivision complies with the intent of the policies in the Complete Communities 2.0 promoting contextually compatible infill development to maximize the use of existing infrastructure.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

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

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 Service Coordinator
Date: December 23, 2024
File No: DAS 14/2021
Attachments: Appendix “A” – DAS 14/2021 Map
Appendix “B” – Letter Requesting Extension of Time