REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED FEBRUARY 19, 1999

On motion of Councillor Steek, the Report of the Standing Policy Committee on Property and Development, dated February 19, 1999, was considered.

Task Force on Inner Winnipeg Neighbourhood Redevelopment
File EX (Vol. 13)

654 - ***Note: Clause 1 has been referred back by Executive Policy Committee to the Standing Policy Committee on Property and Development.***

Referred back by the Executive Policy Committee to the Standing Policy Committee on Property and Development

REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED APRIL 26, 1999

On motion of Councillor Steek, the Report of the Standing Policy Committee on Property and Development, dated April 26, 1999, was considered.

Moved by Councillor Steek,
That the Consent Agenda, Clause 1, be adopted

Carried

Proposal to Declare City-owned Lands as Surplus to the City's Requirements - lands located north of Mission Street - Riel Community File FI-2.4(35) (Vol. 6)

655 - 1. The Standing Policy Committee on Property and Development has been advised that as a result of increasing interest in bulk industrial lands in the area of Mission Street / Paris Street / Auburn Street, in 1995, the former Land and Development Services Department recommended a street closure plan to close most of Paris Street and all of Auburn Street in order to consolidate existing shallow lots with the closed streets and to create more marketable and developable sites.

On February 12, 1996, the Riel Community Committee held a public hearing on an application for the proposed closing of Auburn Street and part of Paris Street, north of Mission Street (File DAC 26/95). Opposition was registered by Mission Autobody at 1005 Mission Street, and Fostey Stainless Products of 989 Mission Street registered for information. In the light of the foregoing, the Riel Community Committee adjourned the public hearing, and requested that the Administration, after consulting with prospective purchasers, to submit a development concept plan of the area, which may result in more or less land being closed than is presently being proposed in the subject application.

On September 18, 1997, the former Land and Development Services Department contracted with the McGowan/Russell Design Group to do a comprehensive analysis of the subject site with extensive collaboration and input by all adjacent land owners.

Early in the consultants preliminary review of the subject site, the former Parks and Recreation Department indicated its desire to declare as surplus those lands within its jurisdiction north of Mission Street and slightly west of Auburn Street, as outlined on Misc. Plan No. 10620, and which lands are currently zoned as "PR1". The former Parks and Recreation Department viewed these lands as surplus to their needs as early as 1992. The Property and Development Services Department recommended the lands be declared surplus and be consolidated within the subject area concept plan. The McGowan/Russell Study Report has incorporated these lands into its recommendations.

The McGowan/Russell Study recommends the full closure of Auburn Street and of Paris Street west of Lots 36 in Blocks 3 and 4 of Plan 1028. Due to concerns expressed by Fostey Stainless Products located at Lots 48 to 51, Block 4 and L.S.M. Metal Fabrications located at Lots 52 and 53, all within Block 4 of Plan 1028, the study recommends that consideration be given to negotiate secondary accesses to rearage lands at these locations. The study further recommends the City to buy Lots 1 to 6 and 75 to 80, in Block 4, Plan 1028 and lands within Plan 11,510 from Manitoba Hydro in order to close Auburn Street and the western portion of Paris Street on which these lands front. The study also highlights the interest shown by some of the Mission Street frontage land owners to possibly acquire lands at the rear of their holdings once Paris Street is closed.

The consultant's recommendations represent three separate and distinct issues which may not be able to be resolved simultaneously. Hence, the Property and Development Services Department recommended a staged implementation sequence to prepare the subject lands for consolidation.

Report of the Standing Policy Committee on Property and Development dated April 26, 1999

Stage 1 (as outlined on Misc. Plan No. 10620/1)

Paris Street should be closed from the western limits of Lots 7 to the eastern limits of Lots 36 within Blocks 3 and 4 of Plan 1028. The City owns all of the lands fronting on Paris Street within this section. These lands should be consolidated with Lots 54 through to 62 fronting on Mission Street in order to create new Lots 1 to 5 with frontages on Mission Street and on residual portions of Paris Street. Lot 1 would be a one foot strip to be retained by the City to preclude access from Lot 2 to the remaining portion of Paris Street and to Lexington Street.

While the application for closure of this portion of Paris Street and the re-subdivision of Lots 1 to 5 is proceeding, the Property and Development Services Department would enter into discussions with the Principals of Mission Autobody, Fostey Stainless Products and L.S.M. Metal Fabrications to facilitate sale negotiations of rearage lands as suggested by them to the study group.

The approval to proceed with the closure of Paris Street and the creation of Lots 1 and 2 at this location will not prejudice these discussions. As these negotiations are concluded, Lot 2 can be further subdivided into the desired rearage parcels to be consolidated with the frontage lands. The questions of accessibility to the rearage lands off Paris/Lexington Streets may also be resolved at that time, which may eliminate the need to retain Lot 1 as a deterrent for access.

Similarly, the Property and Development Services Department would initiate discussions with the owners of Mission Street frontage lands from Lots 63 to 74, Block 4, Plan 1028 in order to determine their wishes with regard to their purchase from the City of rearage lands. New Lots 4 and 5 can be further re-subdivided to accommodate the results of these negotiations.

Implementation of Stage 1 also enables the Department to begin negotiations with Manitoba Hydro for the acquisition of Lots 1 to 6 and 75 to 80, Block 4, Plan 1028 and their lands within Plan 11,510 should Standing Policy Committee and Council concur in the acquisition recommendation. Concurrently, the Property and Development Services Department would initiative a recommendation for Council to declare the redundant park lands as surplus to the City's needs in this area followed by an application for rezoning from "PR1" to "M3". Successful acquisition of the Hydro lands would precipitate the second stage of consolidation.

Stage 2 (as outlined on Misc. Plan 10620/2)

Auburn Street and the balance of Paris Street at this location would be closed. New Lots 6 to 9 would be created by consolidating the Manitoba Hydro lands with Lot 5 from Stage 1 and the surplus park lands as well as the City's lands fronting Mission Street, namely Lots 43 to 47 and 55 and 56, Block 2, Plan 1028.

Again, ongoing discussions/negotiations with the adjacent Mission Street frontage landowners would decide the final disposition of these rearage lands, which may or may not result in boundary changes to the proposed new lots.

