**Agenda – Council – April 30, 2025**

**Report – Standing Policy Committee on Property and Development – April 16, 2025**

**Item No. 8 Extension of Time – Rezoning – 122 St. Anne's Road (St. Vital Ward) File DAZ 219/2022**

STANDING COMMITTEE RECOMMENDATION:

On April 22, 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 the time limit to satisfy the Coming into Force provisions of By-law No. 9/2023 be extended to April 27, 2026.

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 – April 16, 2025**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 22, 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 April 16, 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 April 10, 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 – Rezoning – 122 St. Anne's Road – File No. DAZ 219/2022

**Critical Path:** Riel 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. 9/2023 under File No. DAZ 219/2022 will expire on April 27, 2025. 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. 9/2023 be extended to April 27, 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 recommendation is concurred in, the Developer will be allowed a time extension to April 27, 2026, to complete the necessary registrations at the Winnipeg Land Titles Office.

## HISTORY/DISCUSSION

On December 15, 2022, Council adopted Item No.15 of the Report of the Standing Policy Committee on Property and Development dated November 30, 2022 which recommended approval of a rezoning to a "CMU" Commercial Mixed-Use District under Winnipeg Zoning By-Law 200/2006. See Appendix "A" map attached.

The rezoning by-law was enacted by Council on April 27, 2023. Sections 2 and 3 of By-law No. 99/2023 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 April 25, 2024, Council adopted Item No. 6 of the Report of the Standing Policy Committee on Property and Development, dated April 11, 2024, extending the time limit to satisfy the Coming into Force provisions of By-law 9/2023 to April 27, 2025.

By-law No. 9/2023 has not come into force by the required registration of the Zoning Agreement and the one (1) year time limit will expire on April 27, 2025.

On February 19, 2024, the Applicant, John Scott Wintrup Planning & Development, Attention: John Wintrup, applied for a second Extension of Time application and requested that the time limit to satisfy the Coming into Force provisions of By-law No. 9/2023 be extended to April 27, 2026 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 is consistent with the policies guiding development along “Urban Mixed Use Corridors” under the *Complete Communities Direction Strategy 2.0* where vertical mixed-use buildings with ground floor commercial uses encompassing a pedestrian-oriented design are encouraged.

## WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the Strategic Opportunities and Key Directions in the Climate Action Plan and it was determined that the Plan is not applicable to this specific report.

## WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the Poverty Reduction Strategy (PRS), as well as the corresponding 2021-2023 Implementation Plan, and it was determined that the Strategy 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: March 3, 2025
File No: DAZ 219/2022

Attachments: Appendix “A” – DAZ 219/2022 Map
Appendix “B” – Letter Requesting Extension of Time

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