REPORT OF THE

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

DATED SEPTEMBER 10, 2002

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development, dated September 10, 2002, was considered clause by clause.

Moved by Councillor Vandal,

That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21 and 22, be adopted.

Carried.

Proposed Closing of part of Riddle Avenue, west of Strathcona Street
File DAC 7/2002

717 - 1. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from Colin Lount of the Lount Corporation to purchase a portion of Riddle Avenue, as outlined on Misc. Plan No.11684. The Lount Corporation intends to build a single-family residence on the property.

The portion of Riddle Avenue identified as "proposed closing" on Misc. Plan No. 11684 (Schedule "A") was opened in 1962 to provide access to the apartment complex that was being built to the west. This access has never been required, and the land taken for the additional widening has always been maintained as a boulevard.

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing and sale of the street.

The Transportation Division of the Public Works Department has advised that its approval of the sale of the street is subject to the applicant entering into a Servicing Agreement to replace the existing concrete sidewalk on the south side of Riddle Avenue with a new concrete sidewalk along the proposed property line.

Centra Gas Manitoba Inc. has advised that it will require an easement for the maintenance of underground services in the area.

Lot 13, Misc. Plan No. 11684, is a one-foot wide parcel of land between the portion of Riddle Avenue to be closed and the property to the south. The land required for the original opening was owned by the C.T. Lount Construction Company. When the land was dedicated as street, this one-foot strip of land was retained by Graham Lount. This was done to ensure that he would be notified, as the adjacent owner, if the street was ever closed and offered for sale. Graham Lount stopped paying taxes on this land several years ago, and the property went into Tax Sale in 2000. Title will issue in the City's name in July or August 2002. The Lount Corporation has indicated that it would be willing to purchase the one-foot strip as well as the closed street. Title to the one-foot strip will be consolidated with the title to the closed street.

The street must be legally closed before it may be sold. Title to all public rights-of-way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right-of-way status from the land and vests the ownership of the property in the City's name. The City is not entitled to dispose of the land until this has been done.

On July 9, 2002, the City Centre Community Committee held a public hearing to consider the proposed closing application. No one registered in support of the application, thirty-four (34) persons registered in opposition thereto, and two (2) persons registered for information.

The Community Committee concurred in the recommendation contained in the report dated June 18, 2002, from the Real Property Officer, Planning, Property and Development Department, and recommended approval of the proposed street closing.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the Community Committee recommendation to close a part of Riddle Avenue, and referred the following recommendations, also made by the City Centre Community Committee at its meeting on July 9, 2002, to the Administration for review (assessment of need and costs), namely:

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

1. That following the closure of part of Riddle Avenue, west of Strathcona Street, as outlined on Misc. Plan No. 11684, the property not be sold to Colin Lount, Lount Corporation.
2. That the Director of Planning, Property and Development be requested to initiate the necessary application to rezone the closed portion of Riddle Avenue, west of Strathcona Street to “PR” Parks and Recreation District.
3. That following the rezoning of the subject property all necessary action be taken to develop same as park and open space.
4. That all costs associated with the proposed closing, the rezoning application and the development of the site be absorbed by the City of Winnipeg.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed closing of part of Riddle Avenue, west of Strathcona Street, as outlined on Misc. Plan No. 11684 (Schedule “A”), be approved.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 11684 (Schedule “A”).

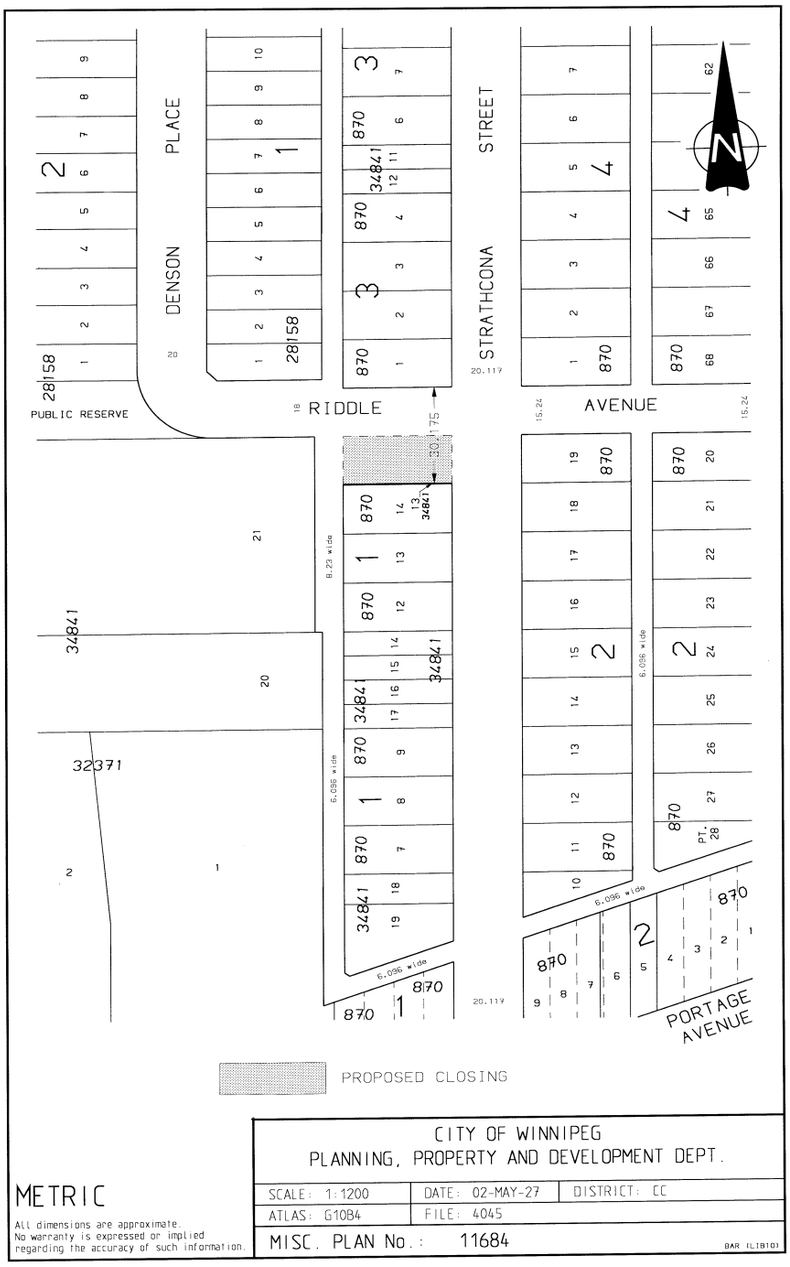
III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 1 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Street Closing of the public lane west of 200 rue Masson

File DAOC 3/2002

718 - 2. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from L'Accueil Colombien Inc. to relocate the public lane west of 200 rue Masson.

L'Accueil Colombien Inc. manages the 147-unit rental-housing block located at 200 rue Masson. There are just 36 parking spaces in the parking area for the block, and L'Accueil Colombien is looking to increase that number. L'Accueil Colombien has offered to relocate the existing lane to the portion of their parking area that is currently used for access to the parking spaces. The area is shown as "proposed opening" on Misc. Plan No. 11562 (Schedule "A"). L'Accueil Colombien would then convert the existing public lane, identified as "proposed closing" on Schedule "A", to a parking area.

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the relocation of the lane.

L'Accueil Colombien Inc. intends acquire the existing public lane in exchange for the portion of its property required for the new lane. The existing lane must be legally closed before this exchange may occur. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City's name. The City is not entitled to dispose of the lane until this has been done.

The Transportation Division of the Public Works Department will require the applicant to enter into a Servicing Agreement for the construction, in portland cement concrete, of the new lane turn-out, the relocated lane pavement, the restoration of the curb and boulevard as necessary and all related works, all as to be determined by and to the satisfaction of the Director of Public Works.

The Transportation Division also requires the 5 metre by 5 metre area at the south end of the proposed closing as illustrated on Schedule "A" to remain open to allow large vehicles (refuse collection trucks, snow plows) to negotiate the corner.

The Geomatics Branch of the Planning, Property and Development Department has advised L'Accueil Colombien Inc. that it will be responsible for all costs related to this project. In addition to the construction costs, L'Accueil Colombien Inc. will assume, as one of the terms of the exchange of lands, the responsibility for the preparation and registration in the Winnipeg Land Titles Office of the legal documents required to effect the closing of the lane and its transfer. These documents will include a plan prepared by a Manitoba Land Surveyor delineating the boundaries of the lane being closed and the lane being opened and may include a second plan delineating the boundaries of any portions of the land affected by easements.

The Geomatics Branch also advised the applicant that the City of Winnipeg will require consolidation of title to the closed lane with the title to 200 rue Masson and that this will require the formal consent of all parties that have a registered interest in the L'Accueil Colombien Inc. property.

L'Accueil Colombien Inc. was advised that the Community Planner's support of their project was conditional on the approval from the property owner adjoining the lane to the west. L'Accueil Colombien has contacted the property owner, Tim Watt, and advised that Mr. Watt has no objections to the proposal, subject to two conditions. Mr. Watt has shrubs along this side of his property and a walk leading to a side entrance to his house. Mr. Watt wants a "no parking" area delineated by painted lines opposite this walkway access, and he wants a parking fence built between his shrubs and the parking lot with sufficient space for his maintenance of the shrubs. L'Accueil Colombien has agreed to these conditions.

The Zoning and Permits Branch has advised that the use of the closed lane as a parking area will require a zoning variance.

The Water and Waste Department and Manitoba Hydro will require easements for the maintenance of their services in the closed lane. No improvements other than paving and fencing will be allowed in this area.

On July 9, 2002, the Riel Community Committee held a public hearing to consider the above proposed closing application. One person appeared in support of the application, and no one registered in opposition thereto.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

The Community Committee concurred in the recommendation contained in the report dated July 2, 2002 from the Real Property Officer, Planning, Property and Development Department, and recommended approval of the proposed street closing.

On September 10, 2002 the Standing Policy Committee on Property and Development concurred in the July 9, 2002, recommendation of the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed closing of part of the public lane west of 200 rue Masson, as outlined on Misc. Plan No. 11562 (Schedule “A”), be approved.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the lane opening and closing in accordance with Misc. Plan No. 11562 (Schedule “A”).

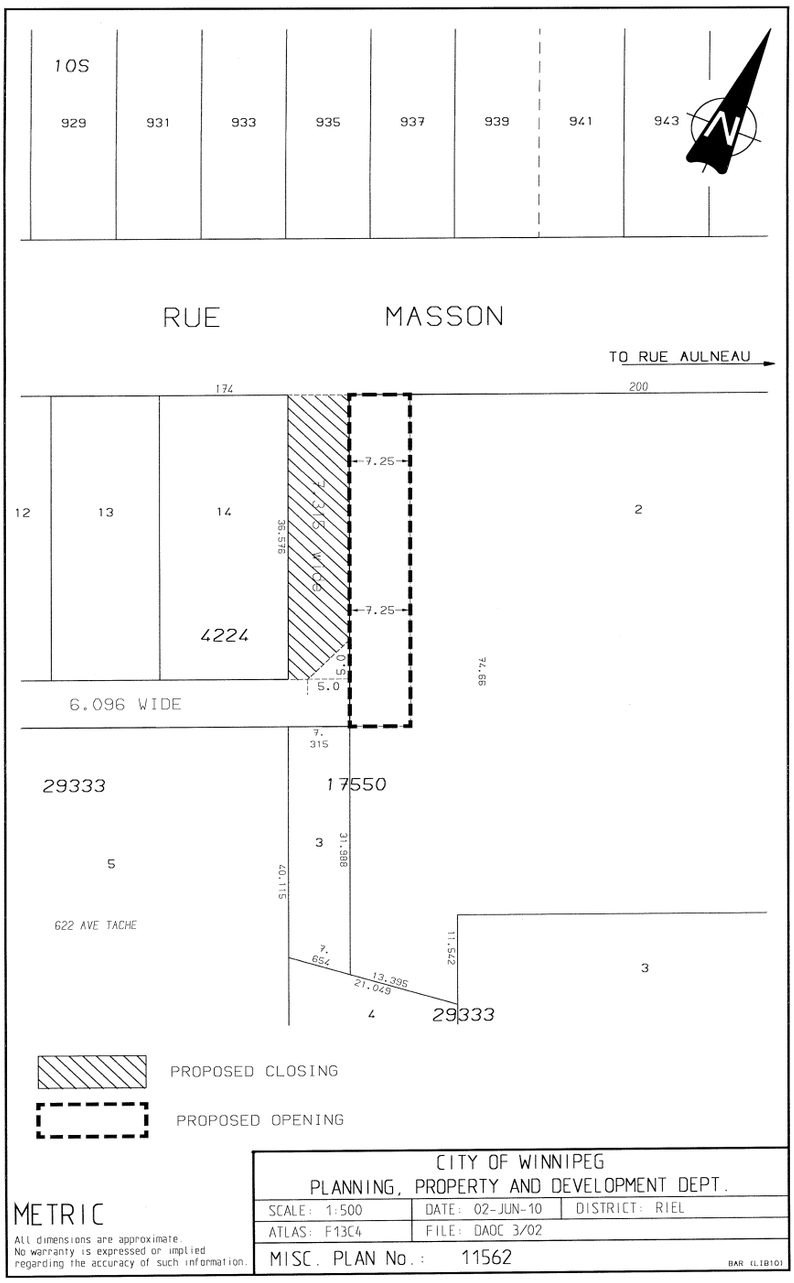
III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 2 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Plan of Subdivision and Rezoning - land located north of Murray Avenue, west of Donan Street

File DASZ 16/2001

719 - 3. The Standing Policy Committee on Property and Development has been advised that an application has been received from the Lombard North Group 1984 Ltd. (David Palubeski), 505 - 93 Lombard Avenue, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from an "R1-20" Single-Family District and an "R1-5" Single-Family District to an "PR-2" Parks and Recreation District and an "R1-4" Single-Family District to allow for the establishment of a school site and the creation of sites for single family development.

The Seven Oaks School Division is proposing to construct a future school (K-9 and/or a middle school) on the site at some time in the next five years. In the interim, (probably coinciding with the installation of Carsdale Drive in 2003 or 2004) the housing component totalling 40plus lots will be initiated. Primary access to the future school and future housing will be via Murray Ave. with, as mentioned, a secondary access to the future Carsdale right-of way. There are no details, at this point, regarding the specific location of the future school buildings or playground areas.

On July 17, September 11, October 9, and December 4, 2001, February 12, March 19, April 16 and June 18, 2002, public hearings were held before the Lord Selkirk-West Kildonan Community Committee. Eight persons appeared in support of the application, no one registered in opposition thereto, and thirteen persons registered for information.

On June 18, 2002, the Lord Selkirk-West Kildonan Community Committee concurred in part in the recommendation contained in the report dated June 11, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the plan of subdivision and related rezoning for the following reasons:

1. Development proposal 3 represents a plan supported by the community, as evidenced by the show of support and the lack of opposition at the most recent public hearing.

2. The plan approval process will afford area residents an opportunity to provide input on building locations, approaches, parking areas, landscaping, fencing, exterior lighting and garbage receptacle locations.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Plan of Subdivision and Zoning Change Report dated July 15, 2002, from the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 16/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/2001 dated June 11, 2002 for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated May 24, 2002 with the following amendments:

      1. That Clause 4.b) be deleted in its entirety.

      2. That Clause 5.b) be deleted and replaced with the following new Clause 5.b):
         "5.b) The Developer may stage the construction of the north cul-de-sac with connection to Carsdale Drive and the south cul-de-sac with connection to Murray Avenue. The staging of development other than the cul-de-sacs within the Planned Area shall ensure that two paved means of access are available at all times to the satisfaction of the Director of Public Works and may require construction of temporary roadways and the provision of easement or right-of-way therefore."

      3. That Clause 11 be amended by adding at the end thereof the following words, namely, "multiplied by 18 metres; being the new street frontage onto Carsdale Avenue."

      4. That Clause 15 be amended by adding the following words after the words "City policy", namely, "applied to the lands being rezoned to 'R1-4' and not to the lands being rezoned to 'PR-2'."

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule " A" for File DASZ 16/2001 dated June 11, 2002 to an "R1-4" Residential District and a " PR-2" Parks and Recreational District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject site to include the following conditions:

A. That final site plans for development of the proposed "PR-2" Parks and Recreation District lands showing building locations, approaches, parking areas, landscaping, fencing, exterior lighting and garbage receptacle locations, shall be submitted to the Administration and the Lord Selkirk-West Kildonan Community Committee for approval prior to the issuance of any building permits.

B. That prior to the submission of the aforesaid site plans to the Lord Selkirk-West Kildonan Community Committee for approval; the Developer shall hold a well-advertised public meeting for the purposes of consulting with area residents and affording them the opportunity to provide input thereon.

IV. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VIII. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the passage of the aforementioned by-law.

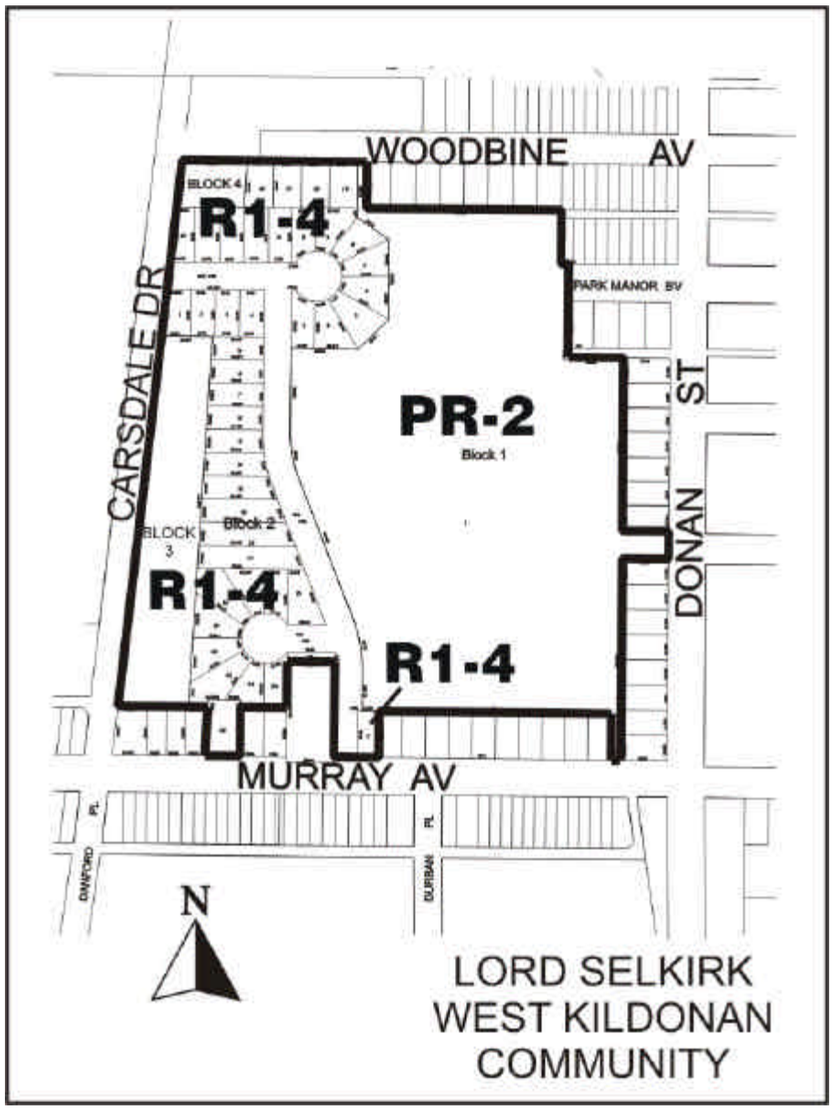
IX. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after the adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See next page for attatchment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 3 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



This is Schedule “A” for File DASZ 16/2001 dated June 11, 2002.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Subdivision and Rezoning - land located north of Beecher Avenue opposite Diplomat Drive
File DASZ 27/2001 [c/r DAC 22/2001]

720 - 4. The Standing Policy Committee on Property and Development has been advised that an application has been received from D.W.E. Holdings Limited (Warren Earl), 85 Wiebe's Drive, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from an "R1-20" Single-Family District to an "R1-4.5" Single-Family District to allow for the creation of sites for single-family development.

The applicant proposes to establish a residential subdivision of 33 lots accessed off of Beecher Avenue. The lots will range in width from 45 feet to 57 feet on the larger pie shaped lots. The land is fully serviced by a full range of services.

On June 18 and July 16, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject subdivision and rezoning application. Two persons registered in support of the application, and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred, in part, in the recommendation contained in the report dated June 11, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department.

The Community Committee recommended approval of the plan of subdivision and related rezoning for the following reasons:

1. The proposed development will address a shortage of residential lots in the area.

2. The proposed development will be expensive for the Developer to develop, but very economical for the City as this is infill development.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Plan of Subdivision and Zoning Change Report dated July 26, 2002, from the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 27/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 27/2001 dated June 11, 2002, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated May 23, 2002 and the amendments contained in the supplementary report dated June 27, 2002, with the following exception, namely:

      1. That the following new sentence be added at the end of the second paragraph of Clause 8.c) of the report of the Administrative Coordinating Group dated May 23, 2002, namely, "The Developer shall not be responsible for required remedial works on granular sections of the haul roads (Ferrier Street)".