Stage 3 (as outlined on Misc. Plan No. 10620/3)

The last issue arising from the McGowan/Russell Study deals with the problems encountered at the eastern end of Paris Street where it co-joins with former Lexington Street. Mission Autobody wishes Paris Street to remain open thereby affording direct roadway access to Lots 37 to 40, Block 4, Plan 1028. Keeping Paris/Lexington Streets open at this location only benefits three landowners at present, i.e. Mission Autobody, located west of Lexington Street and south of Paris Street; Malcolm Construction to the east of Lexington Street; and Prime Motor Oils Ltd. to the north of the rights-of-way. However, it is the Department's understanding that Prime Motor Oils Ltd. is in default of realty taxes and may be sold in tax sale. It is also believed that the site may be impregnated with petroleum based contaminants which may require extensive and costly site restoration. Malcolm Construction Co. has been placed into receivership and these lands may also be sold in tax sale. Therefore, the Property and Development Services Department believes the issues of closing Paris/Lexington Streets at this location are much too complex to resolve in the short term and recommends that the status-quo be maintained until such time as the condition of the Prime Motor Oils Ltd. site is determined and dealt with accordingly.

In the recent past, the Property and Development Services Department has had ongoing discussions with the owners of Mission Autobody, on Lots 37 to 47; with Fostey Stainless Products, on Lots 48 to 51; and with L.S.M. Metal Fabrications, on Lots 52 and 53, all within Block 4, Plan 1028, with regard to the proposed closure of Paris Street and

Report of the Standing Policy Committee on Property and Development dated April 26, 1999

their expressed interests in the acquisition of rearage lands. Their position then, as it is now, is an expressed interest in those existing lots immediately to their rear and fronting on Paris Street. The closure of Paris Street and the lands north of that street are of secondary interest to them and they are only interested in acquiring them if the price is "right".

Retention of Paris Street not only exposes the City to a major share of the required servicing costs along its length but also limits the ability of the City to sell off the residual industrial lands north of Paris Street due to their extremely limited depth. The current and foreseeable market for industrial lands are for bulk parcels ranging up to 40 acres (16.2 hectares) in size, and in some cases even larger.

The Property and Development Services Department is aware of several parties who have expressed a serious interest in purchasing bulk lands at this location. The Department can only pursue these potential sales by closing Paris Street and consolidating its vacant land holdings into bulk parcels. Implementation of the Stage 1 closing and consolidation could bring forward serious market offers for these consolidated parcels. The existing property owners on Mission Street should be given first right of acquisition, at fair and competitive market value, to those consolidated parcels behind their current holdings.

The Property and Development Services Department agrees with the McGowan/Russell Study in its recommendation that the City pursue the acquisition of the Manitoba Hydro lands namely Lots 1 to 6 and Lots 75 to 80 within Block 4, Plan 1028, as well as lands within Plan 11,510, by purchase or land exchange with other parcels. Consolidation of these lands with the remaining surplus City lands and the redundant parklands makes eminent sense from an economic land use perspective and therefore should be pursued with vigour.

The issues of Lexington Street and the remaining portion of Paris Street, at the eastern end of the study area poses several problems. The McGowan/Russell Study indicates that L.S.M. Metal Fabrications, Fostey Stainless Products and Mission Autobody are all opposed to the closure of Paris Street at this location. Of these only, Mission Autobody has a legitimate claim having frontage on the south side of Paris Street from Lot 37 to Lot 40, Block 4, Plan 1028. Prime Motor Oils Ltd. on Lots 37 to 42, Block 3, Plan 1028, may have relinquished its rights by going into tax default. The outcome of the receivership of Malcolm Construction Co. is still to be realized as well.

If Lexington/Paris Streets is to remain permanently open at this location, the dead-ended unimproved gravel road access would have to be upgraded with utility services and a fully paved cul-de-sac turn-around provided, all to the expense of the adjacent frontage/flankage owners and to the City.

The Property and Development Services Department believes Lexington/Paris Street rights-of-way at this location are redundant to the needs of the adjacent owners since both the Mission Autobody and Malcom Construction Co. sites have direct access to Mission Street. The Department also believes that the consolidation of these rights-of-way and the Prime Motor Oils Ltd. site with the adjacent land owners may be the best long-term solution. The City, therefore, must address the issues of the future ownership of these sites and to address the possibility of petroleum contaminants on the Prime Oil Site, before it can resolve these issues with any certainty. This will take some time to accomplish.

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

The Standing Policy Committee on Property and Development recommends:

I. That all of the lands outlined as "City property" on Misc. Plan No. 10620, located north of Mission Street, as well as the lands outlined as "park lands" on Misc. Plan No. 10620, located north of Mission Street, be declared surplus to the City's requirements.

II. That the Director of Property and Development Services be authorized to negotiate the acquisition of the Manitoba Hydro lands, namely Lots 1 to 6 and Lots 75 to 80 within Block 4, Plan 1028, as well as Plan 11,510, outlined as "hydro easement" on Misc. Plan No. 10620, for consolidation of these lands with the City-owned property outlined on Misc. Plan 10620.

III. That the Director of Property and Development Services be authorized to do all things necessary to prepare the subject city-owned lands for sale, in consultation with the Ward Councillors.

Report of the Standing Policy Committee on Property and Development dated April 26, 1999

IV. 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.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED JUNE 1, 1999

On motion of Councillor Steek, the Report of the Standing Policy Committee on Property and Development, dated June 1, 1999, was considered clause by clause.

Moved by Councillor Steek,

That the Consent Agenda, Clauses 2,4,5,6,7 and 8, be adopted

Councillor Smith requested that Clause 7 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,4,5,6 and 8 was put and declared carried.

