Agenda – Council – March 27, 2025

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

Item No. 7 **Extension of Time – Proposed Closing of Part of Public Lane East of 1022 Pembina Highway, West of 968 Merriam Boulevard for Incorporation into DASZ 53/2021 (Fort Rouge-East Fort Garry Ward) File DAC 8/2021**

STANDING COMMITTEE RECOMMENDATION:

On March 18, 2025, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That Recommendation 3 under File DAC 8/2021 approved by Council on April 28, 2022, be deleted and replaced with the following:

    3. That in the event By-law 22/2023 is not registered at the Winnipeg Land Titles Office by February 23, 2026, this matter shall be deemed to be concluded, shall not be proceeded with, and that no further extension be granted.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Agenda – Council – March 27, 2025

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

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 18, 2025, 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 March 6, 2025, 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 February 24, 2025, 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 – Proposed Closing of part of Public Lane east of 1022 Pembina Highway, west of 968 Merriam Boulevard for incorporation into DASZ 53/2021- File No. DAC 8/2021

Critical Path: City Centre Community Committee - Standing Policy Committee on Property and Development - Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Savage (Acting)	H. Borys	N/A	N/A

EXECUTIVE SUMMARY

On April 28, 2022, Council approved the closing of part of the public lane east of 1022 Pembina Highway, west of 968 Merriam Boulevard for incorporation into DASZ 53/2021 (Appendix A and Appendix B).

On February 23, 2023 Council passed closing By-law 22/2023

On April 25, 2024, Council approved the purchaser's request for extension of time for registration of the closing bylaw to February 23, 2025.

On January 16, 2025, the purchaser's lawyer advised that registration is not complete and requests a further extension (See Appendix C).

The Public Service supports an extension until February 23, 2026.

RECOMMENDATIONS

1. That Recommendation 3 under File DAC 8/2021 approved by Council on April 28, 2022, be deleted and replaced with the following:

    3. That in the event By-law 22/2023 is not registered at the Winnipeg Land Titles Office by February 23, 2026, this matter shall be deemed to be concluded, shall not be proceeded with, and that no further extension be granted.

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 for a road closing.

IMPLICATIONS OF THE RECOMMENDATIONS

Should Council concur in the recommendation, the applicant will be permitted an extension of time to February 23, 2026 to satisfy the intent of Council's April 28, 2022 decision.

There are no financial implications for the City of Winnipeg.

HISTORY/DISCUSSION

On April 28, 2022, Council approved the closing of part of the public lane east of 1022 Pembina Highway, west of 968 Merriam Boulevard for incorporation into DASZ 53/2021 (Appendix A and Appendix B). Conditions of that approval required that Council pass a by-law within two years following the date of approval. In addition, the by-law required registration in the Winnipeg Land Titles Office no later than one year from the date it was passed.

Council passed closing By-law No. 22/2023 on February 23, 2023.

On February 20, 2024, the firm of Thompson Dorfman Sweatman LLP, on behalf of 1022 Pembina Highway and Cambridge Hospitality Corp., submitted a request for an extension of time to February 23, 2025, The applicant advised that during the two years since Council's approval, its clients were diligently carrying out studies and working with services providers in an effort to determine the cost and feasibility of the project and that only recently, with the necessary information compiled, the decision to move forward was made, which left not enough time to comply with conditions of Council's approval for DAC 8/2021.

On April 25, 2024 Council approved an extension of time to February 23, 2025.

On January 16, 2025, the purchaser's lawyer advised that registration is not complete and requested a further extension (See Appendix C). They require the extension in order to meet the requirements of Council's approval.

The Public Service supports an extension until February 23, 2026, but does not support the granting of extensions beyond February 23, 2026.

CONSULTATION

Because this report is made in connection with a request for extension of time only, consultation was with Legal Services Department (as to legal issues) only. Public Utilities were not consulted.