   B. That the Developer be required to pay to the City ten percent (10%) cash dedication in lieu of land dedication, to be calculated on the basis of thirty three additional building site(s) being created.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 27/2001 dated June 11, 2002, to an "R1-4.5" Residential District.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

IV. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

VIII. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

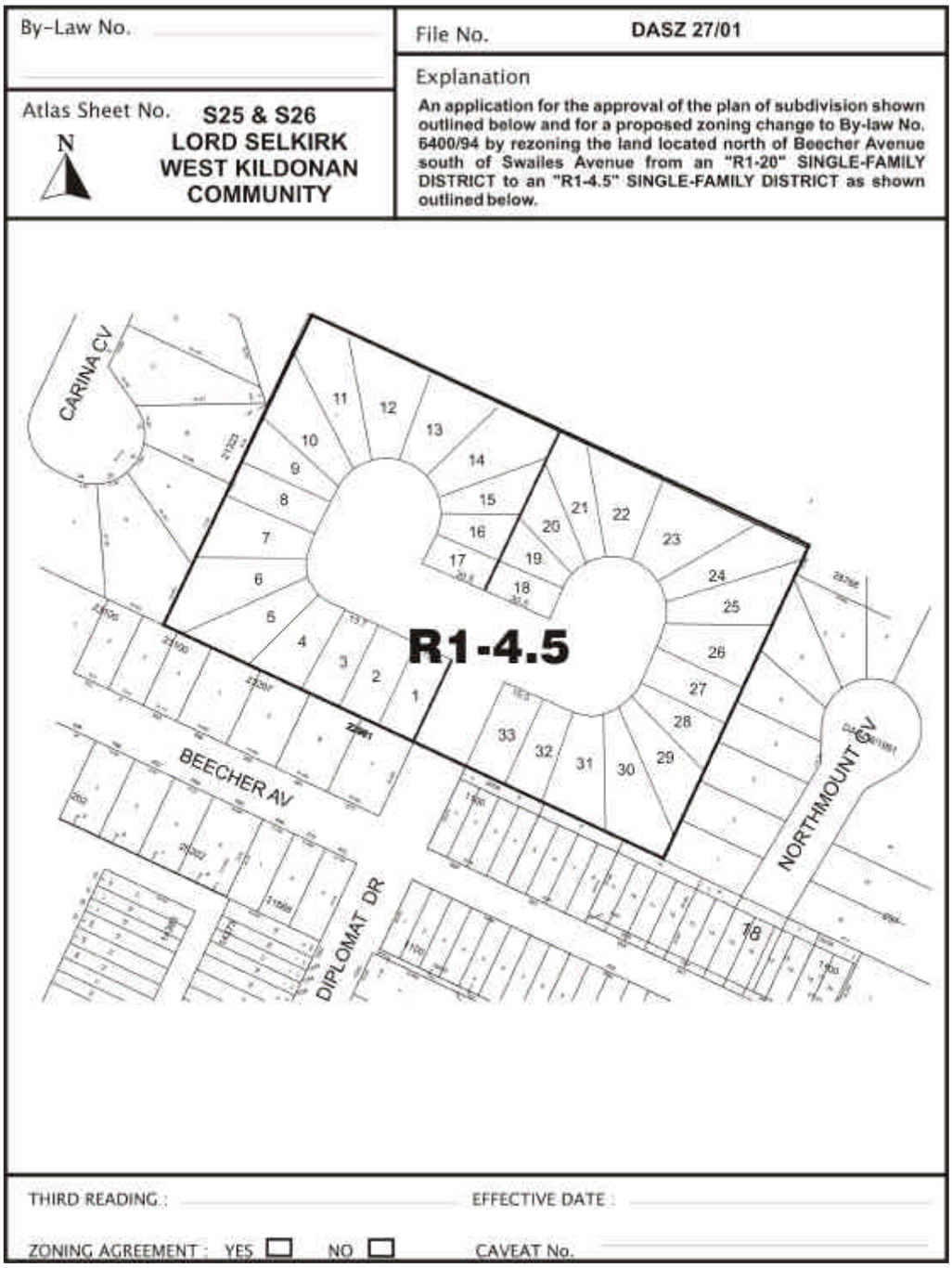
IX. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 4 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Closing of part of Swailes Avenue, east of Carina Cove
File DAC 22/2001 [c/r DASZ 27/2001]

721 - 5. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department has received a request from Warren Earl (D.W.E. Holdings Limited, 85 Wiebe's Drive, Winnipeg) to include a portion of Swailes Avenue into File DASZ 27/2001, an application to subdivide and rezone the adjoining lands. A portion of the street west of the subdivision is also proposed to be closed. The City will obtain title to this land and offer it for sale.

The proposal has been considered by all affected City departments and public utilities. There are no administrative objections to the closing.

The Transportation Division of the Public Works Department has advised that its approval of the closing is subject to the undertaking of all works necessary to modify the proposed terminus of Swailes Avenue at Carina Cove to reflect the permanent street closure. These works are to be determined by and to the satisfaction of the Director of Public Works and will include concrete pavement and sidewalk removal and construction, curb removal and construction, land drainage modifications and landscaping.

None of the services noted in the Transportation Division's comments are contained within the limits of the subdivision. The works noted in the Transportation Division's comments are contained within the portion of the street to be closed west of the subdivision. The City of Winnipeg will assume the costs of these works.

Any requirements for the removal, relocation or replacement of any service or improvement or for easements for utilities in the portion of the street contained within the subdivision will be addressed through the subdivision application.

The area of the streets being opened by the subdivision exceeds the area of the street being closed. In accordance with City policy, the closed portion of Swailes Avenue will be transferred to the applicant for $1.00.

The street must be legally closed before it may be transferred. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City's name. The City is not entitled to dispose of the land until this has been done.

On July 16, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the above proposed closing application. Two persons appeared in support of the application, and one person registered in opposition thereto.

The Community Committee concurred in the recommendation contained in the report dated May 23, 2002 from the Real Property Officer, Planning, Property and Development Department, and recommended approval of the proposed street closing.

On September 10, 2002 the Standing Policy Committee on Property and Development concurred in the July 16, 2002 recommendation of the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed closing of part of Swailes Avenue, east of Carina Cove, as outlined on Misc. Plan No. 11343/1 (Schedule "A"), be approved.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with Misc. Plan No. 11343/1 (Schedule "A").

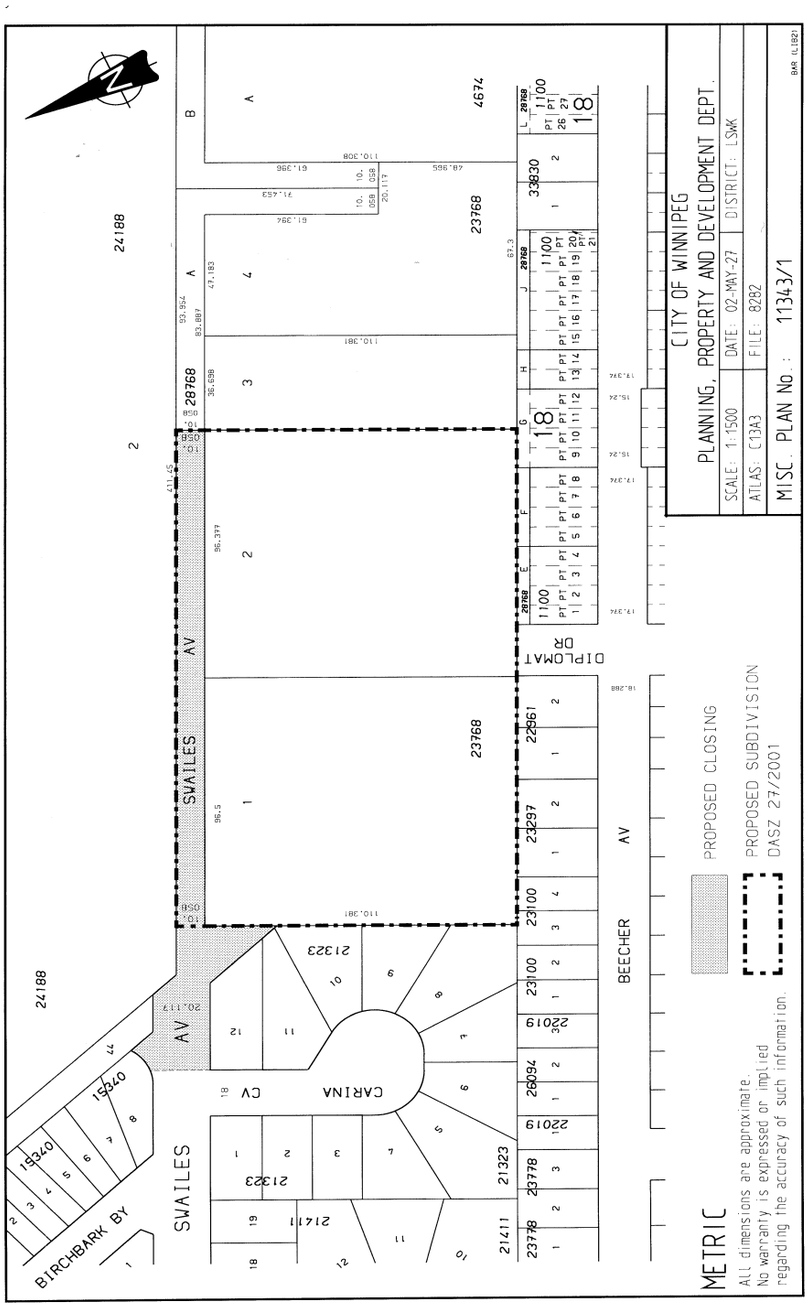
III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 5 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Subdivision and Rezoning - land located at Aldgate Road between Eastcote Drive and Highbury Road
File DASZ 6/2002 [c/r DASZ 31/84]

722 - 6. The Standing Policy Committee on Property and Development has been advised that an application has been received from Qualico Developments (Winnipeg) Ltd. (Lyne Jones), 30 Speers Road, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from an "A.5" Agricultural District to a "PR1" Parks and Recreation District and "R1-3.5"Single-Family District and an "R1-4" Single-Family District to allow for the creation of sites for single-family development, and considering a special yard set back along the retention ponds.

The applicants propose to complete rezoning and subdividing the subject lands in the subject area in order to facilitate future single-family housing development. The subject area has for many years been designated as a temporary odour zone area, which meant that residential development could not take place until the adjoining South End Treatment Plant had been satisfactorily upgraded. That has now been done allowing the applicants to proceed with their development of the area. The proposed lot sizes are consistent with existing neighbouring subdivisions to the west, east and north. The development will to all intents and purposes also realize the connection of Aldgate Road West and Aldgate Road East providing alternative and improved access for residents to Dakota St., St. Anne's Road and St. Mary's Road. Provision for a four (4) acre school site is also centrally sited as part of the plan.

On July 29, 2002, the Riel Community Committee held a public hearing to consider the subject subdivision and rezoning application. Two persons registered in support of the application, no one registered in opposition thereto, and five persons registered for information thereon.

The Riel Community Committee concurred in part, in the recommendation contained in the revised report dated July 22, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report dated August 8, 2002, from the Riel Community Committee, with the following amendment, which has been incorporated in the below recommendations, namely:

- Add the following to Recommendation I.A.

  3. That a new Clause 6 be added as follows:
     6. By adding the following clause dealing with the provision of a school site:

     "The Developer shall grant an option to the City for $1.00, which option shall be fully assignable to the Louis Riel School Division, to purchase an additional school site of 4 acres as shown on Schedule "A", which option shall include but not be limited to the following terms and conditions:

     i) The option shall be for five (5) years,

     ii) The terms and conditions of the purchase shall be determined by the Standing Policy Committee on Property and Development with the land cost at the City's standard value for acquisition for public use as determined and set from time to time by the City and the cost of installing all required improvements fronting or abutting the school site shall be at the City's uniform or pooled rate for Local Improvements for the year in which construction takes place or the actual cost of construction, whichever is the lesser as determined by the City."

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

The Standing Policy on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 6/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/2002 dated July 22, 2002, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into an Addendum to Development Agreement 31/84 with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated June 21, 2002, with the following amendments:

1. That paragraph 4 be deleted in its entirety.

2. That a new Clause 5 be added as follows:

5. By adding a clause to the effect that the Developer shall be required, within one year following the registration of the plan of subdivision approved under DASZ 6/2002, to construct the paths located at the rear of Tilstone Bay and Highbury Road and within the existing areas to the north.

3. That a new Clause 6 be added as follows:

6. By adding the following clause dealing with the provision of a school site:

"The Developer shall grant an option to the City for $1.00, which option shall be fully assignable to the Louis Riel School Division, to purchase an additional school site of 4 acres as shown on Schedule "A", which option shall include but not be limited to the following terms and conditions:

i) The option shall be for five (5) years,

ii) The terms and conditions of the purchase shall be determined by the Standing Policy Committee on Property and Development with the land cost at the City's standard value for acquisition for public use as determined and set from time to time by the City and the cost of installing all required improvements fronting or abutting the school site shall be at the City's uniform or pooled rate for Local Improvements for the year in which construction takes place or the actual cost of construction, whichever is the lesser as determined by the City."

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 6/2002 dated July 6, 2002, to a "PR-1" Parks and Recreation District, a "R1-3.5" Single Family District and a "R1-4" Single Family District.

IV. That Winnipeg Zoning By-law No. 6400/94 be amended to establish the following special alignments abutting storm water retention basins:

A. A setback of 25.9 metres (85 feet) from the rear lot line to any dwelling;
B. A setback of 20.4 metres (67 feet) from the rear lot line to any detached accessory dwelling;
C. A setback of 12.8 metres (42 feet) from the rear lot line to any temporary structure or swimming pool not enclosed within a building.

V. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

VI. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VII. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement.

VIII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

IX. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

X. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 6 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002

By-Law No.

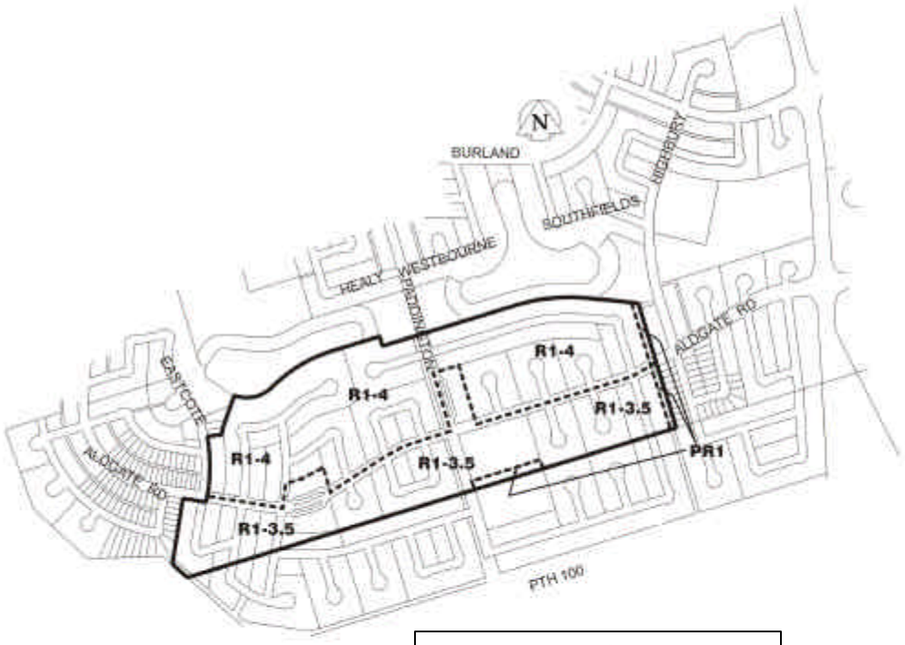
File No. DASZ 6/02

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land north of the Perimeter Highway, west of Dakota Street from an "A.5" AGRICULTURAL DISTRICT to a "PR1" PARKS AND RECREATION DISTRICT, an "R1-3.5" SINGLE-FAMILY DISTRICT and an "R1-4" SINGLE-FAMILY DISTRICT as shown outlined below.

Atlas Sheet No. AL27 RIEL COMMUNITY

N



Schedule “A” for File DASZ 6/2002, Riel Community Committee, July 22/02

THIRD READING : EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Plan of Subdivision and Rezoning - land located at 1220 Pandora Avenue West File DASZ 11/2002 [c/r DAV 491/2001C]

723 - 7. The Standing Policy Committee on Property and Development has been advised that an application has been received from Jannes P. Wiersema, 62 Bernard Bay, Winnipeg, for approval of a plan of subdivision and related zoning change to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land from a "A-5" Agricultural District to a "R1-5" Residential District.

The applicant intends to create two lots and rezone the subject property from "A-5" Agricultural District to "R1-5" Residential District. The most westerly 71 feet of the subject property will be Lot 1, and the remaining 60 feet will be Lot 2. Lot 1 will be 9,230 square feet and Lot 2 will be 7,800 square feet. Both lots will front on Pandora Avenue West and have access to the public lane to the rear.

The applicant was previously granted a variance (under File DAV 491/01C) to construct a one-story 1,400 square foot single-family residential building with an attached garage on a non-conforming "A-5" parcel. The residential building is on the east side of the lot on the proposed Lot 2.

On July 9, 2002, the East Kildonan-Transcona Community Committee held a public hearing to consider the subject subdivision and rezoning application. One person appeared in support of the application, two persons registered in opposition thereto, and one person registered for information thereon. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The Community Committee agreed with the administrative comments contained in the report dated May 27, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report dated July 15, 2002, from the East Kildonan-Transcona Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule 'A' for File DASZ 11/2002 dated May 27, 2002, to "R1-5" Single Family Residential District.

II. That the plan of subdivision proposed under File DASZ 11/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 11/2002 dated May 27, 2002, for registration in the Winnipeg Land Titles Office.

III. That a ten percent (10%) dedication be made by a payment of a sum of money to the City of Winnipeg in lieu of the requirement for land dedication based on the creation of additional building sites if applicable.

IV. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

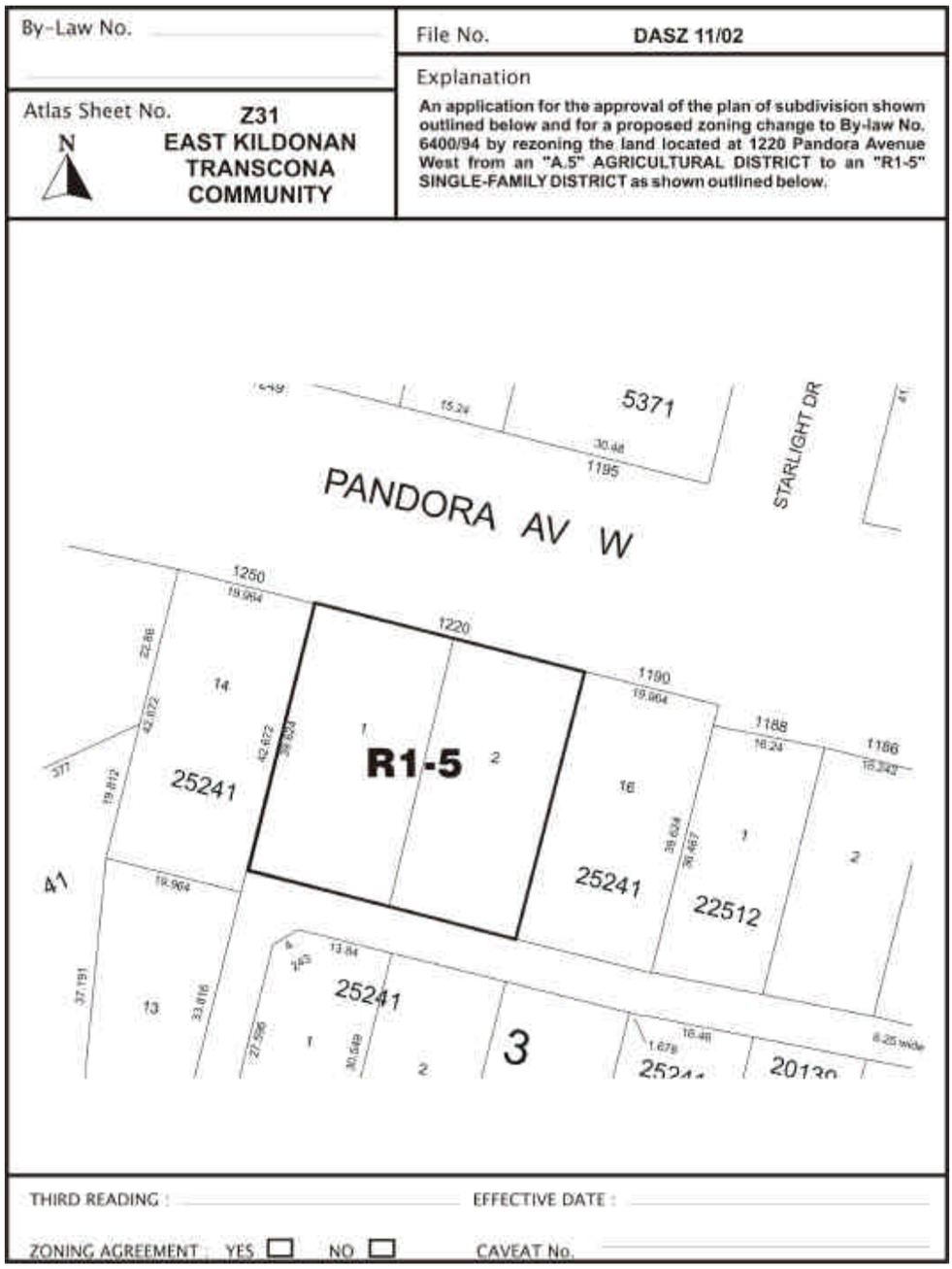
VII. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 7 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Plan of Subdivision and Rezoning - land located at 545 (549) Broadway, 178 Colony Street
File DASZ 14/2002 [c/r DAV 585/2002D]

724 - 8. The Standing Policy Committee on Property and Development has been advised that an application has been received from Thompson Dorfman Sweatman (Richard Adams), 2200-201 Portage Avenue, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from a "RM-6" Multiple-family District to a "C1.5" Commercial District and by consolidating the land into two parcels, as shown on Schedule "A", for the purpose of establishing a medical clinic, social services offices, and a financial institution.

The Klinic Community Health Centre occupied 545 Broadway prior to relocating to their current building at Portage and Home. The proposal is to renovate and reoccupy 545 Broadway, and to construct a four-storey, office building on 549 Broadway that will wrap around the north and west sides of the heritage house with internal connections between the two structures on the main and second floors. The lot at 178 Colony will be developed as a driveway from Colony to Good providing access to 12 parking stalls tucked under the rear of the office building. Space in the new office building would be leased to the Winnipeg Regional Health Authority and the Assiniboine Credit Union.

On August 20, 2002, the City Centre Community Committee held a public hearing to consider the subject subdivision and rezoning application. Six persons registered in support of the application, and one person registered in opposition thereto.

The City Centre Community Committee concurred in the recommendation contained in the revised report dated August 1, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. There is general agreement in the neighbourhood that the restoration of this building and the return of Klinic represent a net benefit.

2. The Planning, Property and Development Department is of the opinion that, overall, the scale of the project is consistent with existing office and apartment development in the area given that the West Broadway area is in the midst of a major revitalization effort supported by area residents and all levels of government.

3. The Planning, Property and Development Department is of the opinion that the rehabilitation of Wilson House for the provision of needed community services, and the addition of a lending institution to the community, will benefit West Broadway.

4. As it involves changes to a heritage building, the proposed addition is under review by the city's Historic Buildings Committee, which has reserved judgement on the application pending the outcome of the current public hearing as their deliberations will be informed by the importance of this development to the neighbourhood as a whole.

5. A representative of the West Broadway Development Corporation, which is sufficiently organized and experienced in development matters to respond as they see fit to the present proposal, has indicated that the neighbourhood is generally accepting of the project despite misgivings concerning the size of the building.

6. The applicant has agreed to a seven (7) foot building setback from Broadway to allow for the possible future widening of Broadway. The seven (7) foot setback may be desirable for reasons unrelated to traffic as the additional space would make the corner more pedestrian-friendly, would improve the relationship of the building to the street and would soften somewhat the abrupt transition to Wilson House which is set back about fifty (50) feet from Broadway.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report dated August 30, 2002, from the City Centre Community Committee.

The Standing Policy on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 14/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14/2002 dated August 1, 2002, for registration in the Winnipeg Land Titles Office.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

II. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 14/2002 dated August 1, 2002, to a "C1.5" Commercial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to proposed Parcels "A" and "B" to include the following conditions:

A. That the uses on the land be restricted to the following:
1. bank, credit union or similar financial institution
2. banking/teller machines
3. day care centre
4. medical or health related offices and clinics
5. offices
6. accessory parking
7. accessory uses
8. studio

B. That no buildings, signs or permanent structures be located within the most southerly 2.134 metres (7 feet) of proposed Parcel "A" directly abutting the current Broadway right-of-way.

C. That, prior to the issuance of a development permit, plans showing the site layout, access, parking, fencing, landscaping, garbage enclosures, site lighting, exterior elevations and materials, and signage be submitted for the approval of the City Centre Community Committee.

III. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land on proposed Parcel "B".