Proposed Text Amendment - Winnipeg Zoning By-law No. 6400/94 - Regulation of Advertising Signs File DAZ 215/99 [c/r DAZ 209/94 (Vol. 3)]

656 - ***Note: Clause 1 has been referred back by Executive Policy Committee to the Standing Policy Committee on Property and Development.***

Referred back by the Executive Policy Committee to the Standing Policy Committee on Property and Development

Proposed Amendment to the Eaglemere Development Agreement AG 26/88 - River East Developments Limited - East Kildonan-Transcona Community File DASZ 26/88

657 - 2. The Standing Policy Committee on Property and Development has been advised that pursuant to Development Agreement AG 26/88 dated June 17, 1999, the Developer (River East Developments Limited) is restricted to a maximum of 25 dwelling units each on Deering Close and on Walter Piper Grove. The restriction was in part based on the allowable number of dwelling units relying on a single watermain feed. Deering Close has been developed with 25 homes while Walter Piper Grove has not yet been serviced and developed. The Developer has requested that Development Agreement AG 26/88 be amended to allow the construction of 27 homes rather than 25 in accordance with the sketch identified as Schedule "A".

The Property and Development Services Department has reviewed the Developer's request and considers it reasonable subject to the addition of a clause requiring that a twinned watermain be installed in the east-west leg of Walter Piper Grove. This would ensure that no more than 20 lots are affected by a watermain shutdown and thus comply with the City's minimum design standards.

On May 18, 1999, the East Kildonan-Transcona Community Committee considered report dated May 11, 1999, from the Land Development Engineer, Property and Development Services Department, in this connection, and concurred in the administrative recommendations as outlined below.

The Standing Policy Committee on Property and Development concurred in the recommendations of the East Kildonan-Transcona Community Committee and recommends:

I. That Development Agreement AG 26/88 be amended by deleting the restriction of twenty-five (25) dwelling units on Walter Piper Grove and adding a clause as follows:

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

"The Developer shall, at no expense to the City, install a twinned watermain in the east-west leg of Walter Piper Grove from Eaglemere Drive to the north-south leg of Walter Piper Grove to the satisfaction of the Director of Water and Waste."

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.

(See Minute No. 681 for attachment)

Proposed Subdivision and Rezoning - land located on the east side of Litchfield Boulevard, south of Park Place - Assiniboia Community
File DASZ 26/98 [c/r DAV 977/98D]

658 - 3. The Standing Policy Committee on Property and Development has been advised that an application has been received from Ventana Development Inc., 100 - 207 Donald 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 land outlined from an "A-5" Agricultural District to an "RM-L" Residential District to allow for the development of a multiple-family development.

The following is the site description:

Site Area:	Approximately 2.8 acres (121,911 square feet)
Existing Land Use and Zoning:	Single-family dwelling and unimproved public right-of-way; zoned "A" Agricultural District

The following is the surrounding land use and zoning:

North:	Vacant; zoned "R1-9" Residential District
South:	Single-family dwelling; zoned "A-5" Agricultural District
East:	Public park; zoned "PR-1" Parks and Recreation District
West:	Single-family dwelling; zoned "A-5" Agricultural District

The subject property is located south of four vacant "R1-9" Residential District properties fronting on Park Place West (approved under File DASZ 22/94, but yet to be registered), between Litchfield Boulevard and Latimer Boulevard.

The applicant proposes to establish eighteen (18) semi-attached, bungalow-style condominium units. In order to do so, the property must be rezoned to accommodate multiple-family development. Initial site plans also indicate a desire to utilize previously closed (under File DAC 20/94), unimproved portions of the Bower Boulevard and Latimer Boulevard rights-of-way and include them as part of the multiple-family lands proposed for development.

The proposed eighteen (18) unit condominium development must be considered in the context not only of current use and development of neighbouring properties, but also in the context of the Assiniboia Community Committee endorsed concept plan (Concept IX) and how this proposal will impact on it. Concept IX evolved as a result of a series of meetings between civic administration and area property owners when considering the four (4) lot subdivision proposed under File DASZ 22/94. A number of alternatives were developed for lands in this vicinity. Other alternatives would have yielded more "R1-9" single-family lots but were not endorsed by the City's Administrative Coordinating Group, primarily due to technical considerations relating to access to Shaftesbury Boulevard and to cul-de-sac length, without secondary means of access (for emergency services, refuse collection and so on). Concept IX, though difficult in terms of financial efficiency, does provide access to neighbouring properties via Litchfield and Latimer Boulevards right-of-way extensions southward.

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

In recommending approval of File DASZ 22/94, Assiniboia Community Committee endorsed a concept plan for future development in the vicinity to proceed as "R1-9" single-family. By retaining the Latimer Boulevard right-of-way, the Community Committee also allowed for the option of subdividing residential lots along the east side of Latimer Boulevard out of the park property (although this park property would have to be subdivided and rezoned prior to residential development proceeding along the east side of Latimer Boulevard. Council declared the most westerly 130 feet of the park property surplus to parks and recreation requirements in June 1995).

The current application (File DASZ 26/98) to accommodate multiple-family development on the subject property is a departure from the area concept plan. The applicant met with area property owners at two public open houses prior to the public hearing. In addition, he met on a number of occasions with administrative representatives. Issues relating to precedent for adjacent properties, traffic generation, property value, access, and aesthetics have certainly been raised. Certain concerns can be addressed, if not resolved, through modifications to the site plan. Others are certainly more substantial. Although the applicant has demonstrated a degree of site plan flexibility, it does not appear as if the owners of the most impacted properties have reached agreement on how best to proceed in departing from the area concept plan.

Approval of the subject application does not inevitably lead to multiple-family development on adjacent properties. Nonetheless, approval will be viewed as precedent setting and will likely result in other multiple-family proposals coming forward. Since File DASZ 22/94 was recommended for approval by Assiniboia Community Committee in January 1996, several property owners have initiated applications to redevelop their properties as low-density multiple-family developments. If the "A-5" lands in this vicinity were to echo the approximately 6.43 dwelling unit density per acre density proposed by Ventana Development Inc., approximately 120 dwelling units would result. This density is roughly double what "R1-9" zoning would yield, including the four (4) Pine Hill lots along the south side of Park Place and if single-family lots were established along the east side of Latimer Boulevard. Bungalow-style condominium residents typically generate less traffic than single-family dwellings, especially if the condominiums are restricted to seniors. Given the somewhat restricted access to collector streets in this vicinity, however, this density of development will assuredly have an impact on local streets.