OURWINNIPEG POLICY ALIGNMENT

N/A

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

N/A

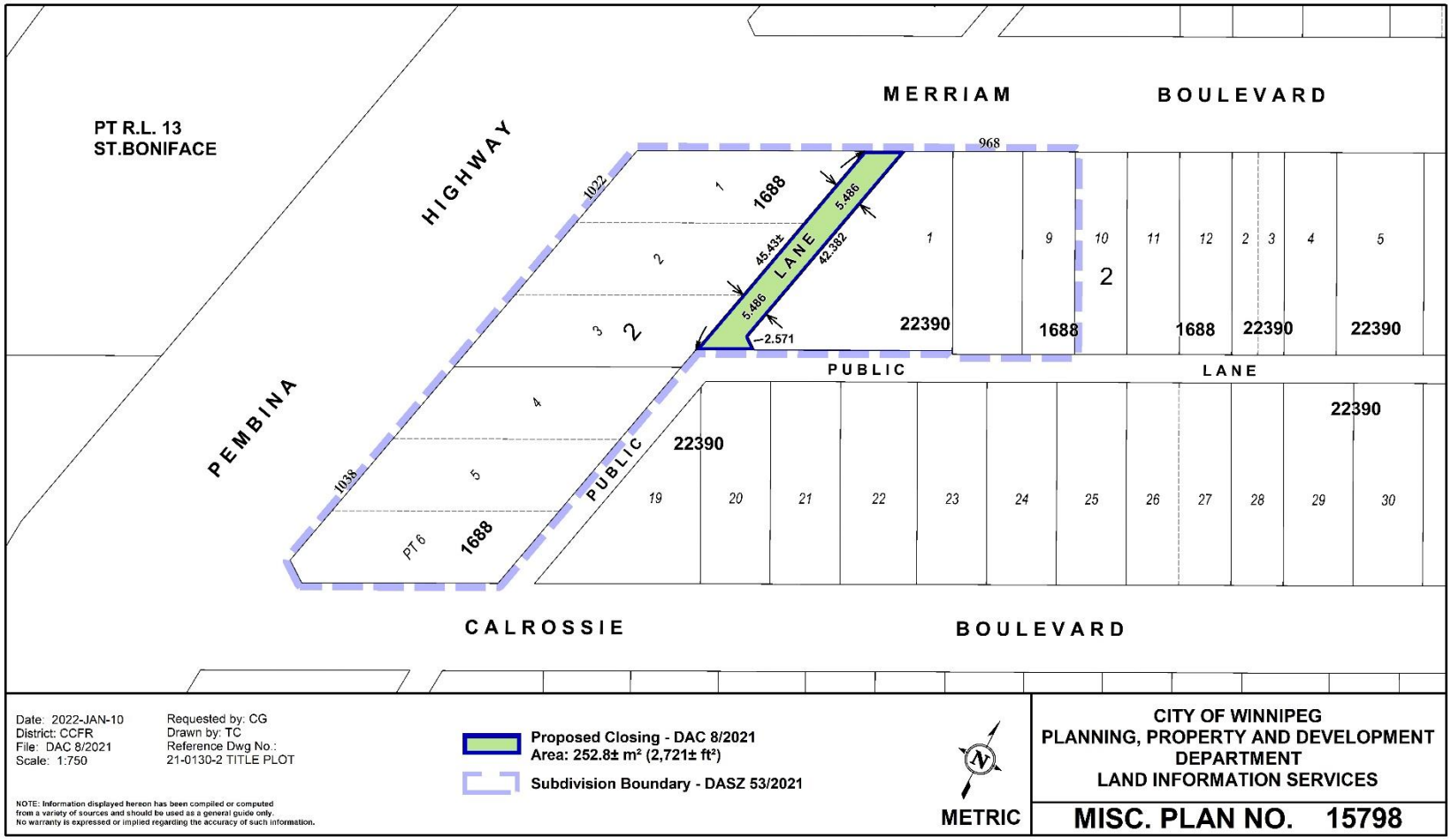
WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Geomatics
Prepared by: Petr Komoly
Date: January 28, 2025
File No: DAC 8/2021
Attachments:
Appendix A - Miscellaneous Plan 15798
Appendix B - Aerial View of Subject Closing
Appendix C - Extension of Time Request Letter dated January 16, 2025.

APPENDIX A – MISCELLANEOUS PLAN 15798



APPENDIX B – AERIAL VIEW OF SUBJECT CLOSING

APPENDIX C – EXTENSION OF TIME REQUEST LETTER DATED January 16, 2025

THOMPSON
DORFMAN
SWEATMAN

Writer's Name Nicholas E. Woelcke
Direct Telephone
E-mail Address
Direct Fax

January 16, 2025

EMAILED AND DELIVERED

The City of Winnipeg
Planning, Property and Development Department
2nd Floor – 65 Garry Street
Winnipeg, Manitoba R3C 4K4

Attention: C. Gagnon / J. Pelletier

Dear Sirs / Mesdames:

Re: **Closing of part of public lane east of 1022 Pembina Highway and west of 968 Merriam Boulevard for incorporation into DASZ 53/2021**
DAC 8/2021
Our Matter No. 0193013 BDK

We confirm we represent Cambridge Hospitality Corp. ("**Cambridge**") and 1022 Pembina Ltd. ("**1022**"), and we have been working with Pre-Con Builders Ltd. ("**Pre-Con**") with respect to plans for development of lands which will include the closing area under DAC 8/2021 (the "**Project**").

Over the last year, our clients have confirmed the feasibility of, and are arranging the financing required for the Project. We are now working diligently to satisfy the conditions of Council's approval of DAC 8/2021. A number of the necessary agreements have been signed with the City and are now being processed, however, we need more time to conclude this process and register the applicable plans at Land Titles.

Accordingly, we request an Extension of Time until February 23, 2026.

Yours truly,

THOMPSON DORFMAN SWEATMAN LLP

Per:

Per: Nicholas E. Woelcke