IV. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

VII. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

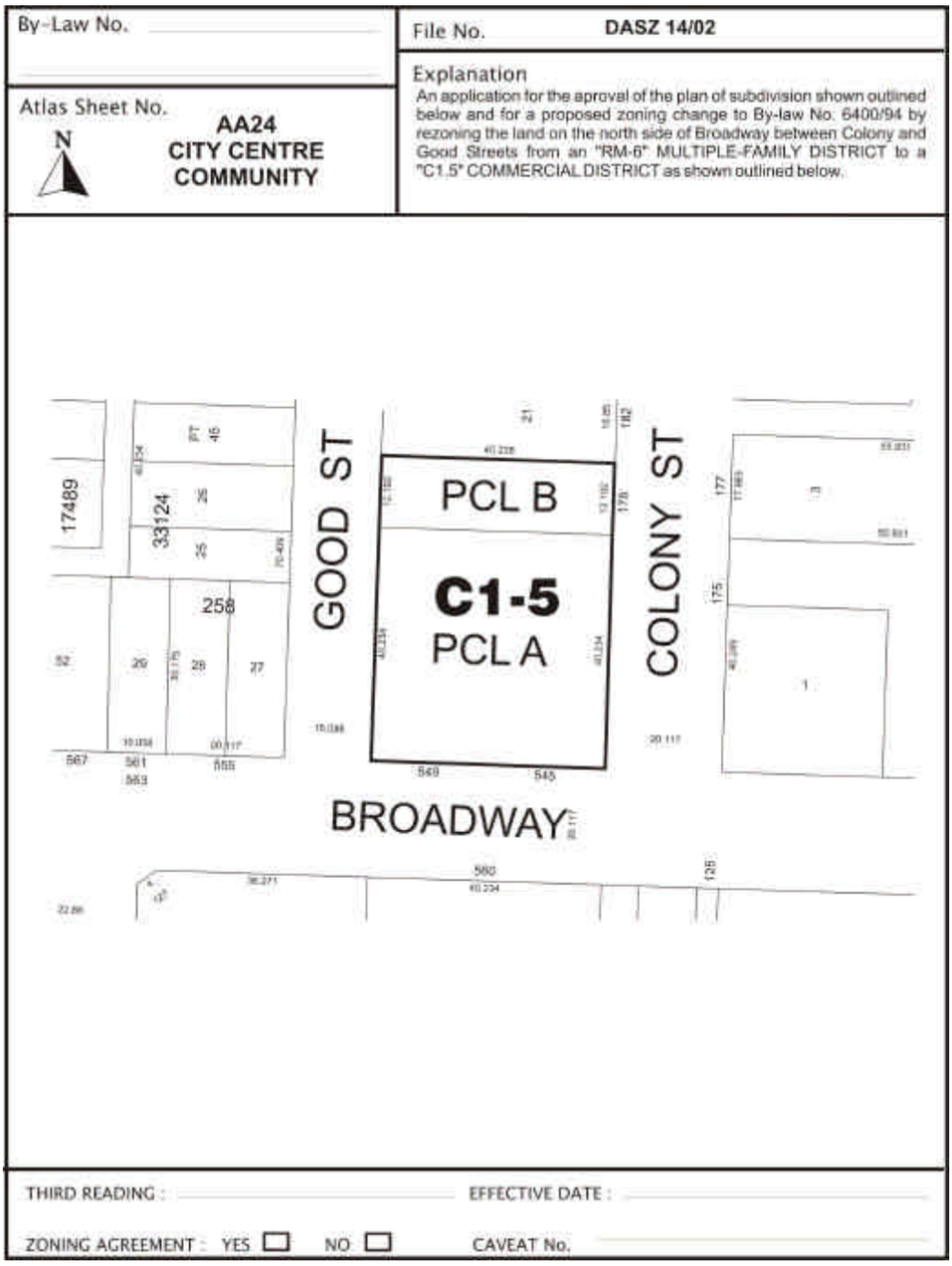
VIII. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 8 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Rezoning - land located at 230 Princess Street
File DAZ 207/2002 [c/r DCU 103/2002D]

725 - 9. The Standing Policy Committee on Property and Development has been advised that an application has been received from the Director of Planning, Property and Development to adjust the boundaries of the Downtown Winnipeg Zoning By-law No. 4800/88 so as to include the property known as 230 Princess Street within the Downtown Winnipeg Zoning By-law, as follows:

1. Amend the Winnipeg Zoning By-law No. 6400/94 by deleting the area affected;
2. Amend the Downtown Winnipeg Zoning By-law No. 4800/88 by adding the area affected;
3. Rezone the land in the area affected from an "M1" Industrial District to the following designations:

"Rc" Residential Use Group	"P/L2" Parking/Load Range
"Nre" Non-Residential Use Group	"S-3" Sign Range
"BR-2" Bulk Range	"HW" Design Review

This application is desirable in order to simplify development of the subject housing project by having, in the final analysis, just one set of zoning regulations (Downtown Winnipeg Zoning By-law) apply to the site rather than two sets of zoning regulations (Downtown Winnipeg Zoning By-law and Winnipeg Zoning By-law). The proposed expansion of Downtown Winnipeg Zoning By-law boundaries will provide a more straightforward set of regulations and approval procedures for both this site and the new Campus site lying several blocks to the south. The proposed new zoning categories ("Rc", "Nre", "BR-2", "P/L2", "S-3" and "HW") also mirror the zoning designations currently applicable to the Princess Block and to the majority of the Exchange District. An accompanying application under File DCU 103/2002D is required to permit what is referred to under the by-law as a lodging house use and also to permit the establishment of an accessory loading area. As is the case in the entire downtown area, Downtown Design Board approval will be at some point be required. Because the subject properties are to be included within the Historic Winnipeg Restoration Area (HW), a recommendation from the Winnipeg Historic Advisory Committee will also be necessary. It should be noted that in order to ensure that the proposed housing facility continues to function as a student housing complex, the Administration will be recommending, as a condition of approval within the accompanying conditional use application, that use of the site be restricted to student lodging and accessory uses.

On June 18 and July 16, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject rezoning application. One person registered in support of the application and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the revised report dated July 3, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Change Report dated July 26, 2002, from the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by removing the subject properties, as shown on Schedule "A" for File DAZ 207/2002 dated June 11, 2002.

II. That Downtown Winnipeg Zoning By-law No. 4800/88 be amended by adding the subject properties, as shown on Schedule "A" for File DAZ 207/2002 dated June 11, 2002.

III. That Downtown Winnipeg Zoning By-law No. 4800/88 be amended by rezoning the subject properties, as shown on Schedule "A" for File DAZ 207/2002 from an "M1" Industrial District to the following:

"Rc"	Residential Use Group
"NRe"	Non-Residential Use Group
"BR-2"	Bulk Range
"P/L2"	Parking/ Loading Range
"S-3"	Sign Range
"HW"	Design Review

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

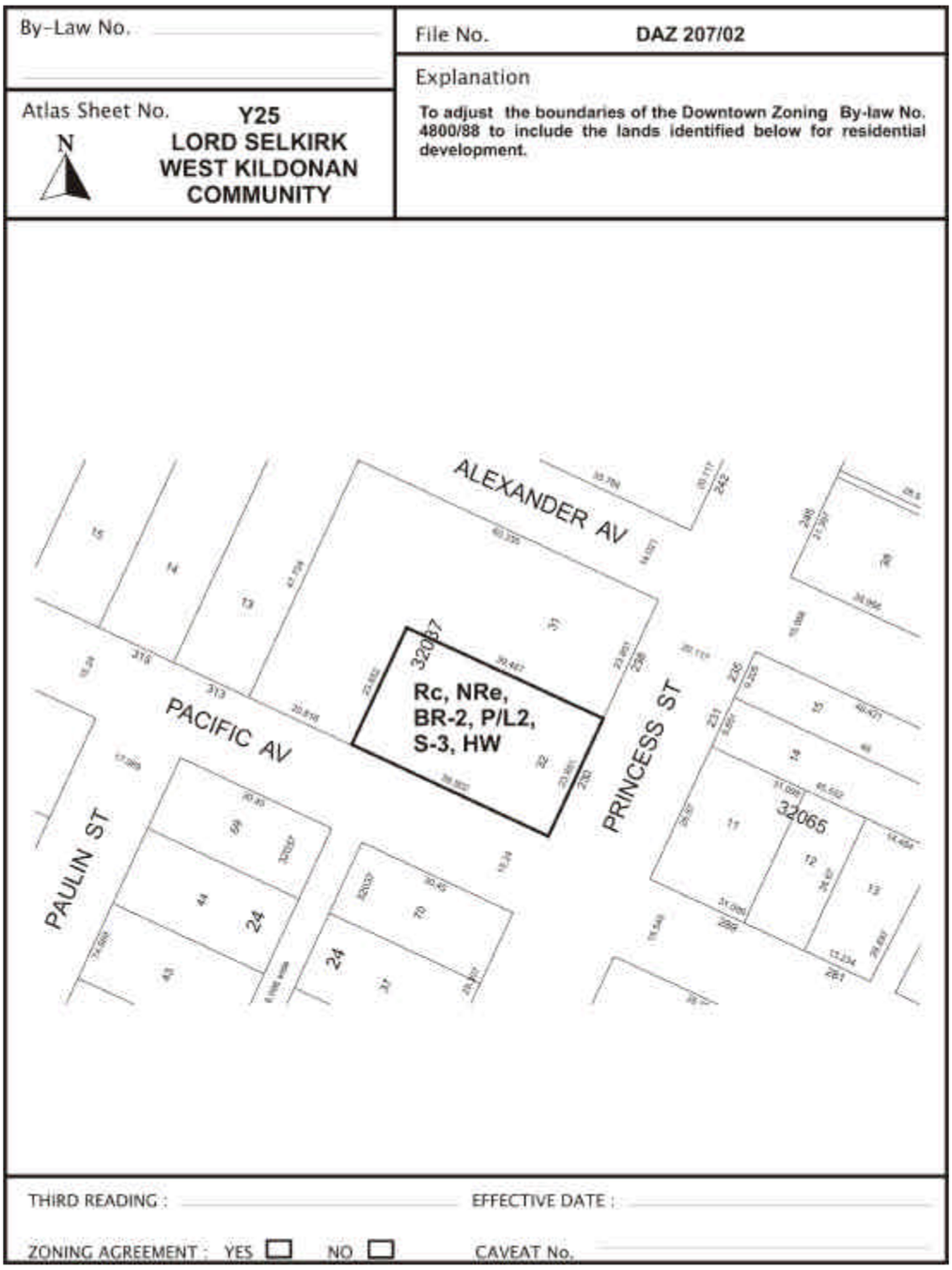
V. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 9 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Rezoning - land located at 818 Waverley Street, southeast corner of Mathers Avenue

File DAZ 213/2002

726 - 10. The Standing Policy Committee on Property and Development has been advised that an application has been received from Geraldine and Melvin James Welby, 3 Jacquet Bay, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land from an "R1-4A" Single-Family Residential District to an "R2A" Two-Family District to allow for the creation of site for a two-family dwelling.

The proposal is to rezone the subject site to permit construction of a two-family dwelling. The lot is being purchased from the City of Winnipeg. Part of the lot is being retained by the City for the future grade separation of Waverley Street at the CN mainline. The proposed dwelling is a two-storey, side-by-side with parking for seven (7) vehicles off the public lane that bounds the south limit of the property.

The dwelling is oriented towards Waverley Street and provides a 25-foot setback from Mathers Avenue, a 20-foot setback from Waverley Street, a 5-foot setback from the property limit on the east, and a 25-foot setback from the public lane. The footprint of the dwelling is about 3, 230 square feet including Unit 1 at 1,590 square feet (north unit) and Unit 2 at 1,640 square feet. The principal living area is provided on the second floor. The main floor is depressed into the ground about 4 feet, and provides room to expand the living area plus mechanical and storage space. A related application under DCU 125/2002D would permit the main level of Unit 2 (south unit) to be occupied by an upholstery home business. For this purpose, a passage door is provided leading from the basement to the parking area on the south face of the dwelling.

On July 9, 2002, the City Centre Community Committee held a public hearing to consider the subject rezoning application. Three people registered in support of the application and twenty-eight registered in opposition thereto.

The City Centre Community Committee concurred in the recommendation contained in the report dated June 17, 2002 from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. The proposal complies with Plan Winnipeg

2. Part of the lot is being retained by the City of Winnipeg for the future grade separation of Waverley Street at the CN mainline.

3. The Planning, Property and Development Department supported the subject application.

4. Since this lot and the similar lot on the west side of Waverley Street were offered for sale by the City, the Department has responded to numerous proposals for their development for commercial use, office use, and apartment development.

5. The proposed construction of a duplex is appropriate given the location of the lot and the neighbourhood context.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Change Report dated July 17, 2002, from the City Centre Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 213/2002 dated June 17, 2002, to an "R2A" Two-Family Residential District.

II. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

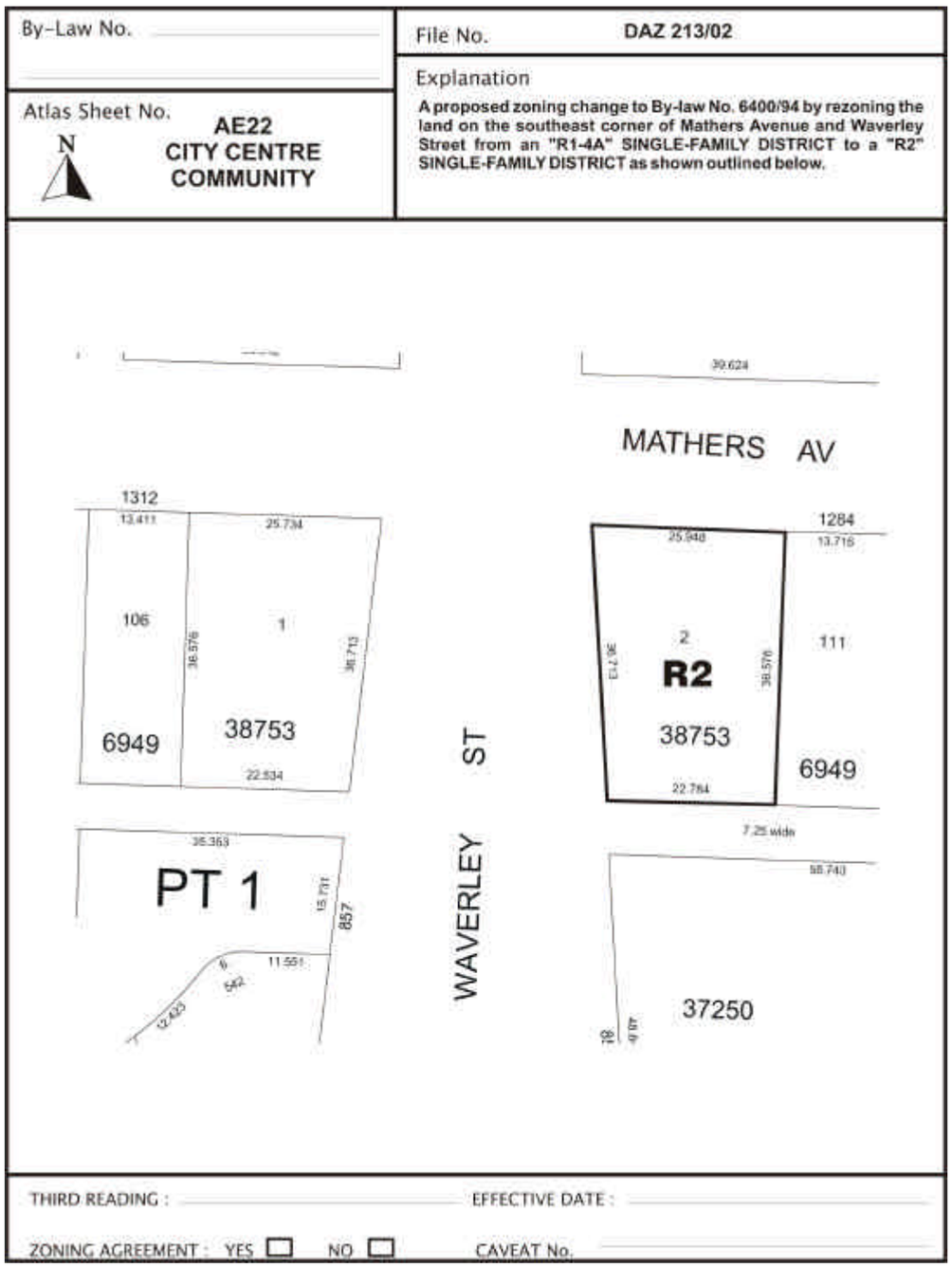
V. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 10 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Rezoning - land located at 941 Corydon Avenue, north side between Stafford Street and Wentworth Street
File DAZ 214/2002 [c/r DAV 475/2002D]

727 - 11. The Standing Policy Committee on Property and Development has been advised that an application has been received from Duboff Edwards Haight and Schachter (Murdoch MacKay), 1900 - 155 Carlton Street, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land from an "RM-4" Multiple-Family District to a "C1.5" Commercial District to allow for commercial development.

The proposal is to rezone a property containing a vacant building that was previously occupied by a branch of the Toronto Dominion Bank. It is a one-storey structure with a main floor area of about 2,600 square feet and a basement area of similar size. Parking for seven (7) vehicles (plus a substandard loading zone) is provided to the rear off the public lane. The property is presently zoned for residential use and the owners wish to pursue commercial leasing opportunities.

On July 9, 2002, the City Centre Community Committee held a public hearing to consider the subject rezoning application. Two persons registered in support of the application and one person registered in opposition, but during the public hearing withdrew her opposition.

The City Centre Community Committee concurred in the recommendation contained in the report dated June 17, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. The proposal complies with Plan Winnipeg.

2. Corydon Avenue is developed with a mixture of commercial and residential buildings in the vicinity of the site.

3. The owner of the subject property controls most of the block between Stafford Street and Wentworth Avenue including the properties at 911-915 Corydon Avenue (office/Laundromat), the Maple Leaf Apartments at 915 Corydon Avenue (56 units), the commercial building at 925 Corydon Avenue (Ormiston's Florists) and the commercial building at 929 Corydon Avenue (applicant's office/dentist).

4. The related zoning variance would not allow the building to accommodate a restaurant.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in Zoning Change Report dated July 17, 2002, from the City Centre Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 214/2002 dated June 17, 2002, to a "C1.5" Commercial District.

II. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

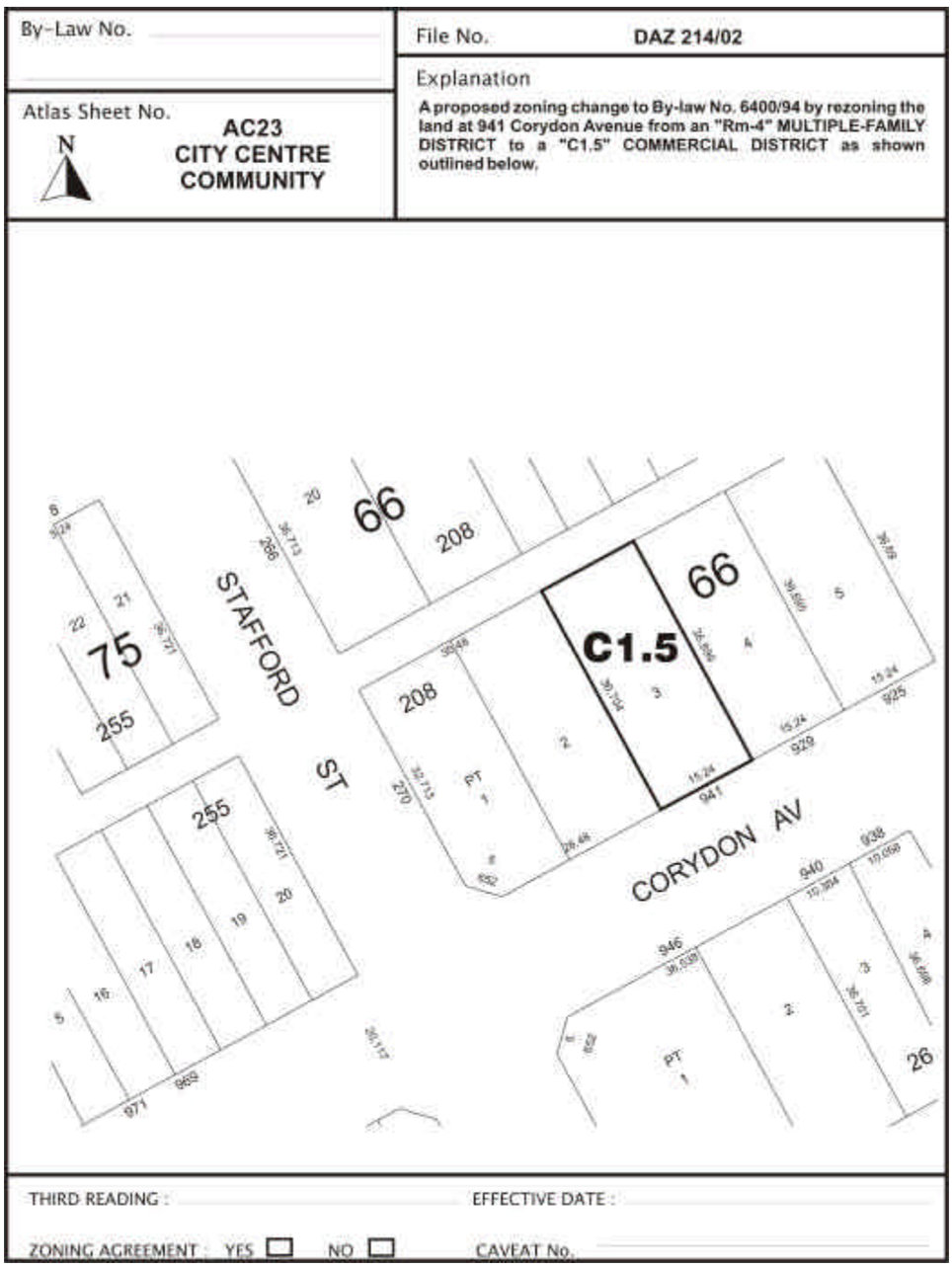
V. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 11 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Zoning Agreement Amendment - land located at 1625 Kenaston Boulevard, northeast corner of McGillivray Boulevard File ZAA 5/2002 [c/r DASZ 3/2002]

728 - 12. The Standing Policy Committee on Property and Development has been advised that an application has been received from ND Lea Engineers and Planners Inc. (Donovan Toews), 111 - 93 Lombard Avenue, Winnipeg, to amend the Zoning Agreement affecting the subject property by deleting the prohibition that there be no outside storage on the land.

The parcel was recently rezoned under File DASZ 3/2002 to "C2" Commercial District, subdivided from the City of Winnipeg/Genstar Development Company joint venture lands to the east, and consolidated with the First Professional Shopping Centre site. This was done in order to accommodate a large, 110,000 square foot home improvement centre to be constructed between the existing Safeway and Walmart stores. This additional land was needed in part to increase the site circulation space for store loading at the rear of the home building centre. At the time of the rezoning, the Department recommended that the Zoning Agreement on the shopping centre site be extended to cover the subject parcel, with the addition of a clause prohibiting outside storage. The applicant was not aware of the addition of this clause at the time of rezoning hearing and it subsequently came to light that the building centre requires the kind of outdoor storage that is typical of such stores.

The proposal is to attach a covered storage compound to the rear wall of the proposed store with a structural roof and open sides, as illustrated in the attached photo. The compound would be used principally for lumber storage.

On July 9, 2002, the Assiniboia Community Committee held a public hearing to consider the subject zoning agreement amendment application. One person registered in support of the application and no one registered in opposition thereto.