As mentioned, a number of issues can be addressed by way of site plan modifications or restrictive zoning agreement clauses. Since the proposed multiple-family development is a departure from the area concept plan, and if the more substantive issues cannot be resolved, the Administration recommended the subject subdivision and rezoning application not be proceeded with.

A Public Hearing was held before the Assiniboia Community Committee on February 16, 1999. Eight persons were heard in support of the application, seventy persons registered in opposition, and one person registered for information.

The Assiniboia Community Committee concurred in the recommendation contained in the report dated February 10, 1999, from the Manager of Planning and Land Use, Property and Development Services Department, and recommended that the proposed subdivision and rezoning not be proceeded with for the following reason:

1. The majority of neighbouring residents are opposed to the application.

On April 6, 1999, the Standing Policy Committee on Property and Development considered the subject proposed subdivision and rezoning application under File DASZ 26/98, and laid over consideration of same pending approval of the proposed Subdivision Standards By-law.

On June 1, 1999, the Standing Policy Committee on Property and Development rescinded its April 6, 1999, decision and again considered the subject application.

The Standing Policy Committee on Property and Development submits this matter to Council without recommendation.

The Executive Policy Committee concurs in the recommendation of the Assiniboia Community Committee that the proposed subdivision and rezoning not be proceeded with.

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

Moved by Councillor Steek,
That the recommendation of the Executive Policy Committee be adopted.

Carried.

(See Minute No. 682 for attachment)

Proposed Rezoning - land located on the northwest corner of Dakota Street and John Forsyth Road - Riel Community
File DAZ 209/99 [c/r DAV 128/99D]

659 - 4. The Standing Policy Committee on Property and Development has been advised that an application has been received from RFC Real Estate Services (Bill Coady), 2600 - 7 Evergreen Place, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land outlined from a "C2" Commercial District to an "RM-L" Multiple-Family District to allow for a 30 unit condo development complex.

The following is the present site description:

Site Area: 4.7 acres approximately

Existing Land Use and Zoning: The land is currently zoned "C2" Commercial but vacant

The following is the surrounding land use and zoning:

North: Zoned "C2", a shopping centre and small mall complex
South: Single-family residential subdivision; zoned "R1-3.5"
East: A vacant parcel and a fire hall, both "A-5" Agricultural
West: Residential subdivisions, zoned either "R1-4" or R1-3.5"

The applicants are proposing to convert the subject vacant land into a 30 unit private condo development with access off of John Forsyth Road.

The applicants propose to convert the subject vacant land which has been zoned commercial for over a decade, into a low-density condo complex. The "RM-L" zoning category is the lowest density multiple-family category allowing for approximately 17 dwelling units maximum to the area. On this particular site which is close to 4.7 acres in size, that would allow for a maximum 80 dwelling units. However, in this instance, the proposal indicates a total of 30 dwelling units maximum. The proposal in that respect and in other aspects of its design is therefore quire similar to the recent condo development established at the southeast corner of Warde Avenue and Dakota Street. The 30 proposed housing units are laid out in similar fashion to most adjoining residential streets. Twenty (20) detached single-family condo dwelling and an additional 5 condo units front into an internal private street right-of-way 24 feet wide. A single access to and from the site is to be via John Forsyth Road. The site plan provides for a median boulevard at the project entrance to enhance traffic egress and ingress. Garbage collection is to be provided by the City as is the practice with other bare land condominiums. The perimeter of the site is to be fenced and professionally landscaped and it should be noted that the applicants have indicated that the target market will be generally seniors.

The majority of the lots range in width from 36 feet to 48 feet and most are approximately 110 feet in depth. All of the lots on the west side of the site are at least 48 feet by 110 feet in size. The rear yards in most instances maintain a 25 foot separation space between rear wall and rear property line. However, because some decks are proposed to encroach by 8 feet into some rear yards, an accompanying variance application under File DAV 128/99D is also being processed.

It is the view of the Property and Development Services Department that the proposed land use change is appropriate and will not adversely affect adjoining lands. It may be a preferable alternative to either vacant land or additional commercial development - particularly if the proposed densities are maintained by way of the zoning agreement. It would be the Department's intent to ensure in the following zoning agreement that the number of dwelling units is

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

restricted to thirty; that the units are restricted to one-storey in height and that final site plans indicating details of the proposal (i.e., building profiles, overall site plans. Approaches, fencing, landscaping, etc.) be submitted and approved by the Administration and the Riel Community Committee prior to the issuance of building permits.

A Public Hearing was held before the Riel Community Committee on May 11, 1999. Two persons were heard in support of the application, one person was heard in opposition, and two persons were registered for informational purposes thereto.

The Riel Community Committee recommended that the proposed subdivision and rezoning be approved for the following reason:

1. Approval of this rezoning is considered to be compatible with the surrounding neighbourhood.

The Standing Policy Committee on Property and Development concurred in the recommendations of the Riel Community Committee and recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A", for File DAZ 209/99 dated May 3, 1999, to an "RM-L" Multiple-Family District, subject to the following:

   A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

      1. That the total number of dwelling units on the subject site be limited to thirty (30).

      2. That the maximum height of any of the proposed units be restricted to sixteen (16) feet).

      3. That final development plans indicating the overall site layout, building profiles exterior materials, approaches, landscaping, fencing, etc., are to be submitted to and approved by the Administration and the Riel Community Committee prior to the issuance of any building permits.

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 rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at 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.

V. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

VI. 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 Minute No. 683 for attachment)

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

Proposed Rezoning - land located at 1604 St. Mary's Road, east side, between Greendell and Nicollet Avenues - Riel Community
File DAZ 212/99

660 - 5. The Standing Policy Committee on Property and Development has been advised that an application has been received from Fook Young Lim, 172 Thatcher Drive, Winnipeg, to amend Winnipeg Zoning By-law No. 6400/94 by rezoning the subject land outlined from a "C1" Commercial District to a "C2" Commercial District to allow for an expanded number of permitted uses in his existing commercial mall.

