REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED JULY 7, 1997

On motion of Councillor Timm-Rudolph, the Report of the Committee on Planning and Community Services, dated July 7, 1997, was considered clause by clause.

Moved by Councillor Timm-Rudolph,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19 and 20 be adopted.

Carried.

The Speaker returned to the Chamber and resumed the Chair.

Proposed by-law enactment to allow Housing Inspectors to conduct electrical inspections
File EB-2.1 (Vol. 5)

893 - 1. The Committee on Planning and Community Services has been advised that at the City's request the Province of Manitoba enacted amendments to The City of Winnipeg Act in the last legislative session.

The Electrician's Licence Act contains general provisions which require inspectors of electrical systems to hold an electrician's journeyman licence.

The Province of Manitoba enacted an amendment to The City of Winnipeg Act which permits the City to prescribe alternate qualifications for city inspectors who are conducting electrical inspections of one or two family dwellings, row housing and related structures and equipment as follows:

> "Exception for certain electrical inspections
> 473(3) Notwithstanding *The Electrician's Licence Act,* council may pass by-laws authorizing electrical inspections of one or two family dwellings, row housing and related structures and equipment by an inspector who holds
>
> (a) an electrician's journeyman licence;
>
> (b) a journeyman's certificate in another related trade; or
>
> (c) other qualifications acceptable to the city."

The Land and Development Services Department currently operates a housing inspection program staffed with inspectors who are trained to inspect all aspects of housing construction. As part of the training program, these inspectors are instructed on electrical inspections and complete a course similar to that provided by Manitoba Hydro to its housing inspectors. The legislative amendment recognizes that the City's inspectors do not all have electrician's journeyman licences as previously required under The Electrician's Licence Act and authorizes the City to enact a by-law prescribing alternative qualifications.

The proposed by-law would authorize electrical inspections of one or two family dwellings, row housing and related structures and equipment by an inspector who holds:

(a) an electrician's journeyman licence;

(b) a journeyman's certificate in another related trade; or

(c) such other qualifications as may be acceptable to the Manager of Building Inspections of The City of Winnipeg or his designate.

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The Committee on Planning and Community Services therefore recommends:

I. That the City of Winnipeg enact a by-law to prescribe the qualifications required of city inspectors to permit electrical inspections in one or two family dwellings, row housing and related structures and equipment.

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

Adopted by consent.

Extension of Time - proposed subdivision and rezoning of lands located on Waverley Street south of Henlow Bay - Assiniboia Community
File DASZ 19/88

894 - 2. On December 7, 1988, Council adopted Clause 21 of the Report of the Committee on Planning and Community Services dated October 31, 1988, which clause recommended approval of the plan of subdivision and associated rezoning as outlined on Schedule "A" under File DASZ 19/88, dated October 18, 1988.

No further action took place on this application until April 1995, when the City Administration was approached by letter requesting whether this subdivision/rezoning application could be reactivated.

Based on the April inquiry regarding this application, the Administrative Co-ordinating Group (A.C.G.) reviewed the extension request and revised plan on May 17, 1995. The Administrative Co-ordinating Group had no objections or major concerns regarding the new plan and re-activating the application. The Administrative Co-ordinating Group recommended that the revised (new) plan be approved subject to the conditions of the Development Agreement being amended to delete those conditions which are no longer applicable, and by adding a condition that the Developer be required to pay a share of the cost of traffic signals to be installed at the intersection of Waverley Street and proposed Fultz Boulevard connection, as determined by the Commissioner of Works and Operations. The approval was also subject to the payment of outstanding dedication fees.

The Land Development Branch advised at that time that the approval for a two year extension of time would be acceptable to the Administration. Also, it was the opinion of the Administration, that the revised plan as outlined on Schedule "A", did not have a prejudicial impact on the adjoining lands or on the surrounding industrial area. This plan allows for the extension of Fultz Boulevard to Waverley Street, providing a second connection to the existing Fultz Boulevard industrial area. The reduction in the number of lots and the elimination of the connection to Henlow Bay does not create a concern for the Administration.

On July 4, 1995, the Assiniboia Community Committee concurred in the report from the Director of Land and Development Services, dated June 19, 1995 and the report of the Administrative Co-ordinating Group dated June 7, 1995.