That the Assiniboia Community Committee concurred in the recommendation contained in the report dated June 19, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed zoning agreement amendment for the following reason:

1. That the Assiniboia Community Committee agreed with the administrative comments contained in the report dated June 19, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Agreement Amendment Report dated July 11, 2002, from the Assiniboia Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement for File DASZ 3/2002 be amended by deleting Clause D, namely:

D. That no outdoor storage occur on the lands.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 3/2002 as approved in aforesaid Recommendation I.

III. That the Proper Officers of the City be authorized to execute said Amending Agreement.

IV. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Zoning Agreement Amendment - 1345 Taylor Avenue
File ZAA 8/2002 [c/r DASZ 10/98]

729 - 13. The Standing Policy Committee on Property and Development has been advised that an application has been received from Pre Con Builders (Rob Lee), 1540 Taylor Avenue, Winnipeg, to amend the Zoning Agreement affecting the subject property by allowing for an expanded list of commercial uses, and permitting a total area of the two buildings to be located on the land of 47,000 square feet instead of 35,000 square feet as permitted by the existing Zoning Agreement.

On August 20, 2002, the City Centre Community Committee held a public hearing to consider the subject zoning agreement amendment application. Four persons registered in support of the application and thirteen persons registered in opposition thereto.

That the City Centre Community Committee concurred in the recommendation contained in the report dated July 25, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed zoning agreement amendment for the following reasons:

1. The Planning Property and Development Department is prepared to support the larger building area, as the lot is large enough to accommodate the building and required parking.

2. The inclusion of personal services limited to a maximum of 8,500 square feet will allow the applicant to lease space to a day spa (nails, facials, etc), which has expressed interest in the proposed building.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Agreement Amendment Report dated July 11, 2002, from the City Centre Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement DASZ 10/98 (By-law No. 7320/98) dated September 9, 1998, be amended as follows:

A. By adding at the end of Clause III. 1. the words “personal services limited to a maximum of 8,500 square feet”

B. By replacing Clause III. 7. with the following revised clause:
“7. That the building area be 47,000 square feet in total between the two lots.”

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 10/98 (By-law No. 7320/98) dated September 9, 1998, as outlined in Recommendation I. above.

III. That the Proper Officers of the City be authorized to execute said Amending Agreement.

IV. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

Appointment of Government of Canada Representative to the Historical Buildings Committee
File G-3.1 (Vol. 2) [c/r GC-7 Vol. 31]

730 - 14. The Standing Policy Committee on Property and Development has been advised that the position of alternate member from the Government of Canada to the Historical Buildings Committee has been vacant since April 2000.

On June 20, 2002, the Historical Buildings Committee recommended that Gregory Thomas (Manager of Cultural Resource Services, Western Canada Service Centre) be appointed as the alternate member from the Government of Canada to the Historical Buildings Committee

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

The Standing Policy Committee on Property and Development recommends that Gregory Thomas be appointed as the alternate member representative from the Government of Canada to the Historical Buildings Committee.

Adopted by consent.

Proposed Grade III Listing on Building Conservation List - former Pelissier's (Blackwood's) Brewery - 409 Mulvey Avenue East

File G-3.1.1 (Vol. 1)

731 - 15. The Standing Policy Committee on Property and Development has been advised that the Historical Buildings Committee evaluated the former Blackwood's Brewery Building at the request of the Planning, Property and Development Department. The Department advised that in 1995, the City acquired the 50,000 square foot building at 409 Mulvey Avenue by means of a land exchange for City property located in the St. Boniface Industrial Park. The Department also advised that the existing building is not only beyond its economic life but that it is in very poor condition as a result of repeated acts of vandalism.

The Department pointed out that the Winnipeg Police Service and the Fire Paramedic Service have to attend this site on an increasing basis and that activity within the vacant building is beginning to represent an arson and safety threat within the community. The Planning, Property and Development Department has recommended that the building be demolished.

On June 20, 2002, the Historical Buildings Committee recommended that the former Pelissier's (Blackwood's) Brewery located at 409 Mulvey Avenue East be placed on the Buildings Conservation List, under the Historical Buildings By-law No. 1474/77 with a Grade III rating.

On July 9, 2002, the City Centre Community Committee considered the recommendation of the Historical Buildings Committee along with a communication dated June 26, 2002, from the Senior Negotiator, Planning, Property and Development Department with respect to the City-owned building at 409 Mulvey Avenue.

The City Centre Community Committee did not concur in the recommendation of the Historical Buildings Committee and recommended that the subject building not be placed on the Buildings Conservation List.

On September 10, 2002, the Standing Policy Committee on Property and Development heard representation from Cindy Sciberras, Executive Director of Heritage Winnipeg and David McDowell, Past President of Heritage Winnipeg, in support of listing the subject building. The Committee also heard representation from Councillor Gerbasi, Fort Rouge Ward, in opposition to listing the subject building.

The Historical Buildings by-law provides that if the owner of the building objects to listing the property on the Buildings Conservation List under the By-law, that Council is the authority to approve or reject the proposed listing.

The Standing Policy Committee on Property and Development recommends:

I. That the former Pelissier's (Blackwood's) Brewery located at 409 Mulvey Avenue East not be placed on the Buildings Conservation List, under the Historical Buildings By-law No. 1474/77.

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

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Subdivision and Rezoning - land located at 26, 30, 34, 38, 42, 46, 50, 54, 58, 62, 66, 70, 74 Boiselle Bay

File DASZ 17/2002

732 - 16. The Standing Policy Committee on Property and Development has been advised that the Planning, Property and Development Department made an application for a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 to rezone the subject lands (Parcels A to N) from an "PR-1" Parks and Recreation District to a "R1-5" Residential District in order to incorporate said parcels with adjoining residential lots along Boisselle Bay.

The residents along a portion of Boisselle have applied to acquire a small strip of adjoining parkland and consolidate that portion lying adjacent with their existing properties. The increase in property size ranges from several hundred square feet in some cases to a little over 1,500 square feet in others. The increased lot sizes would bring the thirteen (13) subject lots along Boiselle Bay into closer conformity with other lots abutting adjacent retention lakes.

On September 3, 2002, the Riel Community Committee held a public hearing to consider the subject subdivision and rezoning application. No one registered in support of the application and no one registered in opposition thereto.

The Riel Community Committee concurred in the recommendation contained in the report dated August 26, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed plan of subdivision and rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 17/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2002 dated August 26, 2002, for registration in the Winnipeg Land Titles Office.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2002 dated August 26, 2002, to an "R1-5" Residential District.

IV. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

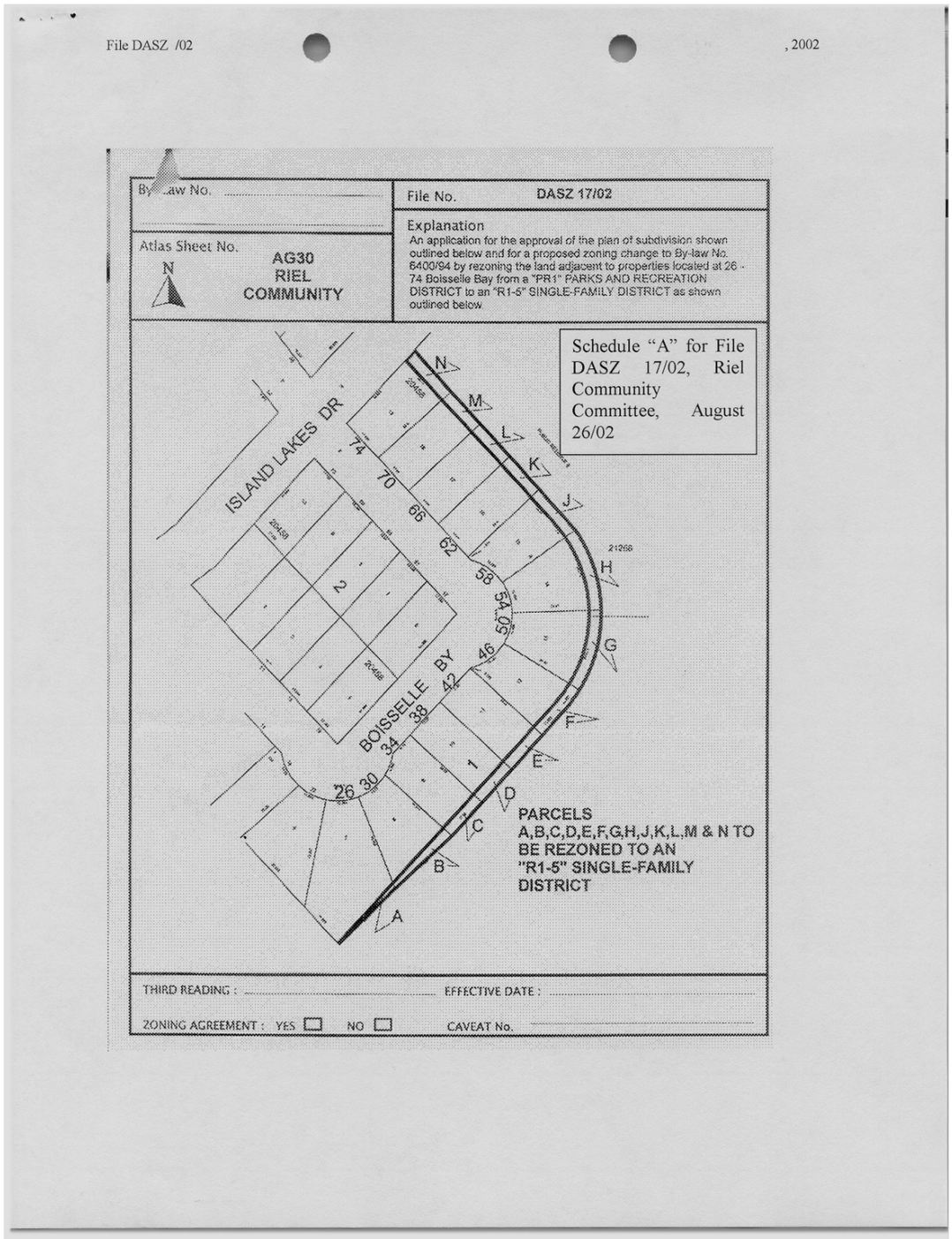
VII. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

VIII. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 16 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Subdivision and Rezoning - land located at 58 Maitland Drive
File DASZ 18/2002

733 - 17. The Standing Policy Committee on Property and Development has been advised that an application has been received from Barnes & Duncan Land Surveyors (Christian Korell), 298 Fort Street, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands (Parcel A) from an "PR-1" Parks and Recreation District to a "R-1-3.5" Residential District and consolidate said parcel with adjoining Parcel B.

The owner of the property at 58 Maitland has received authorization from the City of Winnipeg to purchase a small sliver of adjoining public open space on the east side of his lot from the City and consolidate it with his existing lot. The addition of the 1300 square feet addition at the side of his lot with square it off and basically bring it into conformity with other lots on the south side of Maitland Drive.

On September 3, 2002, the Riel Community Committee held a public hearing to consider the subject subdivision and rezoning application. One person appeared in support of the application, and no one registered in opposition thereto.

The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report dated September 4, 2002, from the Riel Community Committee, with the following amendment, which has been incorporated into the recommendations set out below:

- Delete Recommendation VI, namely:

  VI. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

- Renumber the remaining recommendations.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 18/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 18/2002 dated August 26, 2002, for registration in the Winnipeg Land Titles Office.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 18/2002 dated August 26, 2002, to an "R1-3.5" Residential District.

IV. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

V. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

VI. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

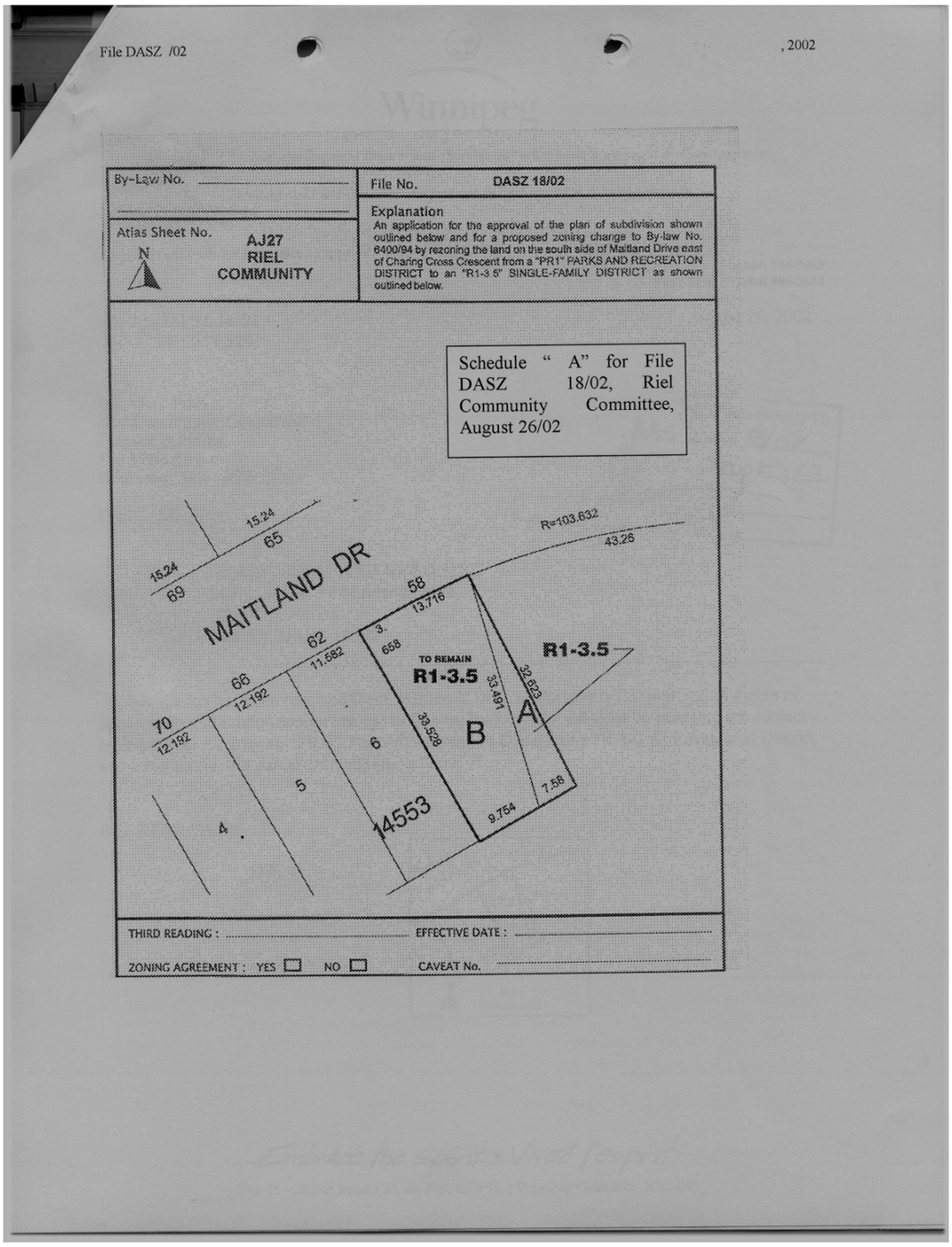
VII. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 17 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Subdivision and Rezoning - land located at 515 to 519 St. Anne's Road
File DASZ 19/2002

734 - 18. The Standing Policy Committee on Property and Development has been advised that an application has been received from E. W. Nisby (CB Richard Ellis), 2nd Floor - 570 Portage Avenue, Winnipeg, for approval of a plan of subdivision and related zoning change to Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands (Parcels B and C) from an "R1-20" Residential District to a "C2" Commercial District and consolidating the aforementioned parcels with Parcel A to create a larger more marketable commercial property.

Under the original Zoning Agreement (File DAZ 244/91) pertaining to Parcel A, the site was restricted to A) business or professional offices and/or accessory uses (including showrooms). Parcels B and C are restricted to single-family homes under the by-law. The owners recognize that most "C2" Commercial District uses would not appropriately fit on Parcel A because it is not large enough to accommodate adequate customer parking. At the same time, they are of the view that the current agreement is simply to restrictive to meet their needs. Their solution to the dilemma is to acquire the adjacent two lots to the south, Parcels B and C, and consolidate all three parcels into one single large holding for expanded commercial development. Through the subject application, all three parcels would be then zoned "C2" Commercial District. Given that the overall property area would by consolidation have sufficient area for a new commercial building and adequate parking, the owners suggest that the zoning agreement could and should be less restrictive as it relates to future use of the property.

On September 3, 2002, the Riel Community Committee held a public hearing to consider the subject subdivision and rezoning application. One person appeared in support of the application, and no one registered in opposition thereto.

The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The Riel Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report dated September 4, 2002, from the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 19/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 19/2002 dated August 26, 2002 for registration in the Winnipeg Land Titles Office.

II. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

III. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 19/2002 dated August 26, 2002, to a "C2" Commercial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject site, to include the following conditions:

A. That the following uses be listed as prohibited uses on the overall lands as described:

1. Animal pounds and animal training centers
2. Banquet halls
3. Auto rental and auto sales
4. Building material/home improvement sales
5. Clubs (private, licensed or non licensed)
6. Contractors establishment
7. Convenience stores
8. Funeral parlour
9. Fuel sales
10. Hotel/motel
11. Landscape/garden sales and contractors
12. Pawn shops
13. Restaurants over 2500 square feet
14. Stone and monument sales

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

15. Storage compounds
16. Tattoo parlour
17. Wood production manufacturer

B. That detailed final site plans showing locations of all proposed new buildings, parking areas, approaches, landscaping, fencing, be submitted to and approved by the Planning, Property and Development Department (Planning and Land Use Division) and the Riel Community Committee prior to the issuance of any building permits.

C. That upon redevelopment of the subject site, there shall be no vehicular approach/ exit to or from the subject land from the existing rear lane.

IV. That previous Zoning Agreement File DAZ 244/91, By-law No. 5871/92, as it relates to proposed Parcel A, be withdrawn.

V. That the applicant be responsible for transferring to the City and legally opening, at no expense to the City, property required to widen the existing north/south public lane abutting proposed Parcels B and C by 2.373 metres. Said widening is required to bring the lane right of way for this section of lane to the current commercial standard of 7.25 metres as currently exists abutting Proposed Parcel A.

VI. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land, minus the estimated value of the 7.9 foot by 83 foot parcel being transferred to the City for lane widening purposes.

VII. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

VIII. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

IX. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

X. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

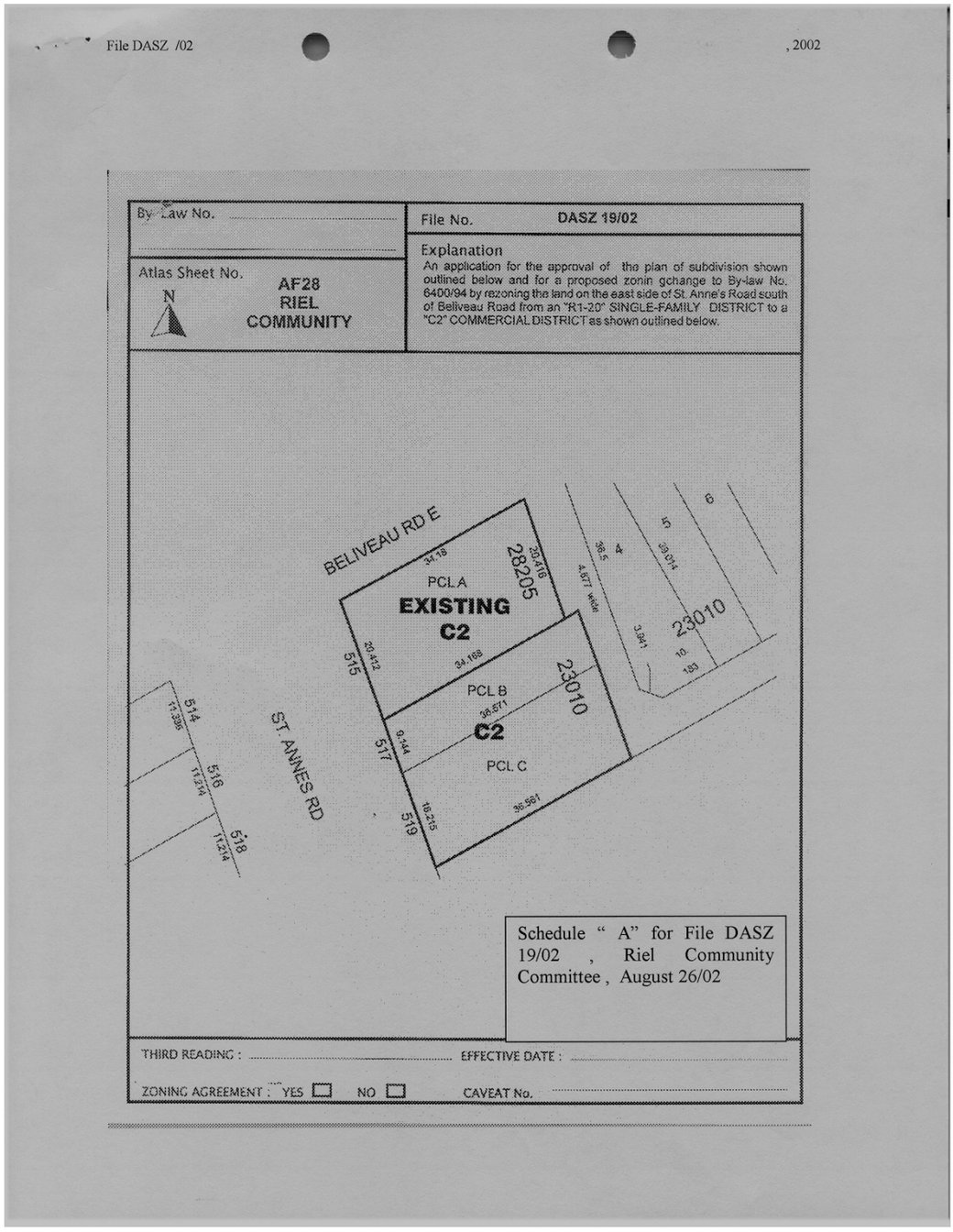
XI. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 18 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Rezoning - land located on the northwest corner of Ulster Street and Greencrest Avenue

File DAZ 216/2002

735 - 19. The Standing Policy Committee on Property and Development has been advised that the Director of Planning, Property and Development made an application to amend the Winnipeg Zoning By-law No. 6400/94 to rezone the subject land from an "RM-1" Multiple Family District to a "PR-1" Parks and Recreation District in order to ensure that the land retains its Public Reserve status.

The subject land is intended to remain under City ownership and will be retained as a public reserve area. The Planning, Property and Development Department recommended that the existing tree stands be maintained in their current natural state.

On September 3, 2002, the Riel Community Committee held a public hearing to consider the subject rezoning application. Three persons registered in support of the application and no one registered in opposition.

The Riel Community Committee concurred in the recommendations contained in the report dated August 26, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department.

The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. This application is a means of preserving the current use of the subject lands as a quiet forested alcove in the hub of a busy, active and participating community.

2. The Riel Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in Zoning Change Report dated September 4, 2002, from the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 216/2002 dated August 26, 2002, to a "PR-1" Parks and Recreational District.

II. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

III. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

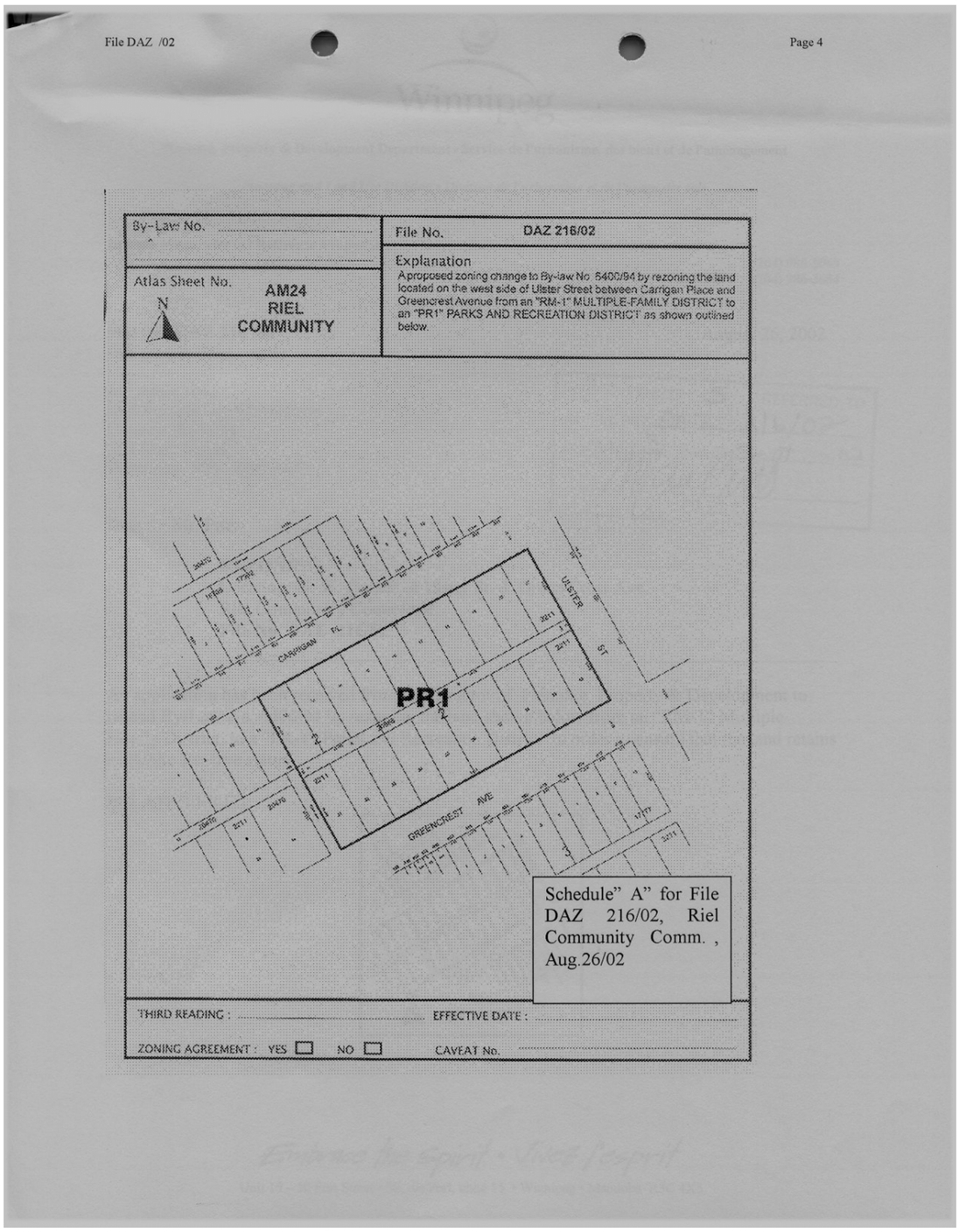
IV. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 19 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002



Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Traffic Improvements and City Wide Development Issues Arising from the Polo Park Area Study

File ST-7 (Vol. 16)

736 - 20. The Standing Policy Committee on Property and Development has been advised that as a result of traffic congestion in the Polo Park Area, the Public Works Department undertook the Polo Park Area Study - Transportation Improvement and Development Review. The Standing Policy Committee on Public Works is considering the implementation and financing of specific traffic improvements.

In February 2001, the Public Works Department requested proposals from seven Winnipeg transportation consultants to conduct a traffic improvement and development review study of the Polo Park area. Stantec Consulting Ltd. (in conjunction with Landmark Planning and Design Inc, Clayton Research and McCandless and Associates) was awarded the study on April 4, 2001. The results of the study were tabled at the Standing Policy Committee on Public Works on April 2, 2002, where the report was referred to the Standing Policy Committee on Property and Development to address the issues pertaining to land use and development.

On April 30, 2002, the Standing Policy Committee on Property and Development made the following motion:

> That the three recommendations regarding land use and development policies contained in the Polo Park Area Study be referred to the Director of Planning, Property and Development for report back on an examination of the effects of the growing commercial development in the Polo Park area, with emphasis on the following: the adjacent West End residential/commercial area(s); and, Polo Park's relationship with the traditional Downtown area.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred with recommendations 1 to 3 contained in the report dated August 30, 2002, from the Director of Planning, Property and Development, namely:

1. That the development of a Secondary Plan for the Polo Park area be added to the work plan of the Planning and Land Use Division (of the Planning, Property and Development Department) for consideration under the annual priorities.

2. That the Director of Planning Property and Development be instructed to initiate an amendment to the City of Winnipeg Zoning By-law No. 6400/94 to make retail uses "Conditional" under Industrial zoning categories.

3. That a comprehensive review of the Zoning By-law, including both Commercial and Industrial uses be considered in the work plan of the Planning, Property and Development Department.

The Polo Park Area Study also makes recommendations with respect to the City of Winnipeg Legislative and Regulatory environment suggesting a framework for the financing of future traffic improvements necessitated by future development. Currently the City of Winnipeg has the ability to enter into a development agreement and assess development impact charges on subdivisions and rezonings. In rare occasions development agreements have been imposed as a condition of approval for a conditional use or variance. Many times, a proposed use is permitted under the site's existing zoning and redevelopment may occur without the need for any type of additional application other than a building permit. Different uses permitted under the same zoning category however can have very different impacts on the surrounding street system. The study recommends that the City be given the authority to assess development impact charges at the building permit stage of the development approval process. In this way a development agreement can be negotiated for infrastructure improvements based on the impacts and needs of the actual development. Research undertaken by the report consultants indicated that other jurisdictions have the ability to assess development charges at the building permit stage. Changes to the City of Winnipeg Charter Act are necessary before the City can be given this authority. These changes would affect the City's ability to assess development charges at the building permit stage on a citywide basis, not only for the Polo Park area. This would represent a significant change for the development industry.

To provide the mechanism to fairly distribute the financing of future traffic improvements, the report recommends the creation of a development levy specific to the Polo Park area much like the Charleswood Transportation Levy or the Trunk Service Charges for a land drainage district. In this way, the amount of this levy could be a uniform payment based on the amount of square feet/metres of development being proposed as a percentage of the future traffic improvements required for the entire Polo Park Area. Even with the creation of a specific district, the City is still unable to impose levies if development is allowed "as of right" and there is no mechanism for a development

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

agreement. Again, the report recommends that changes to the City of Winnipeg Charter Act occur that give the City additional authority to regulate development at the building permit stage of the process so that this levy can be imposed on all new development. These changes could be proposed as part of the next round of legislative review proposed for 2003, or could be introduced at an earlier time. Suggested wording for legislative changes is included in the Polo Park Area Study.

The Standing Policy Committee on Property and Development recommends:

I. That legislative changes to the new City of Winnipeg Charter Act that would provide for the imposition of a development agreement as a condition of approval for a building permit be examined under the next phase of the Legislative review process in 2003**.**

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

Adopted by consent.

Proposed Subdivision and Rezoning – land located south of/adjacent to 191 to 215 George Marshall Way

File DASZ 16/2002

737 - 21. The Standing Policy Committee on Property and Development has been advised that an application has been made by the Planning, Property and Development Department, Real Estate Division (Ms. Pat Henry) for a plan of subdivision and related zoning change to amend Winnipeg Zoning By-law No. 6400/94 to rezone the subject lands from a “PR-1” Parks and Recreation District to a “R1-4” Residential District.

The Real Estate Division intends to subdivide a 20 feet (6.096 metres) by 395 feet (120.46 metres) strip of parkland behind 191 to 215 George Marshall Way. Seven parcels of various sizes will be created from an area of 7,907 square feet (734.65 square metres). One parcel will be 2334.3 square feet (216.9 square metres). One parcel will be 1412 square feet (131.2 square metres). Two parcels will be 880 square feet (81.8 square metres). Three parcels will be 800.5 square feet (74.4 square metres).

All seven parcels will be rezoned from “PR-1” Parks and Recreation District to “R1-4” Residential District. Each of the parcels will then be consolidated with the adjacent residential properties to the north (Lots 32 to 38, Block 1, Plan 24,600) along George Marshall Way. The residual parcel of 83.64 acres (338,518.48 square metres) of the public reserve on Plan 36,714 will remain “PR-1” Parks and Recreation.

The residents on George Marshall Way initiated the subdivision and rezoning by approaching the City of Winnipeg. The residents requested the purchase of a portion of the parkland in order to increase the size of their lots. All the residents (191 to 215 George Marshall Way) have returned signed offers of purchase. The Standing Policy Committee on Property and Development has accepted the transaction(s).

On August 27, 2002, the East Kildonan-Transcona Community Committee held a public hearing to consider the subject subdivision and rezoning application. No one registered in support of the application, and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the report dated July 22, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department.

The Community Committee recommended approval of the plan of subdivision and related rezoning for the following reason:

1. It agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 10, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Subdivision and Zoning Change Report dated August 30, 2002, from the East Kildonan-Transcona Community Committee.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule 'A' for File DASZ 16/2002 dated July 22, 2002, to "R1-4" Single Family Residential District.

II. That the plan of subdivision proposed under File DASZ 16/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/2002 dated July 22, 2002, for registration in the Winnipeg Land Titles Office.

III. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

V. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office.

VI. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 21 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002

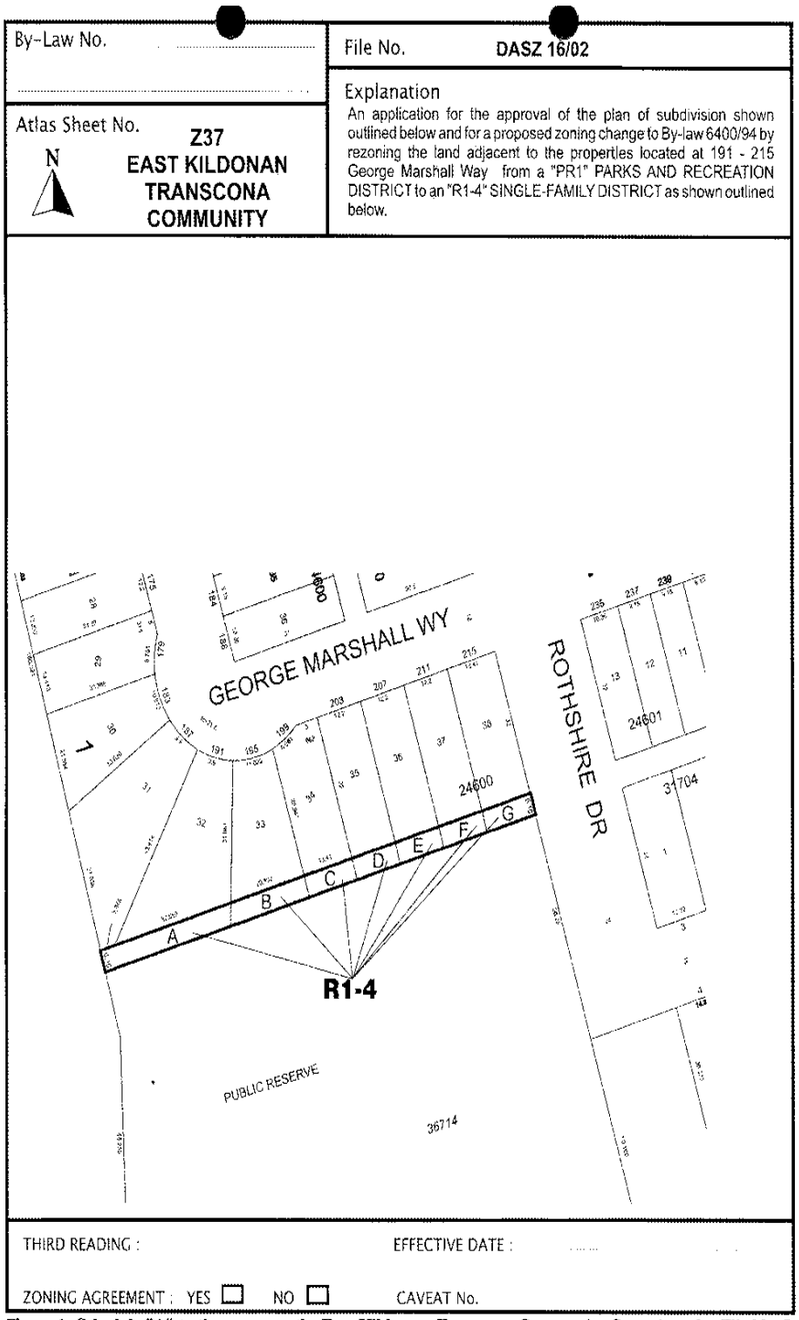


Figure 1: Schedule "A" to the report to the East Kildonan -Transcona Community Committee for File No. DASZ 16/02, dated July 22, 2002.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Proposed Airport Area West Secondary Plan
File SP 1/2002

738 - 22. On July 17, 2002, Council gave first reading to the Airport Area West Structure Plan By-law No. 8097/2002, being a draft secondary plan for lands west of the Winnipeg International Airport, and directed the Standing Policy Committee on Property and Development to conduct a public hearing in connection with said secondary plan in accordance with The City of Winnipeg Act and the Development Procedures By-law No. 5893/92.

The lands west of the airport are principally agricultural but ownership has been fragmented and large areas have been purchased speculatively for residential and industrial development. The Winnipeg Airport Lands Corporation (WALC) represents property owners who control about 80% of those lands west of the Winnipeg International Airport (WIA) designated as Industrial Policy Area under Plan Winnipeg.

The WALC retained the services of Landmark Planning and Design Inc. to prepare the Area Structure Plan, which served as the background document for the Airport Area West Structure Plan (AAWSP). The draft Airport Area West Structure Plan identifies general development guidelines, transportation access and municipal servicing requirements, Class "D" development costs, possible private/public sector cost allocations, and development staging.

On September 10, 2002, the Standing Policy Committee on Property and Development held a public hearing to consider the proposed secondary plan (Attachment "A"). Twenty-one (21) persons registered in support of the application, three (3) persons registered in opposition thereto, and eight (8) persons registered for information thereon.

The Standing Policy Committee on Property and Development recommended approval of the proposed secondary plan for the following reason:

1. The proposed Airport Area West Structure Plan provides an opportunity to enhance economic activity, as well as stimulate commercial and industrial development in the vicinity of the Winnipeg International Airport.

The Standing Policy Committee on Property and Development recommends:

I. That a Secondary Plan for lands located west of the Winnipeg International Airport, as outlined on the Airport Area West Structure Plan (AAWSP) By-law No. 8097/2002, be approved.

II. That the Airport Area West Structure Plan by-law be given second and third reading by Council.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

(See next page for attachment)

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Airport Area West Structure Plan
City of Winnipeg By-law: DRAFT III 5 June 2002

1.0 LAND USE PLAN

1.1 Development Objectives

The development objectives of the Airport Area West Structure Plan (AAWSP) are:

1. To take advantage of economic development opportunities by accommodating industrial and commercial development on lands west of the Winnipeg International Airport (WIA) that is compatible with airport operations and complimentary to airport-related industries.

2. To provide a plan that is able to respond to market demands and serve as an implementation guide to accommodate future development.

3. To develop a plan that is consistent with the general intent and purpose of *Plan Winnipeg: 2020 Vision*.

4. To provide a framework to develop a high quality and comprehensively planned industrial area by defining:

   i) the internal and external road network;
   ii) stormwater management, waste-water sewer and water supply systems; and
   iii) general land use patterns.

5. To protect sensitive areas and natural features of the area to the greatest extent possible.

6. To allow for the implementation of the plan in an orderly and staged manner.

1.2 Policy and Planning Framework

Existing Development Plan policies affecting the AAWSP and surrounding area include *Plan Winnipeg: 2020 Vision*, the *Winnipeg International Airport Development Plan*, the *South Interlake Development Plan Bylaw No. 2/83*, as amended, and the *Rural Municipality (RM) of Headingley Development Plan Bylaw No. 30/93*, as amended. Figure 1 provides additional information regarding Development Plan designations for the AAWSP and surrounding area.

1.3 Development Principles

Development of the various land uses within the AAWSP will respect the following principles:

1.3.1 Industrial

1. Industrial development shall be located in such a manner to take advantage of natural and manmade features such as stormwater management facilities, walkways, treed areas, and open space areas.
2. Higher intensity industrial land uses shall be oriented away from residential and other sensitive areas and, where appropriate, incorporate buffer measures.
3. Land shall be preserved and protected primarily for industrial uses.
4. Land use conflicts between industrial and non-industrial land uses shall be minimized.

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1.3.2 Commercial

1. Commercial sites shall be located along collector and arterial roadways to ensure high visibility and to provide easy access. Commercial developments will be allowed if it can be demonstrated that the commercial uses will serve the interests of the overall industrial area and its businesses, industries and employees.

1.3.3 Transportation

1. A logical, safe and efficient hierarchy of roadway systems within the plan area shall be provided to address local and regional needs. A good level of transit service shall also be provided to serve both industrial and commercial developments.
2. The public and private multi-modal transportation investments that have been made in the WIA area shall be maintained, protected and enhanced.
3. Traffic conflicts between industrial and non-industrial users shall be minimized.

1.3.4 Parks and Recreational Space

1. Sites for open space and parks for active and passive recreation shall be acquired through the dedication of municipal reserves, granting of Ecological Gifts or Conservation Easements, outright purchase, or the implementation of on-site development caveats (e.g. building envelope restrictions that retain treed areas).
2. Parks and open space areas shall be located so as to provide easy access for area employees and residents of adjacent residential areas.

1.3.5 Environmental

1. Environmentally sensitive areas shall be preserved and integrated, to the greatest extent possible, through the use of municipal reserves, stormwater management facilities, corridor development and public utility lots.
2. Sustainable and environmentally sensitive industrial developments and practices shall be promoted.
3. Alternative transportation options for area employees shall be encouraged, including public transit, carpooling, cycling and walking to reduce parking needs, vehicle emissions and traffic congestion.
4. Water quality, base flows and the natural flow pattern in any receiving watercourse shall be maintained to the fullest extent possible to avoid flood damage and protect aquatic vegetation and wildlife habitats.

1.4 Overall Industrial Land Use Plan

The development concept for the AAWSP, as shown on Figure 2, has been prepared in response to the above noted development objectives and principles as well as current and anticipated industrial market trends affecting the Winnipeg region. This plan preserves the AAWSP area primarily for industrial uses that either directly relate to or are compatible with airport operations. Specifically, lands east of Sturgeon Road are designated to accommodate *Airport Related* industrial developments, while lands west of Sturgeon Road are designated to facilitate *Airport Compatible* industrial developments. The general purpose of *Airport Related* industrial developments is to accommodate aviation-related uses that require or benefit from a combination of groundside and airside access for the movement of equipment, parts, supplies and products. The general purpose of *Airport Compatible* industrial developments is to accommodate uses that can benefit from proximity to the airport and the road/rail transportation network, or are appropriate for the airport area having regard for the overall land use context of an international, 24-hour airport in a metropolitan setting.

The range of principal and ancillary uses and support services will include industrial, commercial and recreational developments. Finally, future development proposals for the AAWSP area will be consistent with *Plan Winnipeg: 2020 Vision* and this Secondary Plan.

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2.0 MUNICIPAL SERVICES

2.1 Wastewater Sewer Servicing

Currently there are no regional wastewater services within the AAWSP area. The only developments within the plan area that are connected to the City wastewater system are the existing Air Canada maintenance hangar and related facilities on the north side of Saskatchewan Avenue, east of Sturgeon Road. However, there is little capacity available to extend this system.

The AAWSP area will ultimately be serviced by an extension to the City of Winnipeg Northwest Interceptor Sewer, which currently terminates at the intersection of Inkster Boulevard and King Edward Street. Extensions to this system to the south and west will be required sequentially as development occurs. Consistent with criteria developed in 1996 with the City of Winnipeg's Water and Waste Department, this area is assumed to produce flows of

16,865 litres per hectare per day (lphapd) [1,500 Imperial gallons per acre per day (Igpapd)] based on *dry* industrial usage. An allowance of 23,610 lphapd (2,100 Igpapd) has been assumed for extraneous flow.

Two alternative interceptor sewer system routings have been examined as part of the AAWSP. The first involves extending the interceptor sewer easterly across the middle of the airport to Brookside Boulevard and then north to Inkster Boulevard. The route would remain in the City of Winnipeg in order to avoid intra-jurisdictional issues. This would have to cross the existing Runway 18-36, Taxiway T and proposed Runway 13L-31R, as well as underground electrical installations. Maintenance of the force main would have to be carefully coordinated to minimize possible critical interference with airport operations.

The second interceptor route alternative would extend north on Sturgeon Road and east on Inkster Boulevard through the RM of Rosser to Brookside Boulevard. The City would have to enter into an Agreement with Manitoba Transportation and Government Services to allow the Interceptor sewer to be constructed within the highway rights-of-way. Jurisdictional matters relating to the installation of a City of Winnipeg Service in a highway right-of-way through the R.M. of Rosser would have to be addressed in the context of the overall Capital Region Strategy.

The AAWSP assumes an initial servicing target of 202 hectares (500 acres) of development that is primarily focused on 162 hectares (400 acres) of land adjacent to the intersection of Sturgeon Road and the Airport Way, approximately 1.6 km. (1.0 mile) north of Saskatchewan Avenue. A secondary focus will be the 40 hectares (100 acres) of airside industrial lands north of Saskatchewan Avenue and east of the Canadian Pacific Railway (CPR) Glenboro Subdivision. The servicing concept assumes that when 202 hectares (500 acres) of land have been developed, major services will be upgraded to provide needed additional capacities. As shown on Figure 3, the servicing of this area would be by means of gravity sewers draining to a centrally located pump station from which a forcemain would convey the sewage to the City interceptor at King Edward Street and Inkster Boulevard. Forcemains and lift stations are considered appropriate for this area for two reasons. First, relatively shallow till and bedrock in this area make deeper gravity sewers significantly more expensive. As well, lift stations and forcemains would allow some reduction in the costs that would be incurred in order to accommodate initial development.

2.2 Water Servicing

Currently, regional water services do not exist within the AAWSP area. Water feedermains exist south of the AAWSP area along Sturgeon Road approximately 1,000 m. (3,280 ft.) south of Saskatchewan Avenue, and on Moray Street at Silver Avenue. Extensions to these feedermains will be required as the area develops. As shown on Figure 4, for the 202 hectares (500 acres) of metered development, the City's feedermains will be extended northerly along Sturgeon Road to the first major intersection north of the CPR Glenboro Subdivision, approximately 800 m. (2,625 ft.) south of the proposed Airport Way. From this point a grid system of 300 mm. (12 inch) mains will loop around the 162 hectares (400 acres) of land adjacent to the intersection of Sturgeon Road and the proposed Airport Way. As well, a 300 mm. (12 inch) main will be extended north of Saskatchewan Avenue along the extension of Moray Street to connect to the 300 mm. (12 inch) distribution grid.