The following is the present site description:

Site Area:	25,000 square feet approximately; two-thirds of the overall site area is taken up with the building area itself
Existing Land Use and Zoning:	The land is currently zoned "C1" Commercial

The following is the surrounding land use and zoning:

North:	A mix of "C1" and "C2" commercial businesses
South:	There is a mix of "R1-5" Single-Family homes and a large "C2" commercial site at the corner of River Road
East:	A mix of "C2" Commercial and "R1-5" Residential
West:	Fully developed "R1-5" Single-Family subdivisions

The applicant is proposing to rezone the property to a "C2" Commercial category to permit additional uses on site.

The subject site is located on the east side of St. Mary's Road between Greendell Avenue and Nicollet Avenue. There is currently an L-shaped commercial building on the site with a number of independent units. The owner and applicant has indicated that the "C1" Commercial zoning is too restrictive to guarantee occupancy of all of his floor space. He therefore wishes to obtain a restricted "C2" zoning in order to compete with neighbouring commercial sites, many of which are in fact zoned "C2" Commercial.

The Planning and Land Use Division of the Property and Development Services Department is prepared to support a rezoning of the subject site to a "C2" zoning category - recognizing that a number of uses in "C2" use tables are not regarded as appropriate for this location and will be recommended to be prohibited (i.e., animal hospitals, liquor stores, etc.)

A Public Hearing was held before the Riel Community Committee on May 11, 1999. One person was heard in support of the application, and no one was registered in opposition thereto.

The Riel Community Committee recommended that the proposed subdivision and rezoning be approved for the following reason:

1. Approval of this rezoning will not have a negative impact on the surrounding residential community.

On June 1, 1999, the Standing Policy Committee on Property and Development considered the Report of the Riel Community Committee dated May 18, 1999, and approved the following amendment which has been incorporated into the recommendations as set out below:

- That Recommendation I.A.(1) be amended by deleting the words "Judo/Karate School", and substituting therefore the words "Studio, Martial Arts".

The Standing Policy Committee on Property and Development concurred in the recommendations of the Riel Community Committee, as amended, and recommends:

I. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land, as outlined on Schedule "A" for File DAZ 212/99 and dated May 3, 1999, to an "C2" Commercial District, subject to the following:

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 591(1) of The City of Winnipeg Act, to provide for the following:

1. That the following uses be prohibited:

- Amusement Enterprises Indoor: including driving range, go-cart track, miniature golf course, range for target sports, roller skating or similar facilities
- Animal Hospital, Veterinary Clinic
- Automobile, motorcycle, sales, repair or service
- Building material, hardware, sales
- Bowling alley
- Club, licensed or unlicensed
- Exterminator
- Farm supplies, sales
- Hotel
- Landscape, Garden Supplies Sales
- Liquor, Sales
- Studio, Martial Arts
- Recreation Centre
- Restaurants - over 1,500 square feet
- Tire Sales, Service
- Stone or Monument Sales
- Wood Products Manufacture

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 rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at 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.

VI. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

VII. 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 Minute No. 684 for attachment)

Proposed Zoning Agreement Amendment - land located at The Forks - Two sites, one North and one South of the Provencher Bridge - City Centre Community
File ZAA 2/99
[c/r DAZ 226/97B & DAZ 209/98]

661 - 6. The Standing Policy Committee on Property and Development has been advised that an application has been received from DS-Lea Consultants Ltd. (Paul McNeil), (on behalf of the Forks Renewal Corporation), 111 - 93 Lombard Avenue, Winnipeg, to amend the Zoning Agreement affecting the subject land outlined by deleting the requirement for the payment of the ten percent cash dedication.

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

The following is the present site description:

The irregularly shaped lands lie along the west side of the Red River flood plain, and are divided into two parcels by the Water Avenue approach to the Provencher Bridge. The south parcel was rezoned under File DAZ 209/98 and lies to the north of the Forks National Historic Park. It is trapezoidal in shape with an average width of about 70 metres (east to west), an average depth of about 100 metres, and an area of about 0.3 hectares (1.8 acres). The south parcel is used as a parking area for the Paddlewheel River Rouge tour boats. The south parcel has been identified as a potential commercial development site.

The north parcel was rezoned under File DAZ 226/97B and is a long, narrow strip of land running north from Water Avenue generally between the flood plain and the existing Water Avenue and proposed Pioneer Boulevard rights-of-way. The north parcel has an average width of about 35 metres, a length of about 240 metres, and an area of about 0.4 hectares (2.2 acres). The east limit of the north parcel is the old timber dyke that is slated for dismantling. The north parcel will likely be consolidated with adjacent parcels for future residential or commercial development.

The following is the development description:

The applicant is requesting that the Forks North Portage Partnership be relieved of The City of Winnipeg Act requirement (Section 591.1g) for the dedication of parkland or open space, or the payment of a cash equivalent, in conjunction with property rezoning. The "cash-in-lieu" option amounts to ten percent of any increase in market value of the land attributable to the rezoning. In the current case, the amount owed the City for the north parcel under file DAZ 226/97B is $51,916.40, and the south parcel under File DAZ 209/98 is $41,120.10, for a total of $93,036.50 including G.S.T.

In its reports for both of the associated rezoning applications, the Property and Development Services Department recommended that the dedication fees be waived. The Forks North Portage Partnership is a partnership between the three levels of government mandated to provide public open space and recreational amenities for the benefit of the citizens at large. The citizens at large include the residents of the City Centre Community who, under ordinary circumstances, would be the beneficiaries of the cash-in-lieu payment in the form of new or improved parks and recreation facilities provided by one of the partners.

A Public Hearing was held before the City Centre Community Committee on May 11, 1999. Three persons were heard in support of the application, and no one registered in opposition thereto.

The City Centre Community Committee recommended that the proposed Zoning Agreement Amendment be approved for the following reasons:

1. The Property and Development Services Department had originally recommended that the dedication fees be waived inasmuch as the Forks North Portage Partnership is a partnership between the three levels of government mandated to provide public open space and recreational amenities for the benefit of the citizens at large.

2. The citizens at large include the residents of the City Centre Community who, under ordinary circumstances, would be the beneficiaries of the cash-in-lieu payment in the form of new or improved parks and recreation facilities provided by one of the partners.