The Committee on Planning and Community Services concurred and an extension of time was granted by Council August 9, 1995.

DS Lea Consultants, acting on behalf of Waverley Holdings Inc., have formally requested another extension by letter dated June 20, 1997.

The Land Development Branch has no objection to a second two year extension.

The Committee on Planning and Community Services recommends:

I. That a two year extension be granted to the time within which the plan of subdivision/rezoning approval under File DASZ 19/88 may be enacted by City By-law.

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II. 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 Minute No. 934 for attachment)

Proposed Subdivision and Rezoning - land located at Leila Avenue, northeast corner of Pipeline Road - Lord Selkirk-West Kildonan Community File DASZ 8/97

895 - 3. The Committee on Planning and Community Services has been advised that an application has been received from Kingsford Developments for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an "R1-20" Residential District to a "C2" Commercial District and an "RM-3" Multiple-Family District to permit the establishment of a commercial parcel and five (5) multiple-family housing sites.

Former Applications:

DASZ 11/96: An almost identical application was rejected by Council on December 12, 1996.

DASZ 20/90: A previous application to subdivide and rezone the subject lands to establish a commercial site, two multiple-family sites and single-family housing was approved by Council but not completed.

The following is the present Site Description:

Site Area: approximately 15.43 acres

Existing Land Use and Zoning: Currently the land is vacant and is zoned "R1-20" Single-Family Residential.

The following is the Surrounding Land Use and Zoning:

North: Generally vacant "R1-20" large lot residential area.

East: Zoned and developed "RM-5" Nursing Home Facility.

West: Zoned and generally developed "R1-5" and "R2" housing areas. An undeveloped "C2" Commercial site occupies the northwest corner of Pipeline and Leila.

South: Fully developed "R1-5.5" Single-Family housing area.

The conceptual site plan submitted with this application has been revised slightly from the plan considered under DASZ 11/96, in that one vehicular approach to Leila Avenue has been eliminated. The plan indicates a 1.8 acre commercial site at the northeast corner of Leila Avenue and Pipeline Road to be zoned “C2” Commercial District, and five multiple-family sites. The requested “RM-3” Multiple-Family District zoning would permit up to 593 dwelling units on the 13.63 acres. A maximum building height of 45 feet is permitted.

The Community Services Department recommended approval of the previous application under File DASZ 11/96 on the basis that low-density, multiple-family development was appropriate on the north side of Leila Avenue, given the presence of Seven Oaks Hospital and the neighbouring nursing home to the east. Also, the proposed commercial site was considered acceptable, given that a similar commercial site is established directly opposite Pipeline Road. Supporting reasons for denial of the previous application are indicated below:

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1) The application is of too great a density for this primarily "R1" residential area;

2) No specifics as to either the commercial or residential developments were brought forward. An example is that all the commercial uses mentioned by the applicant are "C1" not "C2", so there would be no need for "C2";

3) The size and intensity of opposition from the three surrounding sides of the proposed development;

4) This type of intense-density housing is better suited to the downtown area where commercial services, transportation and other amenities are already readily available;

5) Traffic concerns regarding the corner of Leila Avenue and Pipeline Road and to the east along Leila Avenue;

6) This application would make the land on the northern section of the block undevelopable to any acceptable standard, as costs could not be spread across a significantly large enough area to make any development economically feasible.

Additional restrictions in a zoning agreement relating to the maximum number of dwelling units, the maximum height of any structures, as well as limitations on the allowable commercial uses and signage may address some of these concerns.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on May 20, 1997.

A number of persons were heard in support and in opposition to the proposed subdivision and rezoning as listed on pages 3 and 4 of the Lord Selkirk-West Kildonan Community Committee Clerk's report dated June 5, 1997.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed subdivision and rezoning be approved for the following reasons:

A. The current application is superior to the original proposal approved by Council under File DASZ 20/90.

B. A low density, multiple family development is appropriate for this site.

C. The commercial development is deemed acceptable as the subject site is located at the corner of a four way divided regional street and a major four lane divided collector street, therefore making the site suited for commercial development rather than residential development.