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Design criteria to be utilized for the water services in the area shall include the following:

1. For industrial development, required fire flows are to be 22,700 litres per minute (lpm) [5,000 Imperial gallons per minute (Igpm)] for all areas that are provided with piped water supply.

2. Minimum distribution pipe diameter within the industrial development shall be 300 mm. (12 inches) to provide the required fire flows.

3. Minimum design pressure during maximum hour consumption shall be 207 kPa [30 lbs. per square inch (psi)].

4. All development within the AAWSP area should be encouraged to use water efficiently by employing such measures as providing sprinklered buildings to reduce required fire flows, using low flow fixtures and adopting low water use landscaping treatments.

5. Water demands have been based on a *dry* type of industrial development for which average water demand has been assumed to be 21,080 lphapd (1,875 Igpapd). Peak day flow is assumed to be 1.7 times average day flow or 35,840 lphapd (3,200 Igpapd). Actual demands must be monitored as the area develops to better evaluate the capacity of the regional water supply and update the requirements for improvements to the system.

2.3 Land Drainage

Truro Creek and Sturgeon Creek currently provide drainage of the AAWSP area. The development of the AAWSP area for industrial uses will significantly increase runoff. As such, there is limited downstream outfall capacity of these creek systems. In order to address these existing drainage conditions in light of future development considerations, as shown on Figure 5, land drainage in the AAWSP area will be provided by means of local land drainage sewer piping, which will be routed to a series of linear, dry-bottom storm water detention basins. The basins would be designed to accommodate a 25-year return frequency rainstorm, which is the current City of Winnipeg standard. Peak flow discharges to these creeks during the design event will be no greater than predevelopment conditions.

Airport Area West Structure Plan

The normally dry basins are viewed to be preferable to the wet basins normally used due to the proximity of the area to the WIA. Wet retention basins are undesirable in this area due to their attraction for birds, which would negatively impact WIA operations. As also shown on Figure 5, the typical cross section of the dry ponds will incorporate a low flow channel along the bottom to allow normal upstream runoff to occur at all times. The basins will be built as development proceeds.

2.4 Shallow Utilities

Natural gas, power, and telephone utilities will be extended north from the existing development by the respective utility companies. This work will be done concurrently with the construction of the first stage of the AAWSP development.

2.5 Smart Technology

Smart technology in the context of an industrial subdivision deals with the use of the latest communications technology to allow industrial activities to lower cost, increase convenience, improve service and enhance production, quality and safety. The shallow utilities should include systems such as fibre optics that provide the infrastructure to support smart technology for the AAWSP.

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2.6 Servicing Capacity and Accommodating Future Development

As highlighted earlier on Figure 1, the land use component of the AAWSP pertains to lands designated as *Industrial* in *Plan Winnipeg: 2020 Vision*. It should be noted that lands to the west of this *Industrial* land use policy area up to the Perimeter Highway [Provincial Trunk Highway (PTH) No. 101] are designated as *Rural* in *Plan Winnipeg: 2020 Vision*. There has been considerable discussion as part of the AAWSP concerning whether the future development of these lands should cater to industrial and/or residential uses, which would involve an amendment to *Plan Winnipeg: 2020 Vision*. In determining the most appropriate development scenarios for these lands, the need for additional residential development in the northwest sector of the City of Winnipeg must be weighed in light of how such developments could impact the future viability of the WIA operations as well as the potential expansion of those uses associated with the AAWSP. Notwithstanding this proviso, the servicing provisions outlined in this AAWSP could accommodate either industrial and/or residential development on these lands.

3.0 TRANSPORTATION

3.1 Road Network

The primary elements of the road network in the AAWSP area are Sturgeon Road and the Airport Way. While the alignment of these facilities has been adjusted slightly for the AAWSP from what was proposed in the *Airport Area Plan* in 1996, their function has remained unchanged. Both are envisioned as critical components of the City's transportation system, which can move goods and people to and from these industrial lands, as well as carry traffic in transit through the area in an efficient manner.

With the above discussion in mind, Sturgeon Road has reverted back to its existing alignment because the abandonment of a proposed extension to Runway 13-31 at the WIA no longer requires it to be aligned further to the west. In addition, the Airport Way in the *Airport Area Plan* was referred to as *New Saskatchewan Avenue* and extended from Sturgeon Road to an intersection on the PTH No. 101, approximately 300 m. (984 ft.) north of the existing Saskatchewan Avenue alignment. The intent of this concept was that it would extend further west in the future to provide a high speed trucking connection to the TransCanada Highway west of the north hamlet in the RM of Headingley.

For the AAWSP, the Airport Way is aligned further north in order to utilize available lands for right-of-way requirements, allow optimum intersection spacing on Sturgeon Road, and provide increased distance from Saskatchewan Avenue to accommodate additional options for intersection/interchange spacing on PTH No. 101. The location of the Airport Way-PTH No. 101 intersection is subject to study and approval by Manitoba Transportation & Government Services. The significant distance between the westerly limit of the AAWSP area and PTH No. 101 provides opportunity to be flexible with respect to the location of this intersection. It is important to recognize, however, that the proposed alignment of the Airport Way in the AAWSP provides for an efficient, central corridor from the industrial catchment area to the Provincial highway system.

East of Sturgeon Road, the Airport Way continues as an arterial route passing through WIA lands to connect to Moray Street, south of Saskatchewan Avenue. The balance of the street network is comprised of a grid layout of streets, which provides area access and defines the boundaries of the industrial land use sectors with approximately 40 hectares (100 acres) of net developable land. The road network, including a cross-section of the Airport Way, is shown on Figure 6.

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3.2 Traffic Analysis

While the AAWSP gross area is approximately 1,214 hectares (3,000 acres) within the City of Winnipeg, it is assumed that a similar area in the RM of Rosser to the north will develop in a similar manner, as was assumed in the *Airport Area Plan*.

The traffic analysis shows that, when full development has occurred, Sturgeon Road will require a 6-lane divided roadway, and the Airport Way will require a 4-lane divided roadway. The analysis also indicates that to provide the desired level of service, an interchange will ultimately be needed at the intersection of Sturgeon Road and the Airport Way. As well, to meet the long-term objectives of Manitoba Transportation & Government Services regarding PTH No. 101, an interchange will be required at its intersection with the Airport Way.

3.3 Roadway Classification

The roadway concept for the AAWSP is intended to be compatible with a street classification system being developed by the City of Winnipeg, Public Works Department, which is based on the Transportation Association of Canada (TAC) criteria. Sturgeon Road and Airport Way are planned to meet the requirements of the highest 'arterial' functional classification with provision to allow for upgrading in the future should traffic conditions warrant. As such, their purpose is to serve to move goods directly with minimum interruption from the area to regional, national and international markets. Direct access to private developments is prohibited, though at-grade public street intersections are permitted at a minimum spacing of 800 m (2625 ft.)."

Access to the AAWSP lands is provided by the industrial collector streets generally located on an 800 m. (2,625 ft.) grid pattern. These streets carry traffic between the industrial sectors and connect to industrial local streets. The purpose of the industrial local streets is to move traffic within the industrial sectors and provide access to individual sites. Depending on the size of the industrial sites, it is feasible that a single industrial site in the order of 40 hectares (100 acres) would be bounded by the industrial collector street system and, as such, would have no requirement for the industrial local street system.

3.4 Staging of Roadway Improvements

While it is appropriate to initially provide the right-of-ways for the transportation system, the development of these roadway improvements should occur on a phased basis, as determined by market demand. As referenced earlier, the AAWSP assumes an initial 202 hectares (500 acres) of development that is primarily focused on 162 hectares (400 acres) of land adjacent to the intersection of Sturgeon Road and the Airport Way, approximately 1.6 km. (1.0 mile) north of Saskatchewan Avenue. A secondary focus will be the 40 hectares (100 acres) of airside industrial lands north of Saskatchewan Avenue and east of the CPR Glenboro Subdivision. Based on the traffic analysis for the first phase, the construction of 2 lanes of the Airport Way from PTH No. 101 to Sturgeon Road with an extension east and south to connect to Moray Street south of Saskatchewan Avenue will be required. Sturgeon Road can remain as a 2-lane paved roadway with minor upgrading until development is well advanced. The industrial collector street system would be extended from the arterials in such a manner so as to provide for connections to the industrial local streets (including frontage roads), and to meet development demand as well as secondary access requirements. The locations and extent of the street system development off the arterial routes will vary depending on industrial sector demand. Once the 202 hectares (500 acres) are developed, improvements to the arterial, industrial collector and industrial local system will continue as required to maintain the desired level of service.

3.5 Road Construction

The proposed arterial cross-section features divided rural section roadways with a depressed median. As stated earlier, the area drainage concept utilizes linear dry bottom detention ponds, which would be situated along each side of the arterial rights-of-way. This configuration would physically restrict access to planned street intersections. Furthermore, the proposed pavement structure has been designed to meet loading criteria, in addition to being cost effective. Structural options in both concrete and asphalt should be evaluated, as well as both rural and urban sections for the industrial collector and industrial local streets. The type of industrial development will have a bearing on this evaluation.

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3.6 Rail Service

The CPR's Glenboro Subdivision tracks are located along a major portion of the AAWSP's eastern and southern boundaries. The Glenboro Subdivision is a grain-dependent line serving southwest Manitoba. While the existing trackage consists of 45 kg. (100 lb.) rail, which is lighter than would be designed for new industrial service, it offers rail access to adjacent lands and, with spur trackage, could extend service if warranted to other lands in the AAWSP area. The line would require crossing signals at the eastern extension of the Airport Way, and at Sturgeon Road, where a widened road right of way would allow for future grade separation. Establishing crossing signals and/or grade separations for existing rail lines is considered part of roadway development.

The Airport Area Plan included a major intermodal rail terminal reserve along the CPR Carberry Subdivision (main line), north of the AAWSP in the RM of Rosser. This is still considered a future option. The AAWSP has made provisions for an optional, modest air cargo related intermodal terminal on Winnipeg Airports Authority lands on the east side of the Glenboro Subdivision just north of Saskatchewan Avenue. Such a facility could provide a desirable air-truck-rail cargo movement interface at an early stage of AAWSP development.

3.7 Transit Service

Industrial areas are places of employment that tend to support transit usage. A significant number of employees are likely to be transit users with no or limited access to automobiles. Industrial employees that use public transit to travel to work start their trips from elsewhere in the City of Winnipeg. Therefore, it is important that the transit routes serving the AAWSP area have effective connections with the rest of the transit system. For the AAWSP the transit service would access/egress the area using the arterial roads but the bus routes and stops would occur on the industrial collectors and local roads within each subdivision sector. The level of transit service will depend on the modal split of the employees using transit versus automobiles

The combination of the shortest pedestrian distance and bus route length will produce the most optimum transit system. With a uniform pattern of 800 m. (2,625 ft.) intersection spacing on the major arterial routes and the industrial collector streets, the AAWSP primary street layout produces a grid system that allows for clear connectivity planning of transit routes. Grouping of building entrances in the subdivision design can help determine safe, convenient locations for bus routes and stops. The design of walkways in each of the subdivision sectors should be such that short, safe, direct routes are provided between bus stops and places of employment. The buildings with high employment density should be located as close to the transit routes as possible.

3.8 Bicycle Routes and Walkways

Modern industrial areas seek to attract companies who wish to locate in an attractive environment and offer employees recreational opportunities. Bicycle paths and walkways offer facilities for safe and convenient travel between nearby residential areas and work. They also provide exercise opportunities for the employees. Moreover, the dry bottom detention ponds paralleling both sides of the arterials and some industrial collector streets create a linear recreational trail extending throughout the AAWSP, which could eventually connect to the Sturgeon Creek corridor and other recreation areas near PTH No. 101. This recreational trail is well suited for the development of attractive, landscaped bicycle paths and walkways, which in turn will only further enhance the overall area.

4.0 LAND DEVELOPMENT

4.1 Development Sequencing and Servicing Capacity

As previously outlined, a target of servicing approximately 202 developable hectares (500 acres) of industrial land has been adopted as a reasonable approach to developing the area. The focus of development is at the intersection of Sturgeon Road and the Airport Way, with a secondary focus being the airside lands southeast of this intersection. By not designating specific lands to be serviced, this will allow flexibility to meet diverse market demands for various industrial land use types.

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4.2 Servicing Hierarchy

To allow development to begin in the focus areas, regional services will be required. This includes the following:

1. Regional road system requirements include utilizing the existing paved 2-lane roadway on Sturgeon Road and the construction of 2 lanes of the Airport Way between Sturgeon Road and PTH No. 101.

2. Regional wastewater sewer system requirements include an interceptor sewer system, which may have gravity or forcemain reaches, extending from Inkster Boulevard and King Edward Street to the focus area.

3. Regional watermain system requirements include a section of feedermain extending north on Sturgeon Road to the focus area.

4. Regional land drainage system requirements include the extension of a dry bottom linear detention pond system from the north side of Taxiway 'G' in the WIA to and along the regional street routes of the focus area.

When these regional services are in place, servicing will be extended on demand with the next highest level of service hierarchy to the various industrial development sectors. These services, which provide shared benefit between adjoining sectors, include industrial collector streets, wastewater sub-trunk sewers, water distribution mains and land drainage sub-trunk sewers. Connecting to these shared benefit facilities will be internal subdivision services comprised of industrial local streets (including frontage roads), local wastewater sewers, watermains, and land drainage sewers.

4.3 Development Cost Sharing

The proposed cost sharing methodology for the AAWSP generally follows the current City of Winnipeg Development Parameters. It is proposed as follows:

1. Interceptor sewer systems and water feedermains are normally assigned as City of Winnipeg at-large costs. Because these facilities will not be constructed unless driven by an economic opportunity that benefits the City of Winnipeg, Province of Manitoba and Canada, the cost should be shared between these three levels of government. It is possible that a developer with a cost recovery agreement could install such facilities.

2. Arterial roadways are normally cost shared on a 50/50 basis between the City and Developer. Because Sturgeon Road will not be upgraded and Airport Way will not be constructed unless driven by an economic opportunity that benefits the City of Winnipeg, Province of Manitoba and Canada, the cost should be shared between the three levels of government and the developer with a shared cost recovery agreement.

3. Regional land drainage dry bottom detention pond system, including land dedication, is a Developer responsibility with the total cost of the system charged to the total benefiting area at a uniform Trunk Service Rate (TSR) charge on a per acre basis. It should be noted that developer installation and land costs for components of this system are deducted from the developer’s share of the TSR charge.

4. Industrial collector streets, and the wastewater sub-trunk sewers, water distribution mains and land drainage sub-trunk sewers located in the industrial collector rights-of-way, have been uniformly distributed throughout the AAWSP as these are benefiting the entire

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AAWSP area. The total costs of these facilities, less equivalent local service frontage benefit, should be charged at a uniform acreage rate to Developers, in a similar manner to the TSR charge. Furthermore, as is the case with the TSR, Developer installation costs for these facilities would be deductible from the developer's total acreage charges.

5. The installation and costs of the internal services of each subdivision within the various industrial sectors will be the responsibility of the Developers. These include the industrial local streets, local wastewater sewers, watermains and land drainage sewers. Cost sharing can occur for internal services if benefit is shared through oversizing with adjacent developments within the sector as they occur.

6. The development of the AAWSP area will require land dedication for road rights-of-way, linear dry bottom detention ponds, and open space dedication including possible environmental reserves. The following principles for cost sharing of land dedication are proposed below:

   i) Land required for Airport Way and Sturgeon Road would be considered as a cost of the development of these roads. The estimated right-of-way requirement for these facilities is 68 hectares (168 acres) within the AAWSP area and 48 hectares (119 acres) west of the AAWSP boundary to PTH No. 101.
   ii) Land required for the linear detention ponds is included as a cost of the TSR. The estimated land requirement for the linear detention ponds in the AAWSP is 32 hectares (80 acres).
   iii) Land dedication for industrial collector roads and open space within the AAWSP would be equitably shared over the eligible lands in the AAWSP. The estimated land requirement for these facilities is 70 hectares (172 acres) for the industrial collector roads and 38 hectares (94 acres) for open space adjacent to the ponds.
   iv) Land dedication for local roads within the net development sectors, which would vary in density depending on lot sizes, would be equitably shared across the sector.
   v) The proposed method of equitable cost sharing would be to determine the total required dedication and each owner's share in proportion to the area holdings weighted by the 1998 assessment value on a per acreage basis. Actual site-specific land dedication under or over an owner's share would be rationalized by purchase/sale at 1998 assessment rates or by 1998 assessment value weighted land exchange. It is roughly estimated that the net deduction of expressway and industrial collector rights-of-way, detention pond areas and open space areas will be approximately 65 percent of the gross area of the AAWSP. This translates into approximately 546 hectares (1,348 acres) of developable land.

A preliminary breakdown of land to be sold or dedicated for public use, which is subject to detailed engineering and legal survey, is as follows:

Gross AAWSP Area	841 hectares (2,078 acres)
Minus Developed and Airside Lands	(57 hectares (141 acres))
Minus Expressway Right-Of-Way	(68 hectares (168 acres))
Minus Stormwater Detention Basins	(32 hectares (80 acres))
Net Total	684 hectares (1,689 acres)
Minus 10 Percent Open Space Dedication	(68 hectares (169 acres))
Minus Industrial Collector Right-Of-Way Dedication	(70 hectares (172 acres))
Net Development Area	546 hectares (1,348 acres)

Utilization of the 68 hectares (169 acres) of open space dedication will be determined by the Comprehensive Study Environmental Assessment (CSEA), which will determine the priority for protection assigned to Truro Creek, Important Natural Tree Stands and lands adjacent to the linear detention ponds.

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4.4 Development Servicing Costs

Based on the cost sharing parameters discussed, the following is a general summary of the estimated municipal servicing costs (for the year 2002) for a possible 202 hectare (500 acre) development, including a 35 percent allowance for contingencies and engineering, but excluding land costs:

4.4.1 Public Sector Servicing Costs

a) *Arterials:*

	Cost Estimate
1. Upgrades to existing 2-lane pavement in Sturgeon Road	$610,000
2. Construction of 2 lanes of pavement in Airport Way from Sturgeon Road to PTH No. 101, including signalized at-grade intersections at each end. Note: The costs of constructing these roadways are typically cost-shared on a 50/50 basis between the City and Developer. However, as these facilities will not be constructed/improved unless driven by economic opportunity that benefits the City of Winnipeg, Province of Manitoba and Canada as a whole, the cost should be shared between the three levels of government and the Developer. It is possible that such facilities could be installed by the Developer with a shared cost recovery agreement.	$3,710,000

b) *Interceptor System:*

	Cost Estimate
3. Installation of a regional gravity/forcemain interceptor sewer system with initial capacity for 202 hectares (500 acres), from the intersection east of Sturgeon Road on Airport Way to the intersection of Inkster Boulevard and King Edward Street	$4,510,000

c) *Feedermain System:*

	Cost Estimate
4. Installation of a regional water feedermain from the intersection of Silver Avenue and Moray Street north on Sturgeon Road to the first intersection south of Airport Way	$3,050,000

4.4.2 Developer Shared Servicing Costs

a) *Regional Land Drainage Facilities:*

	Cost Estimate
1. Construction of the dry bottom linear detention pond system northwest from the WIA Taxiway 'G' to Airport Way and extending along both sides of Airport Way and Sturgeon Road at a sufficient distance to provide storage and sub-trunk access for 202 hectares (500 acres) of initial development	$2,480,000
2. The cost of these Developer installed facilities would be credited against the TSR share of the total regional land drainage system cost for the developable area of 546 hectares (1,348 acres) in the AAWSP of $15,502,000 or $11,500 per acre. For the first 202 net hectares (500 net acres) of development this charge would total 500 acres x $11,500 per acre = $5,750,000	

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 22 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002 (continued)

b) *Shared Second Level Hierarchy Services:*

The estimated costs for the second level hierarchy services for the 546 hectares (1,348 acres) of developable area in the AAWSP, less the equivalent frontage benefit, is provided on Table 1 below.

Table 1
Estimated Costs for the Second Level Hierarchy Services

Service	Estimated Cost	Less Frontage Benefit	Net Cost	Charge/Net Acre
Industrial Collector	$6,200,000	$2,760,000	$3,440,000	$2,552
Subtrunk Wastewater Sewers	$890,000	$750,000	$140,000	$104
Water Distribution Mains	$2,450,000	$710,000	$1,740,000	$1,291
Subtrunk Land Drainage Sewers	$2,020,000	$590,000	$1,430,000	$1,061
Total	$11,560,000	$4,810,000	$6,750,000	$5,008

Total estimated charges for the first 202 net hectares (500 net acres) are provided on Table 2 below.

Table 2
Total Servicing Charges for 202 Hectares (500 Acres**)** of Possible Development

Service	Charge/Acre	Total Charge
Industrial Collector	500 acres x $2,552 =	$1,276,000
Subtrunk Wastewater Sewers	500 acres x $104 =	52,000
Water Distribution Mains	500 acres x $1,291 =	645,500
Subtrunk Land Drainage Sewers	500 acres x $1,061 =	530,500
Total	500 acres x $5,008 =	$2,504,000

4.5 Development Agreements

The City of Winnipeg will enter into Development Agreements with developers within the AAWSP area embodying the cost-sharing outlined in the Secondary Plan for roads, wastewater sewers, water mains, land drainage and open space dedication.
Airport Area West Structure Plan

5.0 ENVIRONMENTAL PROVISIONS

5.1 Environmental Principles

In order to achieve sustainable development, it is essential to designate natural areas and either preserve them outright or define construction techniques prior to breaking ground. Having a construction plan in place allows a healthy environment to be incorporated into the development of the area and also provides functionality within the design. It will also formally
reduce management, potential impacts and mitigation measures needed to preserve the local environmental community.

5.2 Impacts and Mitigation Measures

There are three potential impacts associated with the development of the AAWSP area, including accommodating development over Sturgeon Creek, the realignment of Truro Creek and the preservation of local forested areas. Each of these impacts is discussed below.

5.2.1 Development Over Sturgeon Creek

In regards to accommodating development over Sturgeon Creek, habitat must be preserved and potential impacts addressed in the developmental procedures. Department of Fisheries and Ocean's (DFO) *No Net Loss* of habitat will determine the type of structure used to span Sturgeon Creek. The primary concern is with the impact of shading. Open box culverts or clear span bridges are proposed to coincide with the existing PTH No. 101 crossing, which will allow the upgrading of the present three round culvert system to incorporate a more fish friendly design.

Report of the Standing Policy Committee on Property and Development dated September 10, 2002

Attachment "A" referred to in Clause 22 of the Report of the Standing Policy Committee on Property and Development dated September 10, 2002 (continued)

5.2.2 The Realignment of Truro Creek

The upper reach of Truro Creek is used for agricultural drainage and the shallow channel is usually only wet during spring runoff and storm periods. These areas, known as swales, are approximately 0.3 m. (1.0 ft.) in depth with a very shallow slope. These swales contain marginal habitat at best and account for approximately 2.0 km. (1.2 miles) of linear length. The proposed realignment of the creek will include defining the areas as riparian zones including detention ponds. These detention ponds and a well-defined creek bed will enhance the habitat by creating a permanent, zero till riparian zone and increase the linear creek length to approximately 15 km. (9.3 miles), thereby providing better quality fish habitat and maintaining DFO's *No Net Loss* policy.

