Agenda – Executive Policy Committee – March 18, 2025

Report – Standing Policy Committee on Property and Development – March 6, 2025

Item No. 10 Extension of Time - Plan of Survey and Rezoning - 225 and 235 McPhillips Street, 1030 Pacific Avenue and a Portion of Ross Avenue Being Closed under File No. DAC 2/2021 (Point Douglas Ward) File No. DASZ 28/2022

STANDING COMMITTEE RECOMMENDATION:

On March 6, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the following to Council:

1. That the time limit to satisfy the Coming into Force provisions of By-law No. 148/2022 be extended to January 26, 2026.

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 – March 18, 2025

Report – Standing Policy Committee on Property and Development – March 6, 2025

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On March 6, 2025, the Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 25, 2025, the Lord Selkirk-West Kildonan 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 Survey and Rezoning –225 and 235 McPhillips Street, 1030 Pacific Avenue and a portion of Ross Avenue being closed under File No. DAC 2/2021 – File No. DASZ 28/2022

Critical Path: Lord Selkirk-West Kildonan Community Committee – Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Martinson	N/A	N/A	N/A

EXECUTIVE SUMMARY

The time limit for the Coming into Force provisions of By-law No. 148/2022 under File No. DASZ 28/2022 expired on January 26, 2025. 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. 148/2022 be extended to January 26, 2026.

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 January 26, 2026, to complete the necessary registrations at the Winnipeg Land Titles Office.

HISTORY/DISCUSSION

On September 22, 2022, Council adopted Item No. 29 of the Report of the Executive Policy Committee, dated September 14, 2022, which recommended approval of a plan of survey and rezoning to an “M2” Manufacturing General District under Winnipeg Zoning By-Law 200/2006.

The rezoning By-law No. 148/2022 was enacted by Council on January 26, 2023. See Appendix “A” map attached.

Sections 3 and 4 of By-law No. 148/2022 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 survey 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.

On June 27, 2024, Council adopted Item No. 9 of the Report of the Standing Policy Committee on Property and Development dated June 4, 2024 extending the time limit to satisfy the Coming into Force provisions of By-law 148/2022 to January 26, 2025.

By-law No. 148/2022 has not come into force by the required registration of the Plan of Survey and Zoning Agreement, File No. DASZ 28/2022, by caveat in the Winnipeg Land Titles Office and the one (1) year time limit expired on January 26, 2025.

On January 23, 2025, Duboff Edwards Schachter Law Corporation, c/o Paul Savard, 1900 - 155 Carlton Street, Winnipeg, Manitoba, R3C 3H8, on behalf of MBT ONE Inc., submitted a request for a second 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

6.31 Employment Lands: Designate Employment Lands within the Urban Structure, to accommodate forecasted job growth and advance economic development in both the City and region, while mitigating incompatible land use conflicts, to provide a stable operating environment for businesses, and to promote community health and safety.

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: B. Martinson, Development Applications Coordinator
Date: January 28, 2025
File No: DASZ 28/2022
Attachments: Appendix “A” – DASZ 28/2022 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 28-22.docx