D. Restrictions have been placed on the allowable commercial uses and signage on the site.

The Committee on Planning and Community Services concurred in the recommendations of the Lord Selkirk-West Kildonan Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 8/97 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, as outlined on Schedule "A" for File DASZ 8/97, dated May 9, 1997, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Servicing Agreement with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group dated May 8, 1997 and as outlined on Schedule "B";

   B. That the Developer be required to pay to the City 10% cash dedication in lieu of land dedication, to be calculated on the basis of additional building sites being created, and the increase in market value of the land;

II. That the Director of Land and Development Services be authorized to certify any documents in connection therewith;

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III. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 8/97, dated May 9, 1997, to a "C2" Commercial District and a "RM-3" Multiple-Family District, subject to the following:

A. Conditions on the “C2” Commercial District lands:

i) That the use of the land be restricted to any permitted or conditional use allowed in the “C1-5” Commercial District;

ii) That final construction plans indicating the design and location of the proposed building(s), including elevations and details of exterior finishing materials, accessory parking, approaches and loading areas, fencing, landscaping and garbage enclosures, be subject to the approval of the Commissioner of Planning and Community Services and the Community Committee prior to issuance of a building permit;

iii) That no sign be erected on the land except in accordance with plans approved by the Commissioner of Planning and Community Services and the Community Committee;

iv) That any free-standing sign not exceed 25 (twenty-five) feet in height;

v) That mobile advertising signs be prohibited except for a period of fourteen (14) days upon issuance of a new occupancy permit;

vi) That no retail gasoline uses or convenience stores be allowed upon the site;

vii) That individual store hours are not to exceed 12 hours per day;

viii) That no flashing or scintillating signs be allowed on the property;

ix) That no schools be allowed except those solely conducting dance or music lessons.

B. Conditions on the “RM-3” Residential District lands:

i) That not more than 410 dwelling units be erected or located on the land;

ii) That no building or structure be erected on the land exceeding forty (40) feet or three (3) storeys in height;

iii) That final construction plans indicating the design and location of the proposed building(s), including elevations and details of exterior finishing materials, accessory parking, approaches and loading areas, fencing, landscaping and garbage enclosures, be subject to the approval of the Commissioner of Planning and Community Services and the Community Committee prior to issuance of a building permit.

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 subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Servicing Agreement;

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;

VII. That the Proper Officers of the City be authorized to execute all necessary agreements;

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VIII. 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;

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

Adopted by consent.

(See Minute No. 935 for attachments)

Extension of Time - proposed rezoning of land located at 654 Mathias Avenue - Lord Selkirk-West Kildonan Community
File DAZ 202/96

896 - 4. On May 22, 1996 Council adopted Clause 5 of the report of the Committee on Planning and Community Services dated April 30, 1996, which clause recommended approval of the subject rezoning to "RM-6" Multiple-family District to allow for the construction of a multiple-family development.

Recommendation V contained in the said report stipulates:

> "That in the event this application is not proceeded with expeditiously and the By-law is not enacted within 24 months after adoption of this report by Council the matter shall be deemed to be concluded and shall not be proceed with unless Council extends that time."

Recommendation VII further stipulates the following:

> "That the Rezoning By-law shall become effective 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 12 months from the date that the said Rezoning By-law is adopted by Council."

By-law No. 6844/96, to enact the proposed rezoning, was passed by Council on May 22, 1996. The enactment section of the By-law requires that the Zoning Agreement caveat must be registered in the Winnipeg Land Titles Office by May 22, 1997, failing which the By-law shall expire unless that date is extended by a resolution of City Council and that registration is completed before any such extended date.

Mr. David Kovnats, Solicitor, Baker, Radcliffe, Murray & Kovnats, acting on behalf of Heymann 3374450 Manitoba Inc., has advised the Land and Development Services Department that due to the matter being taken over by owners's son, that the documents were not expeditiously returned and therefore, time has lapsed in order to register the necessary caveat. The applicant has now requested a six month extension of time in order to complete the subject rezoning.

The Land and Development Services Department has reviewed the applicant's request and is of the opinion that approval for an extension of time would be acceptable in view of the fact that the City's interests remain secured and circumstances leading to the original approval are unchanged.