5.2.3 The Preservation of Local Forested Areas

The major focus concerning the preservation of local forested areas deals with the remaining stands of oak savannah within the AAWSP area. This ecosystem is made up of older oak growth, which is slow to regenerate, as well as other areas of bushland/greenspace, which require a relatively short time frame to regenerate to comparable status. Efforts will be made during the design phase to either preserve treed areas outright (e.g. through land dedication, ecological gifts, etc.), implement on-site development caveats (e.g. building envelope restrictions that retain treed areas) and/or incorporate construction techniques to protect and/or transplant/relocate the treed areas.

5.3 Regulatory Review and Approvals

5.3.1 *Comprehensive Study Environmental Assessment*

As part of the AAWSP, a *Comprehensive Study Environmental Assessment* (CSEA) will have to be undertaken of the bridge to span over Sturgeon Creek and realignment of Truro Creek. This will entail reviewing environmental concerns discussed within the pre-screening and issues related directly to the creeks. The CSEA will also include local input and extensive public consultation, traditional knowledge of the area, and biological surveys for the ecological systems and watercourses. This will be a *Cooperative Environmental Assessment* (CEA) in accordance with the *Canada-Manitoba Agreement on Environmental Assessment Cooperation*.

A Project Administration Team with federal participation, will prepare guidelines for the CEA, which will be prepared to *Canadian Environmental Assessment Act* (CEAA) and *Manitoba Environment Act* (MEA) standards.

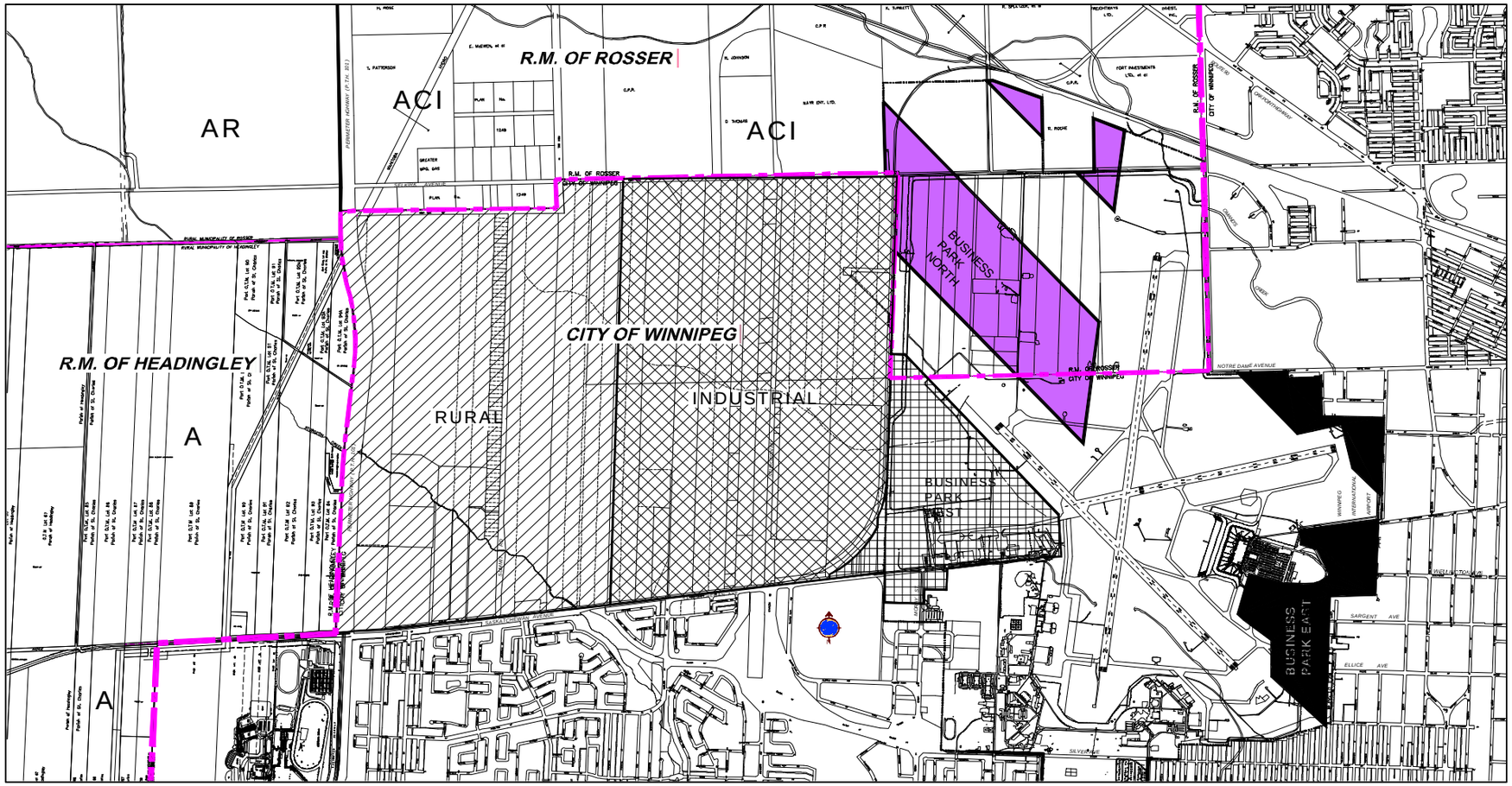
5.3.2 Environmental Licensing and Approval

The second regulatory review and approval component will include the preparation of environmental licensing and approval documentation according to both Provincial and Federal environment legislation (i.e. The MEA and CEAA). The DFO, Fish Habitat Management has concerns about requirements under the federal *Fisheries Act*, such as the deposition of deleterious substances into the river, or harmful alteration, disruption and destruction of fisheries habitat and/or populations, and the need to address *No Net Loss*. Finally, the Canadian Coast Guard of DFO may have an interest due to *The Navigable Waters Protection Act*. It will be important to address their concerns in relation to navigable waters.

6.0 IMPLEMENTATION

6.1 Zoning and Subdivision Control

Following the adoption of this AAWSP, the lands will require rezoning to permit industrial development. The current "M2" Industrial District regulations under Zoning By-law No. 6400/94 offer the greatest flexibility in this regard. Beyond this, Zoning Agreements with individual property owners can further regulate site-specific land uses and performance/development standards. In the future, the City may prepare a new zoning district that specifically accommodates airport-related and airport-compatible industrial development. Such a zoning district could be applied to some or all of the lands within the secondary plan area.



Plan Winnipeg: 2020 Vision :

- Rural Policy Area
- Industrial Policy Area

Winnipeg International Airport Development Plan :

- Business Park North
- Business Park East
- Business Park West ❶

❶ The Business Park West area in the Winnipeg International Airport Development Plan is also designated as Industrial Policy Area in Plan Winnipeg: 2020 Vision.

R.M. of Headingley Development Plan Bylaw No. 30/93 :

- **A** General Agricultural

South Interlake Planning District Development Plan Bylaw No. 2/83 :

- **AR** Agricultural / Rural
- **ACI** Airport Compatible Industrial

AIRPORT AREA WEST STRUCTURE PLAN

FIGURE 1 : POLICY AND PLANNING FRAMEWORK

LEGEND:

- Airport Area West Structure Plan (AAWSP)
- City of Winnipeg Boundary
- Winnipeg International Airport Boundary

Stantec

Landmark Planning & Design Inc.

Date : April, 2002
Scale : n.t.s.

REPORT OF THE

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

DATED SEPTEMBER 12, 2002

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development, dated September 12, 2002, was considered clause by clause.

Moved by Councillor Vandal,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8 and 9, be adopted.

Carried.

Proposed Rezoning - land located at 643/645 William Avenue
DAZ 215/2002 [c/r DAV 772/2002D, DCU 192/2002D]

739 - 1. The Standing Policy Committee on Property and Development has been advised that an application has been received from Sergia Carvalho, 646 William Avenue, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject lands from a "RM-L" Residential District to a "C2" Commercial District to allow for the construction of a new commercial/residential building.

The applicant proposes to replace the existing structures with a new two-storey building for combined residential and commercial usage. On the main floor is proposed three independent retail outlets, one of which is a small food take out facility. On the second floor the applicant proposes to establish four independent housing units with at least two separate accesses. Given the length of time for a rezoning to be approved, the applicant has submitted an accompanying variance application (File DAV 772/2002D), which will, if approved, allow the applicant to begin construction in advance of the Council approval of the application under File DAZ 215/2002.

On September 10, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject rezoning application. One person registered in support of the application and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the report dated September 2, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 12, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Change Report dated September 11, 2002, from the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for File DAZ 215/2002 dated September 2, 2002, to a "C2" Commercial District.

II. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

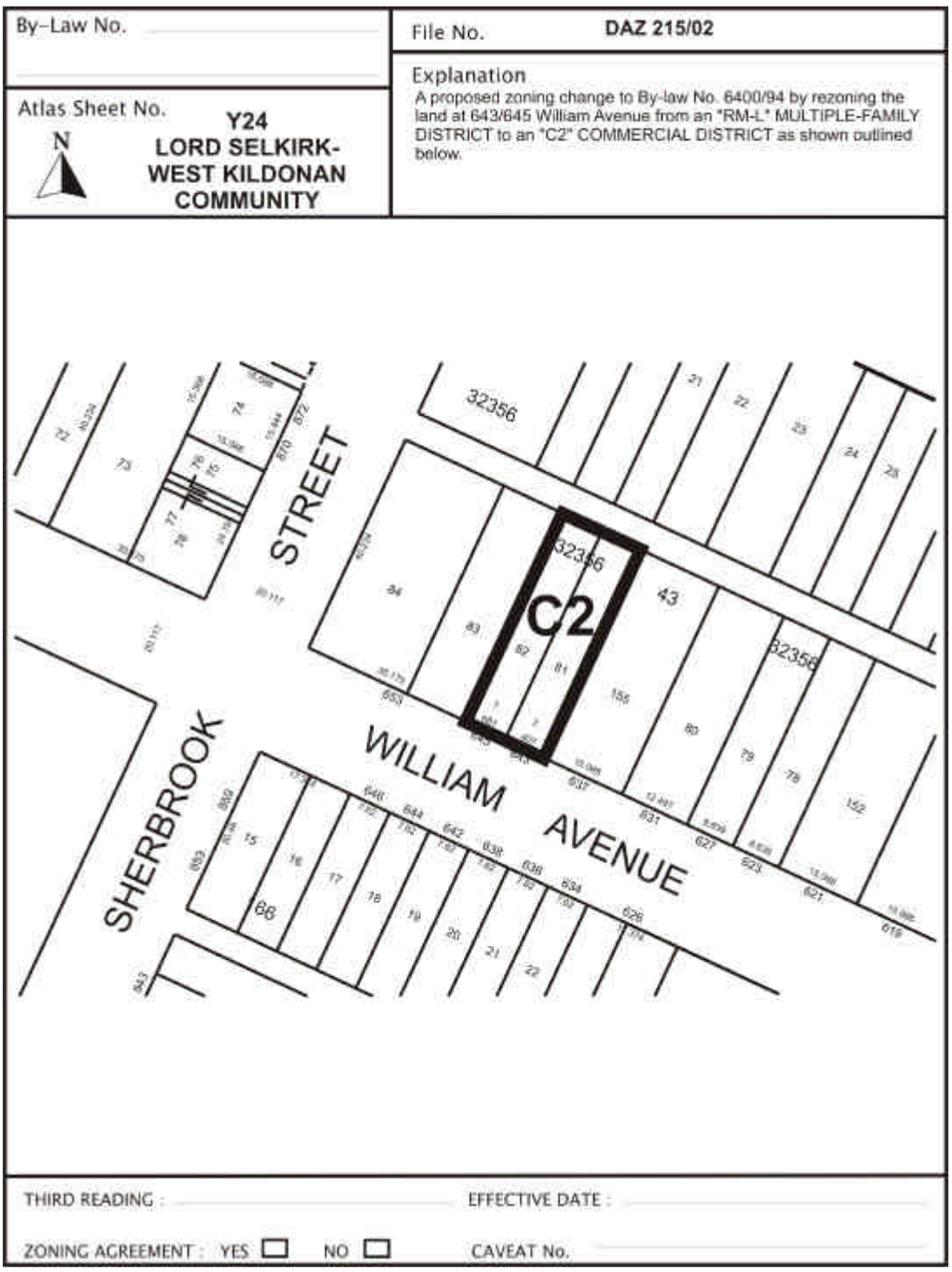
V. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Attachment "A" referred to in Clause 1 of the Report of the Standing Policy Committee on Property and Development dated September 12, 2002



Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Proposed Rezoning - land located at 531 McGregor Street
DAZ 218/2002 [c/r DAV 657/2002C]

740 - 2. The Standing Policy Committee on Property and Development has been advised that an application has been received from Pasquale Russo, 541 Hartford Avenue, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land from a "R2" Residential District to a "C1-5" Commercial District to allow for the expansion of an existing restaurant to include a seated customer area.

The applicant has already re-established the drive through ice cream use at a recent Board of Adjustment hearing (Order DAV 657/2002C). In addition to the existing floor space, he intends to add an additional 346 square feet of floor space as a sit restaurant area. The new addition will occur on the Cathedral Avenue side of the lot. There will be at least six tables in the seating area. There are ten (10) parking stalls on the north half of the lot. The applicant has indicated that while the owner of Alycias has parking rights on the subject property, she has agreed to relinquish those rights (verified by letter).

On September 10, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject rezoning application. One person registered in support of the application and no one registered in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the report dated September 2, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed rezoning for the following reason:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 12, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Change Report dated September 11, 2002, from the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for File DAZ 218/2002 dated September 2, 2002, to a "C1-5" Commercial District.

II. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See next page for attachment)

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Attachment "A" referred to in Clause 2 of the Report of the Standing Policy Committee on Property and Development dated September 12, 2002

By-Law No. _____

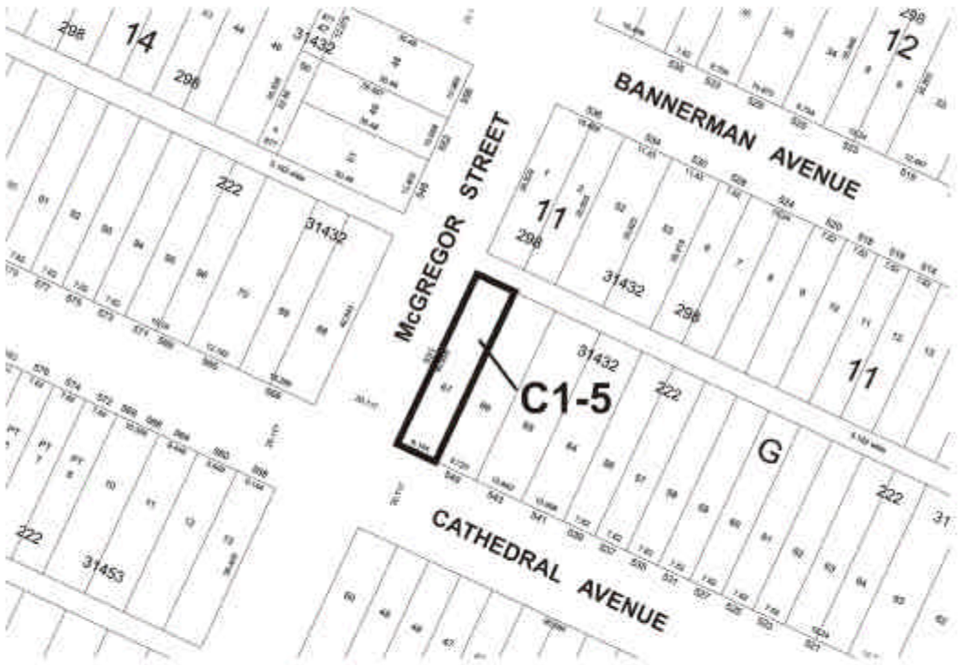
File No. **DAZ 218/02**

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land at 531 McGregor Street from an "R2" RESIDENTIAL DISTRICT to an "C1-5" COMMERCIAL DISTRICT as shown outlined below.

Atlas Sheet No. **V25 LORD SELKIRK-WEST KILDONAN COMMUNITY**

N



Schedule "A" for File DAZ 218/02, LS/WK Community, dated September 2, 2002

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Proposed Zoning Agreement Amendment - land located at 2188 McPhillips Street File ZAA 6/2002 [c/r DAZ 11/79]

741 - 3. The Standing Policy Committee on Property and Development has been advised that an application has been received from Ollie Ojala, 43 Colley Crescent, Winnipeg, to amend the Zoning Agreement to By-law No. 2440/79 affecting the subject property by deleting Section 2(iii) which restricts each use established on the said land to one facia identification sign, each sign not to exceed ten percent (10%) of the building wall of the specific commercial unit.

The applicant is asking that at least one clause in the existing agreement be reviewed and either modified or changed. The restriction on sign surface area is outdated and far more restrictive than the current By-law, and the restrictions on the number of facia signs per commercial unit could be deleted without any appreciable effect as long as they total no more than 25% of the building wall area. Right now each unit is limited to a single facia sign. The proposal is to attach a covered storage compound to the rear wall of the proposed store with a structural roof and open sides, as illustrated in the attached photo. The compound would be used principally for lumber storage.

On September 10, 2002, the Lord Selkirk-West Kildonan Community Committee held a public hearing to consider the subject zoning agreement amendment application. No one registered in support of the application and no one registered in opposition thereto.

That the Lord Selkirk-West Kildonan Community Committee concurred in the recommendation contained in the report dated September 2, 2002, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed zoning agreement amendment for the following reason:

1. The Lord Selkirk-West Kildonan Community Committee agreed with the administrative comments contained in the report of the Manager of Planning and Land Use, Planning, Property and Development Department.

On September 12, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations contained in the Zoning Agreement Amendment Report dated September 11, 2002, from the Lord Selkirk-West Kildonan Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement DAZ 11/79(By-law 2440/79) dated August 15, 1979, be amended by amending Section 2(iii) such that:

   A. Facia sign surface area per commercial unit be increased from the current ten percent (10%) of the unit building wall area to a maximum twenty-five percent (25%) of the same area; and

   B That there be no restriction on the numbers of facia signs per unit provided that the total facia sign surface area per unit does not exceed the recommended aforementioned twenty-five percent (25%) total.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 11/79 (By-law No. 2440/79) dated August 15, 1979, as approved in Recommendation No. 1.

III. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

IV. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

Proposed Riverbank Land Acquisition on D'Arcy Drive - Lot 12, Block 11, Plan 7003
File FI-2(35) (Vol. 10)

742 - 4. The Standing Policy Committee on Property and Development has been advised the owner of the subject property is prepared to sell this riverbank property to the City. The property is required for the Winnipeg Parkway System and is one of few remaining acquisitions required to complete the Fort Garry Parkway and the Trans Canada Trail in the area. The proposed acquisition is not part of a Council approved program and therefore requires consideration by Council.

On October 15, 2001, the Riel Community Committee recommended to the Standing Policy Committee on Property and Development that the Director of Planning, Property and Development be authorized to attempt the negotiation, at a reasonable price, for the proposed acquisition of the riverbank land, identified as subject property on Misc. Plan No. 11195/2, opposite 43 D'Arcy Drive, taking into consideration the legal costs for the acquisition of said property.

On October 30, 2001, the Standing Policy Committee on Property and Development authorized the Director of Planning, Property and Development to commence negotiations for the proposed acquisition of this riverbank property.

The particulars of the subject property are as follows:

Location:	On the left bank of the Red River directly opposite 43 D'Arcy Drive between Agassiz Drive and Glengarry Drive
Legal Description:	Lot 12, Block 11, Plan 7003
Certificate of Title:	1269543
Registered Owner:	William G. and Joan L. Challis
Zoning:	"R1-9" (residential)
Realty Roll:	03053783000
Assessed Value (2002):	$11,500.00
Current Taxes:	$307.71
Site Size:	Frontage = 26.374 metres (86.5 feet) Total lot area = 1950 square metres (20,990 square feet) Area above 230.1 metre flood elevation line = 1330 square metres (14,316 square feet)
Property Description:	Mainly rectangular shaped vacant riverbank lot on the left bank of the Red River and on the east side of D'Arcy Drive with numerous shrubs and trees and bordered on each side by grassed public parkland. Roughly two-thirds of the land area is above the 230.1 metre flood elevation line.

In 1958 the then owners of the lands forming part of Subdivision Plan 7003, executed an Agreement dated October 22, 1958, that provided for the consent of the former Rural Municipality of Fort Garry to the subdivision and the servicing of the lands subject to a covenant that restricted the erection of buildings or structures of any kind on Blocks 10, 11, 12 of Plan 7003 (the riverbank portion). A Building Restriction Caveat regarding this covenant was subsequently filed in 1959 against all of the affected lands, including the subject property.

Since that time the City has taken the position with any potential developer of the riverbank lands that in order to protect the vista of the Red River at this location and for the benefit of the general public and, more particularly, those homeowners on the west side of D'Arcy Drive, no development would be permitted on this riverbank stretch of D'Arcy Drive (Blocks 10, 11,and 12, Plan 7003).

As indicated on Misc. Plan No. 11195/2, the City has acquired most of the riverbank lands along D'Arcy Drive, i.e. as they have been offered for sale to the City. Lots 3 and 4, Block 11; and Lot 3, Block 12; Plan 7003, do not contain sufficient buildable area above the top of the riverbank to permit development. Were it not for the building restriction caveat, the subject Lot 12, Block 11, Plan 7003, meets the criteria permitting the development of a residential dwelling.

The owners of the subject property, who also owned and resided at 43 D'Arcy Drive, were not previously interested in selling the property. They retained the property for personal recreational use. One of the owners has died and the surviving owner plans to sell both the dwelling at 43 D'Arcy Drive and the subject riverbank property. The owner is prepared to sell this property to the City at a price of $85,000.00.

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

On November 15, 2001, the Real Estate Division, Planning, Property and Development Department submitted a purchase proposal requesting that the owner consider a price of $58,000.00 because the current owner was well aware that the City in 1990 had purchased the adjacent Lot 11, Block 11, Plan 7003 for $58,000.00.

On May 2, 2002, the owner advised that she would accept no less than $85,000.00 payable on or before September 15, 2002.

In support of her proposed asking price the Owner advised (on July 5, 2001) that she has contacted a number of professionals in the real estate field and they had advised her that fair market value would be in the $90,000.00 to $100,000.00 range; also, that the Building Restriction Caveat should not preclude her from receiving fair market value. Furthermore, she stated (on May 2, 2002) that since the time when the City made the initial offer on the property back in 1989, inflation at an average rate of three percent, combined with the annual property taxes she has paid since 1989, would add up to $89,860.00.

The City's Riverbank Management Engineer and the Zoning and Permits Branch of the Planning, Property and Development Department advised that in terms of zoning and physical characteristics the land meets the criteria for a buildable site, and were it not for the building restriction caveat, a building permit could be issued.

The Real Estate Division prepared an internal appraisal to determine the estimated market value "as if" there were no building restriction caveat. Buildable riverbank land in the City is a relatively scarce commodity and, as such, it is difficult to estimate how high a price someone is willing to pay to secure such a site, particularly a site as desirable as the subject property. Were it not for the caveat, the owner's asking price is in the low end of the probable range in market value. Should the owner retain legal representation and try to sell the land on the open market, the City's costs to acquire the property could dramatically increase.