The Standing Policy Committee on Property and Development concurred in the recommendations of the City Centre Community Committee and recommends:

I. That Zoning Agreements DAZ 226/97B and DAZ 209/98, be amended by deleting Recommendation II. in each agreement requiring the payment of cash in lieu of the provision of land for parks and open space purposes.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary amending agreements to Zoning Agreements DAZ 226/97B and DAZ 209/98, as approved in aforesaid Recommendation I.

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

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

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.

Proposed Street Name Change - Holden Avenue to Holden Street - Riel Community Committee File SC-3.14(35) (Vol. 1)

662 - 7. The Standing Policy Committee on Property and Development has been advised that it has recently been brought to the attention of the Property and Development Services Department that "Holden" presently has two legal designations.

The portion of the street as outlined on Schedule "A" was originally named Richard Avenue when the street was opened in 1912 by Plan 1886. In 1924, By-law No. 1837 of the City of St. Boniface changed the street to Holden Avenue.

That portion of Holden Avenue, as outlined on Schedule "A", was subsequently widened in 1928 by Plan No. 3267. Plan No. 3267 referred to Holden in the widening plan as "Holden Street" and it has commonly been referred to as "Holden Street" ever since.

Therefore it is now necessary to rename that portion of Holden, as referred to in the City of St. Boniface By-law No. 1837, as outlined on Schedule "A" dated March 16, 1999 to "Holden Street".

On May 11, 1999, the Riel Community Committee considered and concurred in the recommendations contained in report dated March 16, 1999, from the Subdivision Officer, Property and Development Services Department, and recommended that the currently registered street name "Holden Avenue" be changed to "Holden Street".

The Standing Policy Committee on Property and Development concurred in the recommendations of the Riel Community Committee and recommends:

I. That the currently registered street name "Holden Avenue", as outlined on Schedule "A" dated March 16, 1999, be changed to "Holden Street", and that in approving this change, Council authorize the following:

A. That the Director of Property and Development Services be requested to provide the necessary legal description to the City Solicitor/Manager of Legal Services for the purpose of preparing a by-law.

B. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that street name change become effective upon third reading.

C. That the City Solicitor/Manager of Legal Services, upon passage and adoption of the by-law by Council, be authorized to publish the street name change in two daily newspapers having a general circulation throughout the City of Winnipeg.

D. That the City Clerk be requested, upon passage of the by-law, to provide the relevant Community Clerk with a copy of the by-law and this clause for the purpose of changing all pertinent records and notifying all persons affected by the by-law.

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

Moved by Councillor Steek,
Adoption of the clause.

Carried.

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

Councillor Golden asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

See Minute No. 685 for attachment)

Appointment of Members to The Winnipeg Building Commission
File EB-1.2 (Vol. 3) [c/r GC-7 (Vol. 29)]

663 - 8. The Standing Policy Committee on Property and Development has been advised that Council appoints members to the Winnipeg Building Commission for a three year term in accordance with the Winnipeg Building By-law. The main function of the Commission has been to provide guidance to the City in the application of the Residential Buildings Fire Safety By-law, including acting as the first level of appeal of a decision by the Development and Inspections Division.

Membership of the Commission consists of nine (9) members who are qualified to consider matters pertaining to building design and construction. Subsection 18.2 of the Winnipeg Building By-law requires that:

"18.2.1 (2) The following members, shall have at least ten years' experience in his occupation and shall be in active practice during the term of his appointment:

(a) two (2) practising members of the Association of Professional Engineers of Manitoba of which one (1) shall be a Civil or Structural Engineer and the other a Mechanical Engineer;
(b) two (2) practising members of the Manitoba Association of Architects;
(c) one (1) active member of the Winnipeg Construction Association;
(d) one (1) active member of the Manitoba Home Builders Association;
(e) one (1) senior Fire Officer of the City of Winnipeg Fire Department;
(f) one (1) member of an organization which represents owners or operators of multiple-family buildings; and
(g) one (1) member at large."

The various organizations referred to in Subsection 18.2 of the By-law were asked to recommend members to represent their organization in serving on the Winnipeg Building Commission. In most cases the current member of the Commission was recommended for reappointment.

One active member from the Winnipeg Construction Association and one from the Emergency Response Service Department have not been identified at this time. The names of the individuals recommended by the organization will be available for the meeting of City Council scheduled for June 23, 1999.

The terms of office of the present members of the Commission expires on July 16, 1999.

The Standing Policy Committee on Property and Development recommends:

I. That the following persons be appointed to the Winnipeg Building Commission for a period of three years effective July 16, 1999, pursuant to Schedule 18 of the Winnipeg Building By-law No. 4555/87, namely:-

Helmut Waedt, The Association of Professional Engineers of Manitoba
Easton Lexier, The Association of Professional Engineers of Manitoba
Stan Rhoda, The Manitoba Association of Architects
Brian Tokar, The Manitoba Association of Architects
Rick Schroeder, The Manitoba Home Builders Association
Louis Rosenberg, The Manitoba Property Managers' Association
Jim S. Hicks, "Member at Large"

II. That Brian E. Aikins, P. Eng., and Leonard Sobie, retiring members of the Winnipeg Building Commission, be formally recognized for the services they provided to the City. Brian Aikins served as a member for the last 23 years and Leonard Sobie, for the last 3 years.

Report of the Standing Policy Committee on Property and Development dated June 1, 1999

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

In amendment,

The Executive Policy Committee concurs with the recommendations of the Standing Policy Committee on Property and Development and recommends that Recommendation I. be amended by adding thereto the following namely:

Ernie Keller, Winnipeg Construction Association
Peter Kloos, Assistant Director of Fire Prevention, Emergency Response Service

Adopted by consent.

REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED JUNE 3, 1999

On motion of Councillor Steek, the Report of the Standing Policy Committee on Property and Development, dated June 3, 1999, was considered.

Moved by Councillor Steek,
That the Consent Agenda, Clauses 1, 2, 3 and 4 be adopted

Carried

Proposed Sale of City-owned Land located on the northeast corner of Sutherland Avenue at Disraeli Street to Naylor Publications Company (Canada) - Lord Selkirk-West Kildonan Community
File FI-2.4(34) (Vol. 4)

664 - 1. The Standing Policy Committee on Property and Development has been advised that the subject City property, located on the northeast corner of Sutherland Avenue and Disraeli Street, as outlined no Misc. Plan No. 10613/1, was acquired in 1977 for the sum of $9,400.00 for the former Neighbourhood Improvement Program.