The Planning and Land Use Division of the Planning, Property and Development Department advised that although the subject riverbank is not listed as one of the top six priority riverbank acquisitions it is required for the Winnipeg Parkway System and it is one of the few remaining acquisitions required to complete the Fort Garry Parkway and the Trans Canada Trail in the area. Additionally, the Division is concerned that development of the land by a private party, should that occur, would serve to interrupt any public pathway along this stretch of riverbank.

All options considered and based on the various internal/external legal and administrative advice/opinions provided, the Planning, Property and Development Department considers that the potential benefits of further negotiations are greatly outweighed by the potential risk and uncertainty of not resolving this matter quickly. As such the recommendation is to pay the owner her asking price of $85,000.00 and finalize this transaction as quickly as possible.

On July 29, 2002, the Riel Community Committee recommended that its Land Dedication Reserve Account be the funding source for the proposed acquisition of the riverbank land, identified as subject property on Misc. Plan No. 11195/2, opposite 43 D'Arcy Drive.

The Standing Policy Committee on Property and Development recommends:

I. That the acquisition of the subject property, outlined on Misc. Plan No. 11195/2, be approved at a price of $85,000.00 and in accordance with the terms and conditions that are satisfactory to the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services.

II. That the source of funding for the property acquisition be the Riel Land Dedication Reserve Fund.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Proposed Lease for Skate Sharpening Operation
- River Heights Community Centre
File FI-2.2(32) (Vol. 8)

743 - 5. The Standing Policy Committee on Property and Development has been advised that the River Heights Community Centre has requested that the City enter into an agreement with a for-profit operator, to provide an on-site skate sharpening service to the patrons of the City-owned River Heights Indoor Arena. Council approval is required to lease City-owned property acquired for parks purposes.

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

On July 10, 2002, the Community Services Department requested the Planning, Property and Development Department (Real Estate Division) to review documentation received from the River Heights Community Centre that included a proposed lease document they intended to enter into with Russell Martin, a skate-sharpening operator at the River Heights Arena. Following a review of the documentation, the Departments determined that the River Heights Community Centre was not authorized to enter into lease agreements for space within City-owned buildings. The Real Estate Division proceeded with the necessary tasks to facilitate the proposed agreement to establish a skate sharpening operation at the River Heights Arena, in accordance with City policy and procedures.

The River Heights Community Centre wishes to obtain the services of a skate sharpening operator as a means to providing an on site service to arena patrons, and that service is proposed to commence September 4, 2002.

The River Heights Community Centre had entered into direct negotiations with Russell Martin to establish the on-site services and had negotiated and agreed upon the rental rate, which is developed on the basis of a formula that essentially will reimburse the Tenants share of the operating costs back to the Community Centre. The Community Services Department has confirmed that this rate is within the range of rental rates that the City receives at Indoor Arenas under its direct management ($200.00 per month to $450.00 per month - provided by the Community Services Department).

The Community Services Department further advised that in accordance with the Universal Funding Formula for Community Centres, the designated leased space (exclusive use of 196 square feet) will be deducted from the square footage allocation of the River Heights Community Centre annual operating grant (i.e. 196 square feet x $2.35 per square foot = $460.60 reduction).

Since the proposed use is a for-profit operation, and because the Tenant will be exclusively occupying a dedicated area within the facility, the occupancy is deemed to be assessable in accordance with The Manitoba Municipal Assessment Act. Therefore in addition to the base rental that will be payable directly to the River Heights Community Centre, the Tenant will also be required to pay an equivalent to realty tax as assessed and billed for the demised premises (196 square feet). The Property Assessment Department estimated that the applicable annual realty tax will be approximately $200.00+/-.

The particulars of the subject City-owned property and proposed terms of lease are as follows:

Site Identification:	Shown on Misc. Plan No. 11604 as “Proposed Skate Sharpening Area”
Lessee:	Russell Martin
Term:	Commencement September 4, 2002
	Expires on September 3, 2003
Renewal:	Annual, provided there is no default
Cancellation:	Ninety (90) days notice by either party; by City upon Tenant default
Zoning:	“PR-1” Parks and Recreation
Demised Premises:	196 square feet
Base Rental:	$3,600.00 year/$300.00 per month, plus applicable GST. Determined by and payable direct to the River Heights Community Centre
Realty Tax:	The Tenant is responsible for realty taxes as assessed against the demised premises. (Estimated at $200.00 per annum)
Tenant Responsibilities:	Use is restricted to skate sharpening and sale of pucks, hockey sticks and tape purposes only; No advertising without City’s approval; Restoration of leased premises on expiry if the City directs; All cleaning and maintenance of the demised premises; Security for the demised premises, Liability insurance; MTS service and all other costs related to its operation.
Landlord Responsibilities:	Building maintenance and operation, provision of utilities to demised premises, renovations to create skate sharpening space, building security, provision of access to demised premises and determination of arena operating hours.

In addition to the above, there will be clauses unique to this specific agreement relative Child Protection, shared cost to install a window in the facility to comply with a possible Winnipeg Fire Paramedic Service requirement, etc. In the past these types of uses were typically documented by way of a management agreement; however, that form of agreement is no longer used.

Report of the Standing Policy Committee on Property and Development dated September 12, 2002

The Community Services Department supports the proposed lease agreement as it will provide a service and revenue enhancement for the River Heights Community Centre.

The Planning, Property and Development Department is currently circulating a draft of the proposed terms and conditions of lease that have been jointly developed with the City's Legal Services Division, River Heights Community Centre, and the Community Services Department. It may be necessary to further amend these to meet the requirements of all parties.

On September 12, 2002, the Standing Policy Committee on Property and Development concurred in the foregoing administrative recommendations, with the amendment of delegating to the Chief Administrative Officer (versus the Director of Planning, Property and Development) the authority to finalize the terms and conditions of the lease.

Pursuant to Section 156(2) of The City of Winnipeg Act, all lease of property designated or acquired for park purposes requires approval of at least two-thirds majority of the Members of Council.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed lease with Russell Martin, to establish a skate sharpening operation in the River Heights Community Centre, be approved in principle, in accordance with the terms and conditions as negotiated.

II. That the Chief Administrative Officer be delegated the authority to finalize the terms and conditions of the lease in a manner satisfactory to the City Solicitor/Manager of Legal Services.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Proposed Acquisition of 74 Inkster Boulevard for the expansion of the Luxton Community Centre

File FI-2(34) (Vol. 8)

744 - 6. The Standing Policy Committee on Property and Development has been advised that the subject property at 74 Inkster Boulevard is the last remaining property required for the Phase I expansion of the Luxton Community Club. The Planning, Property and Development Department has negotiated the purchase of this property and is recommending the price and associated terms of acquisition for approval by Council.

On April 6, 2000, the Standing Policy Committee on Property and Development considered the recommendation from the Lord Selkirk-West Kildonan Community Committee and subsequently instructed the Director of Planning, Property and Development to negotiate offers to purchase the remaining required properties on Inkster Boulevard, to enable the expansion of the Luxton Community Centre field, subject to the identification of funding.

The proposed expansion of the Luxton Community Centre Phase I, Phase II and the future lane closure is outlined on Misc. Plan No. 11100/2. The plan also indicates the existing City-owned property in this area, as well as the subject property.

On September 9, 1992, the former Committee on Finance and Administration considered the recommendation from the former Committee on Protection, Parks and Culture advising that it had approved as to need the acquisition of lands for expansion of the Luxton Community Centre and recommended that Phase I and Phase II as outlined on the Misc. Plan 11100 be considered by the former Committee on Finance and Administration. The former Committee on Finance and Administration recommended approval of this design for the expansion of the Luxton Community Centre. Subsequently, the Planning, Property and Development Department negotiated, and Council approved, the acquisition of three properties along Inkster Boulevard for Phase I.

The Planning and Land Use Division of the Planning, Property and Development Department advised "the Luxton neighbourhood is in a serious deficit situation in regards to open space and is one of the most deficient neighbourhoods in the City in regards to open space".

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The owners have advised they would be prepared to sell the subject property to the City for $56,000.00 and in accordance with the negotiated terms and conditions. The particulars of the subject property are as follows:

Location:	74 Inkster Blvd.
Legal Description:	Lot 33, Block D, Plan 728
Certificate of Title:	1339667
Registered Owners:	Miguel and Clara Aravena
Realty Roll Number:	14-070143000
Assessment:	$45,000.00 (1999)
Zoning:	"R-2" (Residential)
Description:	A two-storey single family dwelling with a full basement in fair condition.

The subject property is the last remaining property required along Inkster Boulevard for the Phase I expansion of the Luxton Community Centre.

It should be noted that the subject property was not offered for sale to the City prior to the Real Estate Division approaching the owners to determine whether or not they would be prepared to sell.

After several discussions with the owners, they have reluctantly agreed to sell their home to the City for an all inclusive purchase price of $56,000.00 and in accordance with negotiated terms and conditions. The proposed purchase price includes an amount for market value, plus expenses the owner will incur to relocate i.e. legal costs for a new home purchase, utility hook-ups, mortgage discharge fees, moving costs, etc.

The Planning and Land Use Division advised that the lot has to be vacant in order to accommodate the expansion of the Luxton Community Club and therefore recommends that the site be cleared of the structures either by way of demolition or relocation.

Funding for this acquisition has been allocated from the Land Acquisition for General Unspecified Purposes Account. The total budget amount required in order to complete this transaction and demolish/remove the building is $74,000.00.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed acquisition of 74 Inkster Boulevard, identified as "subject property" on Misc. Plan No. 11100/2, be approved at a purchase price of $56,000.00 and in accordance with the terms and conditions as negotiated.

II. That the Director of Planning, Property and Development be authorized to clear the site by removal or demolition of the structures.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Delegation of Authority to Demolish City-owned Buildings/ Structures acquired by way of Tax Sale that are either Derelict or Uneconomic to Maintain
Files EB-1.5 (Vol. 18) and GC-11 (Vol. 8)

745 - 7. The Standing Policy Committee on Property and Development has been advised that the City is acquiring significant numbers of derelict buildings/structures by way of tax sale that may have to be demolished. A delegation of authority for their timely demolition would allow the Administration to manage this inventory more efficiently and would limit the City's exposure to financial risk.

Currently, the Planning, Property and Development Department must seek authority to arrange for demolitions from the Standing Policy Committee on Property and Development on a case-by-case basis (except for those buildings which have been "ordered" vacant by either the Environmental Health Services Branch or the Housing and Existing Buildings Branch). The Planning, Property and Development Department, Real Estate Division, considers that a delegation of authority as recommended will assist in reducing the inventory of City-owned derelict buildings/

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structures immediately upon obtaining possession, thus, limiting the City's exposure to financial liability due to their presence.

Council has previously determined that the authority to demolish or remove any City-owned building or structure which is uneconomic to maintain or is on a site required for a stated public purpose shall rest with the former Committee on Environment (now the Standing Policy Committee on Property and Development.); and, that the former Board of Commissioners (now the Chief Administrative Officer) shall have the authority for the demolition or removal of City-owned buildings located on properties acquired under Council authority for street rights-of-way, sewer and water rights-of-way and other City utilities and also where a building is acquired by the City for any specific purpose and its structural condition is such that it creates a danger to the public and immediate action is required that its demolition or removal is carried out.

When an administrative report to the Standing Policy Committee on Property and Development recommends the acquisition of a property with a derelict and/or boarded up building/structure, the report is to also include a recommendation, where conditions warrant, that the building/ structure be demolished immediately upon possession by the City.

However, under the City's policies and procedures for properties acquired by way of tax sale, the periodic reports to Standing Policy Committee for information purposes, i.e. after the fact that a property has been acquired by way of tax sale, must also contain a recommendation seeking authorization to demolish any building/structure that is either derelict or uneconomic to maintain well after title to the property has issued to the City. This leaves the City unnecessarily exposed to liability and financial risk while the vacant derelict building/structure remains standing.

The Administration would like to expedite this process so that the City does not accumulate an inventory of boarded-up derelict buildings/structures. More than several years ago the number of derelict buildings/structures being acquired by way of tax sale was low enough that there was sufficient opportunity to report in a planned and timely manner to Committee in order to secure authority to proceed with a demolition. The numbers of derelict buildings/structures being acquired in tax sale each year has steadily increased to the point where the current resources are strained to efficiently manage the inventory, i.e. to deal with file set-up and data collection such as size, age, condition, ownership, environmental issues, occupancy issues, utilities status, previous outstanding orders, contact with owners/tenants, prospective purchasers, inspections by City personnel, risk assessment and making the boarding-up and demolition arrangements. In effect, the Real Estate Division conducts a comprehensive risk assessment before instructing the City's Legal Services Division to make its final application to the Winnipeg Land Titles Office requesting title to issue into the name of the City.

Consequently, from time to time, the Administration accumulates an inventory backlog of buildings/structures, usually residential in nature, that are either derelict or just uneconomic to maintain and, thus, warrant demolition. As an example, ten properties containing residential dwellings have recently been acquired through completion of the tax sale process. After a thorough inspection of the ten, one is to be sold, four have been demolished, four will soon be demolished and one is under further consideration for either sale or demolition.

Also, the Real Estate Division and the City's Legal Services Division are in a position to immediately acquire yet another 25 properties in tax sale, many of which will warrant immediate demolition. As well, in early January the Corporate Finance Department's Tax Branch submitted approximately 211 tax sale properties to the City's Legal Services Division for further processing. A number of those have been redeemed from tax sale and most likely some more will soon be redeemed. However, and based on recent trends, an estimated 112 of those properties will probably not be redeemed by the owners and will, therefore, be referred to the Real Estate Division for investigation and processing. The Real Estate Division has determined that of that number, 56 are listed on the Boarded and Vacant buildings registry.

Such buildings/structures, if they are allowed to remain standing for any length of time, are vulnerable to illegal acts, arson, etc. This creates a financial liability to the City if a member of the public were to become injured by such an act. Therefore, the Real Estate Division recommends that the Chief Administrative Officer or her designate (i.e. the Director of Planning, Property and Development) be empowered to arrange for immediate demolitions upon an acquisition of these properties where conditions warrant.

Currently, the Real Estate Division relies on one or the other of two existing authorities to arrange for a demolition:

1. The first authority is that which the Environmental Health Services Branch (Community Services Department) and the Housing and Existing Buildings Branch (Planning, Property and Development Department) has to "order" a building demolished for reasons of either health issues or structural safety concerns. If the City is about to acquire a building by way of tax sale that is subject to an existing order or that is subsequently ordered demolished by either of these authorities, the Real Estate Division will request that the order be enforced.

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2. The second authority is that of the Standing Policy Committee on Property and Development. Currently, in those circumstances where there is no order for demolition or where it is not economic to repair a property for re-sale, the Real Estate Division submits a report to the Standing Committee on Property and Development, recommending a demolition(s).

It is the recommendation of the Planning Property and Development Department that the delegated authority to proceed with a demolition would be exercised in accordance with the following guidelines:

- Applies to all buildings/structures acquired by way of tax sale that are either derelict or uneconomic to maintain.

- Applies to those buildings/structures whose estimated cost of demolition is $50,000.00 or less.

- Applies only after the Senior Planner (Historic Buildings) has ascertained and advised that the building/structure is not of sufficient historic interest to prevent its demolition.

A delegation of authority for demolition will assist in efficiently reducing the inventory of City-owned derelict buildings as soon as they are acquired. However, the recent occasional requests for deferrals of demolition due to expressions of interest from various non-profit community housing groups, who wish to consider renovating some of these buildings, is a serious factor in the accumulation of such an inventory. This can potentially add months to the time during which these buildings pose a liability while being in the City's inventory. The Real Estate Division is discussing this issue with the Winnipeg Housing and Homelessness Initiative in order to explore and determine an appropriate policy to apply to these groups.

The Standing Policy Committee on Property and Development recommends:

I. That the Chief Administrative Officer or her designate be delegated the authority to demolish or remove any City-owned building or structure acquired by way of tax sale and that is either derelict or uneconomic to maintain in accordance with the guidelines outlined above.

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

Adopted by consent.

Proposed Acquisition and Demolition of 444 Agnes Street

File FI-2(32) (Vol. 5)

746 - 8. The Standing Policy Committee on Property and Development has been advised that the subject property at 444 Agnes Street is severely infested with cockroaches, and the Provincial Medical Health Officer requires a process that will consume at least 90 days before an Order to demolish can be issued. The Public Trustee advised that it is willing to provide the City with a Transfer of Land in order to expedite a demolition on the understanding that the registered owner has no funds and that any costs be the City's responsibility. Council approval is required in order to acquire the subject derelict property.

The particulars of the property are as follows:

Location:	West side of Agnes Street, between Portage and Ellice Avenues.
Legal Description:	Southerly 19 feet of Lot 154 and the northerly 11 feet of Lot 155, Misc. Plan No. 4076
Certificate of Title:	1034810
Registered Owner:	Margaret Chorney
Realty Roll No.:	13041097000
Assessment:	$24,100.00
Zoning:	"R2-T" Transitional District
Description:	A 1-¾ story, 1044 square foot single-family residence on a full basement, built in 1908, now boarded up and in poor condition, plus garage.

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The 2002 taxes in the amount of $765.87 are paid. The hydroelectric and gas accounts are paid up, but a water bill of $16.04 (estimated) remains unpaid. There is no outstanding home insulation loan with the hydroelectric utility. As of August 23, 2002, the Certificate of Title is free and clear of all registered encumbrances. However, the Public Trustee advises that the current owner has no funds. Also, the condition of this property is such that a purchaser is not likely to be found. Therefore, the City can expect to ultimately acquire this property in tax sale.

The City's Legal Services Division has ascertained that the Public Trustee has no obligation for the costs associated with this proposed demolition when the registered owner has no such funds. Costs associated with this proposed acquisition and demolition, estimated to be up to $8,000.00, will have to be paid out of the Land Operating Reserve, i.e. as if a tax sale acquisition.

If the City does not acquire the property, the Environmental Health Branch will have to wait at least 90 days before it can obtain the Provincial Medical Health Officer's Order to demolish this boarded up building. Then, the property will most likely fall into tax arrears and the City will acquire title in approximately four years time at greater expense. In the meantime, this property has the worst cockroach infestation observed by health officials and this condition poses a hazard to adjoining properties.

The Standing Policy Committee on Property and Development recommends:

I. That the Public Trustee's offer to provide a Transfer of Land to the City of Winnipeg for 444 Agnes Street, shown as "subject property" on Misc. Plan No. 11624, be accepted in accordance with such terms and conditions as the Director of Planning, Property and Development and the City Solicitor/Manager of Legal Services might consider necessary to protect the City's interests.

II. That the Director of Planning, Property and Development be authorized to demolish the building located at 444 Agnes Street immediately upon title issuing to the City.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

Request for an Extension of Time - Proposed Rezoning of land located at 1620 McGillivray Boulevard

File DAZ 200/2000

747 - 9. On November 23, 2000, Council adopted Clause 2 of the Report of the Standing Committee on Property and Development dated October 24, 2000, and approved the subject rezoning to "MI-B" Industrial District with restricted permitted uses. Recommendation V contained in the said Clause stipulated that in the event this application was not proceeded with expeditiously and the by-law was not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

The time period will expire on November 22, 2002, and therefore the Planning, Property and Development Department is recommending that Council extend the deadline by an additional twelve months to November 22, 2003.

The Planning, Property and Development Department made application to have the City lands at the northeast corner of Waverley Street and McGillivray Boulevard, shown as Parcels "A" and "B" on Misc. Plan No. 8091/9, rezoned to "M1-B" Industrial District to establish a zoning classification and permitted uses which would reflect the desires of the community at large. The rezoning would allow the Department to harmonize its marketing (land sales) program with the requirements of the community.

The Standing Policy Committee on Property and Development recommends:

I. That the date for Zoning By-law No. 7719/2000 to come into effect on both Parcel "A" and "B" shown outlined on Misc. Plan No. 8091/9, be extended from November 22, 2002 to November 22, 2003.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Adopted by consent.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Gerbasi,

748 - WHEREAS the Riverbank Management Committee has a mandate to develop innovative programs for riverbank stabilization of both public and private lands;

AND WHEREAS the Riverbank Management Engineer has identified an opportunity for the City to pursue a unique funding partnership with private property interests to stabilize a high priority section of riverbank through its Riverbank Stabilization Capital Works Program;

NOW THEREFORE BE IT RESOLVED that the Riverbank Management Engineer, Planning, Property and Development, be authorized to proceed with the formal negotiation of a possible cost shared funding arrangement between the City and uplands property owners for implementation of riverbank stabilization works between May and Annabella Streets in the winter 2002-2003 pursuant to the City's Riverbank Stabilization Program.

The Speaker ruled automatic referral to the Standing Policy Committee on Property and Development in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor Lazarenko,
That the rule be suspended to allow consideration of the motion at this time.

Carried.

The motion was put and declared carried.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

CONSIDERATION OF BY-LAWS

749 - On motion of Councillor Vandal, By-law No. 8097/2002, a by-law of The City of Winnipeg to adopt a secondary plan for the lands west of the Winnipeg International Airport was read a second and third time, and was passed and ordered to be signed and sealed. Files EP-1.2 (Vol. 6) and SP 1/2002

On motion of Councillor Vandal, the following by-laws were read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:

By-law No. 8100/2002, a by-law of The City of Winnipeg to open Lagimodiere Boulevard north of Dugald Road. File DAO 2/98

By-law No. 8101/2002, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the east side of Henderson Highway between Knowles Avenue and Bunn's Creek in the East Kildonan-Transcona Community. File DAZ 205/95

By-law No. 8102/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the northeast corner of Furby Street and Cornish Avenue in the City Centre Community. File DASZ 6/96

By-law No. 8105/2002, a by-law of The City of Winnipeg to close parts of Litchfield Boulevard, Public Lane and Latimer Boulevard south of Park Place West. File DAC 2/2002

By-law No. 8106/2002, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 941 Corydon Avenue in the City Centre Community. File DAZ 214/2002

Standing Policy Committee on Property and Development - Consideration of By-laws (continued)

By-law No. 8107/2002, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the west side of Ulster Street between Carrigan Place and Greencrest Avenue in the Riel Community. File DAZ 216/2002

By-law No. 8108/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located adjacent to 26 - 74 Boisselle Bay in the Riel Community. File DASZ 17/2002

By-law No. 8109/2002, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the southeast corner of Mathers Avenue and Waverley Street in the City Centre Community. File DAZ 213/2002

By-law No. 8110/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located north of Beecher Avenue, opposite Diplomat Drive in the Lord Selkirk-West Kildonan Community. File DASZ 27/2001

By-law No. 8128/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 1220 Pandora Avenue in the East Kildonan-Transcona Community. File DASZ 11/2002

By-law No. 8129/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the north side of Benn Avenue east of Riverwest Road in the Lord Selkirk-West Kildonan Community. File DASZ 13/2002

By-law No. 8130/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located adjacent to 191 - 215 George Marshall Way in the East Kildonan-Transcona Community. File DASZ 16/2002

By-law No. 8131/2002, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 531 McGregor Street in The Lord Selkirk-West Kildonan Community. File DAZ 218/2002

By-law No. 8132/2002, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 643/645 William Avenue in the Lord Selkirk-West Kildonan Community. File DAZ 215/2002

On motion of Councillor Vandal, the rule was suspended and By-law No. 8137/2002, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the southeast corner of Grassie Boulevard and Molson Street in the East Kildonan – Transcona Community, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File DASZ 14/2001