The Property and Development Services Department received an offer to purchase the subject City property for $15,000.00, from Naylor Publications Company (Canada), who advised that it has an option on the adjoining building situated on Lot 2, Block F, Plan 2165. It is the intention of Naylor Publications Company (Canada) to expand their present building at 100 Sutherland Avenue and use the City property for parking.

On April 13, 1999, the Lord Selkirk-West Kildonan Community Committee considered the proposed sale of the subject City property and advised it had no objection to a sale. The property is fully serviced and no easements are required.

The Property and Development Services Department is in favour of accepting Naylor Publications Company (Canada)'s offer to purchase the subject property for the following reasons:

1. The property is irregular in size and with its development there would be little or no room for on-site parking which makes it difficult to market.

2. The purchaser has an established business in the community. The expansion of the business is anticipated to be beneficial to the community as a whole.

3. The property will be on the Tax Roll immediately.

4 .The offer of $15,000.00 is close to the Department's estimated market value range.

5. Should this proposed sale not be accepted there is, at this time, a high degree of probability that a purchaser other than an adjacent property owner will not be found and if an alternate purchaser is indeed found, there is no guarantee that a price can be negotiated which will exceed the price which is currently offered.

Inasmuch as Council authorized the acquisition of the subject property for a specific purpose, Council must declare the subject property as surplus to its requirements in order to proceed with the sale of same.

The Standing Policy Committee on Property and Development recommends:

1. That the subject city property, as outlined on Misc. Plan No. 10613/1, be declared surplus to the City's requirements.

Report of the Standing Policy Committee on Property and Development dated June 3, 1999

II. That the sale of the "subject city property", as outlined on Misc. Plan No. 10613/1, to Naylor Publications Company (Canada), be approved, at a price of $15,000.00, in accordance with the terms and conditions contained in Schedule "A", and subject to plan approval by the Lord Selkirk-West Kildonan Community Committee.

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 Leave and License Agreement - land located at the southeast corner of Bishop Grandin and Island Shore Boulevards - Rainbow Day Nursery Inc. - Riel Community File FI-2.2(35) (Vol. 4)

665 - 2. The Standing Policy Committee on Property and Development has been advised that the Real Estate Division has received a request from Rainbow Day Nursery Inc., located in the commercial strip mall at the southwest corner of Bishop Grandin Boulevard and Island Shore Boulevard, to utilize that portion of street right-of-way, as outlined on Misc. Plan No. 10643, for the construction and maintenance of a children's playground.

The application was circulated to various City Departments and Agencies normally contacted and no objections were received.

Briefly, the negotiated terms and conditions of Leave and License which Rainbow Day Nursery Inc. has agreed to are as follows:

Term: Annual continuing, to commence on a mutually agreeable date.

Purpose: Development and maintenance of a children's playground in connection with the Licensee's Daycare Centre located in the adjoining commercial strip mall.

Rental: $1.00 per annum, plus an amount equivalent to realty taxes and the payment of an initial administrative fee of $250.00.

Insurance: Public liability insurance of at least $1,000,000.00 naming the City of Winnipeg as additional insured and containing a cross-liability clause. Also, coverage to include fire and property coverage for the full replacement value of the premises including improvements and equipment.

Cancellation: 30 days notice by either party.

The Property and Development Services Department has negotiated the proposed rental in accordance with the City's approved landscaping and maintenance policy (i.e., $1.00 per annum plus an amount equivalent to realty taxes). As the Daycare Centre is currently exempt from realty taxes, it is the Department's opinion that an administrative fee be charged in an attempt to recover expenses incurred by the City in formalizing a Leave and License arrangement. By providing for the collection of an amount equivalent to realty taxes, it should be noted that the proposed rental protects the City's interests should amendments to The Municipal Assessment Act deem the Daycare taxable.

Furthermore, the proposed terms and conditions negotiated are consistent with a similar arrangement made with Kinderworld Daycare Inc. which was approved by the former Committee on Finance and Administration in 1995.

The Standing Policy Committee on Property and Development recommends:

I. That Council approve a Leave and License in favour of Rainbow Day Nursery Inc. to develop and maintain a children's playground in that portion of the Bishop Grandin Boulevard right-of-way, as outlined on Misc. Plan No. 10643, in connection with its daycare operation located in the adjoining Commercial strip mall in accordance with the terms and conditions as outlined

Report of the Standing Policy Committee on Property and Development dated June 3, 1999

II. That the Agreement provide for such other terms and conditions as are deemed necessary by the Director of Property and Development Services and by the City Solicitor/Manager of Legal Services to achieve the intent of Council and to protect the City's interests.

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 Leave and License for the Use of a Portion of the Borrowman Place right-of-way for Parking Purposes - Chrysler Canada Ltd. - City Centre Community
File FI-2.2(32) (Vol. 6)

666 - 3. The Standing Policy Committee on Property and Development, at its meeting on February 4, 1999, approved the sale of certain City-owned lands to Chrysler Canada Ltd., and further instructed the Administration to negotiate terms and conditions of Leave and License in favour of Chrysler Canada Ltd. for the use of a portion of the Borrowman Place right-of-way, and report back.

Briefly, the negotiated proposed terms and conditions of Leave and License which Chrysler Canada Ltd. has agreed to are as follows:

Term: Annual continuing, to commence on a mutually agreeable date.

Purpose: Development and maintenance of a private parking area to service the adjoining business operation known as Midway Chrysler.

Rental: $1,630.00 per annum, plus an amount equivalent to realty taxes.

Insurance: Public liability insurance of at least $1,000,000.00 naming the City of Winnipeg as additional insured and containing a cross-liability clause.

Cancellation: 18 days notice by either party.

Special Conditions: Chrysler Canada Ltd. shall develop the site at its cost complete with asphalt surfacing, concrete curbing and landscaping to the satisfaction of the Director of Public Works.

Chrysler Canada Ltd. to be responsible for all operating expenses in connection with its use of the site including security and snow removal.

Chrysler Canada Ltd., upon termination of the agreement shall at its own expense removal all of its property from the site and restore the site to a condition as same may be found (grassed boulevard area with street curbing) to the satisfaction of the Director of Public Works.

The Property and Development Services Department has negotiated the proposed rental in accordance with the previously approved purchase price of the City-owned lands to Chrysler Canada Ltd. (i.e., $5.00 p.s.f. x 3,260.00 ft^2 = $16,300.00 at 10% = $1,630.00 per annum, plus an amount equivalent to realty taxes).

Although the Standing Policy Committee instructed the Property and Development Services Department to negotiate terms and conditions of Leave and License with Chrysler Canada Inc., the Public Works Department has expressed concerns regarding the subject proposal. The City currently enforces its Traffic By-law which prohibits the use of boulevard for parking or stopping purposes. Consideration must also be given to the fact that boulevard area is required for snow storage, placement and maintenance of underground and above ground utilities signs, poles, hydrants, accommodation of pedestrians, etc. Also, from a safety perspective diagonal parking on public streets creates more accidents with vehicles leaving the area due to poor sight lines. Furthermore, the subject site is adjacent to a Public School and the area experiences high levels of children pedestrian traffic.

Report of the Standing Policy Committee on Property and Development dated June 3, 1999

Having outlined that, the Public Works Department advised on May 25, 1999, that it has reconsidered the matter and will support the proposal subject to Chrysler Canada Ltd. adhering to the "Special Conditions" requirements as outlined in the negotiated proposed terms and conditions.

In light of the foregoing, the Property and Development Services Department is of the opinion that the subject proposal be approved.

The Standing Policy Committee on Property and Development recommends:

I. That Council approve a Leave and License in favour of Chrysler Canada Ltd. to develop and maintain a private parking area in that portion of the Borrowman Place right-of-way, shown in broken outline and identified as "area of leave and license for Chrysler Canada Ltd." on Misc. Plan No. 7105/3.

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.

Proposal to Declare City-owned Property as Surplus to the City's Requirements - Proposed Sale of land located at 3951 Waverley Street - Riel Community
File FI-2(31) (Vol. 3)

667 - 4. The Standing Policy Committee on Property and Development has been advised that on January 26, 1994, Council adopted the recommendation of the former Committee on Finance and Administration to purchase the 215.67 acres (87.28 hectares) including the single family dwelling, outbuildings and other improvements located at 3951 Waverley Street for the price of $204,250.00. This property, acquired by the City for a potential further expansion of the Brady Landfill site, is outlined as "former McMullan property" on Misc. Plan No. 8626/4. One of the conditions of the sale was that the vendors, Hugh and Yvette McMullan, would lease the property back from the City for a term of five years. Kevin McMullan, the son of the former owner, currently leases the former McMullan property from the City.

The Property and Development Services Department is of the opinion that the entire former McMullan property (approximately 216 acres) should be sold as a single holding. Selling of a portion of the frontage would significantly reduce the marketability and value of the total holding.

The Solid Waste Division of the Water and Waste Department has indicated that it has no objection to the sale of the subject property now that Browning Ferris Industries is in operation with its own landfill site northwest of Winnipeg. However, the Water and Waste Department requests that any sale be subject to the net proceeds being credited to its Solid Waste-South Area Account No. 45 445317 173611. This property was purchased with capital funds and the Water and Waste Department is making annual debt payments. Therefore, the Department t wishes to retain the property if it cannot receive the net proceeds from a sale.

Additionally, as a condition of sale any purchaser of this property would be required to acknowledge that the land immediately to the north is intended for use as a sanitary landfill site, and to undertake to advise any subsequent purchaser of this. A caveat on title placed prior to sale is recommended as well. However, this would be discussed with the Legal Services Division as part of the marketing process.

Inasmuch as Council authorized the acquisition of the subject property for a specific purpose, Council must declare the subject property as surplus to its requirements in order to proceed with the sale of same.

The Standing Policy Committee on Property and Development recommends:

I. That the "former McMullan property", as outlined on Misc. Plan No. 8626/4, be declared surplus to the City's requirements, and listed for sale with the net proceeds to be credit to the Solid Waste Disposal-South Area Account.

Report of the Standing Policy Committee on Property and Development dated June 3, 1999

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.

REPORT OF THE STANDING POLICY COMMITTEE

ON PROPERTY AND DEVELOPMENT

DATED JUNE 15, 1999

On motion of Councillor Steek, the Report of the Standing Policy Committee on Property and Development, dated June 15, 1999, was considered.

Proposed Leave and License Agreement for the Use of the Mill Street right-of-way - Riverside Park Management Ltd. - City Centre Community
File FI-2.2(32) (Vol. 6)

668 - ***Note: Clause 1 has been laid over by the Executive Policy Committee.***

Laid over by the Executive Policy Committee

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

CONSIDERATION OF BY-LAWS

669 - On motion of Councillor Steek, 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. 7465/99, a by-law of The City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 64500/94 for the enactment of a zoning change on land located on the southwest corner of Atwood Street and Pandora Avenue West in the East Kildonan-Transcona Community. File DASZ 29/98

By-law No. 7466/99, 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 St. Mary's Road north of Warde Avenue in the Riel Community. File DAZ 209/99

By-law No. 7468/99, 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 northwest corner of John Forsyth Road and Dakota Street in the Riel Community. File DAZ 209/99

By-law No. 7469/99, 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 1604 St. Mary's road in the Riel Community. File DAZ 212/99

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

QUESTION PERIOD

670 - Councillor Smith questioned when the commercial development policy review study on big box retail in the City would be completed and available.

Councillor Steek noted the study, jointly funded by the City and Province, was currently underway and that he anticipated it would be available for the September Council meeting.

Councillor Golden questioned why Executive Policy Committee laid over the matter of the leave and license agreement on Mill Road.

Councillor Steek advised that the report appeared at Executive Policy Committee immediately prior to the meeting and inasmuch as members were not thoroughly familiar with the background they asked that it be laid over.

Council here reverted to the order of business - "Report of the Standing Policy Committee on Public Works".