On June 17, 1997, the Lord Selkirk-West Kildonan Community Committee considered the Report from the Land Development Administrator, dated June 10, 1997 with respect to the extension of time and concurred in the recommendation contained therein.

The Committee on Planning and Community Services concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends:

I. That the time limit to register the Zoning Agreement caveat under the enactment clause of By-law No. 6844/96 be extended to November 30, 1997.

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

Adopted by consent.

Proposed Rezoning - land located at southeast Springfield Road and Gateway Road (1231 Brunswick Street) - East Kildonan-Transcona Community
File DAZ 222/96

897 - 5. The Committee on Planning and Community Services has been advised that an application has been received from Palliser Furniture, c/o Dennis Neuman, 55-1155 Gateway Road, Winnipeg, Manitoba, to amend By-Law No. 6400/94 by rezoning the land shown below from an "M2" Industrial District to an "M1-B" Industrial District to permit the establishment of industrial and limited commercial development on the site.

The following is the present Site Description:

Site Area:	developable
Proposed Industrial/ Commercial (site No. 1)	5.1" ha (12.6 acres)
Proposed Industrial (site No. 2)	17.0" ha (42.0 acres)
Total	22.1" ha (54.6 acres)
Existing Land Use and Zoning:	Zoned "M2" Industrial - land is vacant.

The following is the Surrounding Land Use and Zoning:

North:	Single-family housing on north side of Springfield Road - zoned "R1-3.5"
South:	Industrial development - zoned "M2" Industrial
East:	Hydro transmission lines, and single-family housing on Mahonee Drive - zoned "R1-5.5"
West:	Gateway Road and C.P.R. Right-of-Way

The following is the Development Description:

For purposes of future development, the applicants have indicated they may decide to separate the lands into two (2) "sites". The lands would remain in one (1) title. The two (2) sites are outlined on Schedule "B" dated June 5, 1997.

The applicants are proposing to develop site No. 2 with a number of industrial buildings to facilitate expansion of Palliser furniture's manufacturing and assembly capabilities. Preliminary plans indicate possibly six (6) buildings may be constructed over a period of several years as expanded capacity is needed. The proposed "M1-B" zoning on the site No. 1 is intended to facilitate the future construction of either a commercial retail/service shopping centre or industrial type development depending on Palliser's need for additional space themselves and/or interest in the site by retailers. The applicants have indicated that prior to site No. 1 being developed with an industrial or commercial end use, the site will be available for and developed as a recreation centre consisting of outdoor sports fields.

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In conjunction with development of sites No. 1 and No. 2, protection for adjacent residential areas will be afforded by providing appropriate fencing and landscaping of the lands along Springfield Road and Gateway Road frontages and the hydro right-of-way. Vehicular access to the site will be via Burnett Avenue and Brunswick Street. A future access may taken from Gateway Road.

Plan Winnipeg

The site was originally a part of the Canadian Pacific Railway property lying east of the Red River. The site was purchased by Palliser Furniture from the C.P.R. in the year 1988. At that time the lands were designated as "Industrial Area" in Plan Winnipeg; consistent with C.P.R. ownership and their contiguity with the McLeod Industrial area to the south.

In 1989, Palliser submitted a development proposal (Lexington Village) to the City for approval, consisting of a mix of commercial and residential development. A Plan Winnipeg Amendment to designate the lands as a "Neighbourhood" area was submitted concurrently with the residential/ commercial rezoning application. The development plan designation was subsequently amended, to permit residential/commercial uses, in January of 1989. However, due to changing housing market conditions the development was not proceeded with and the rezoning of the lands to residential and commercial designations was not completed. The site remains zoned "M2" Industrial.

As a consequence of the Plan Winnipeg Amendment to "Neighbourhood" receiving approval in 1989, but the Developer not proceeding with the rezoning, the existing "M2" designation was, and still is, not consistent with the Plan Winnipeg Designation. However, Palliser subsequently filed a new Plan Winnipeg Amendment in the year 1994, to have the lands re-designated as an "Industrial area". Executive Policy Committee held a public hearing on the Plan Winnipeg Amendment on November 27, 1996. The Minister of Urban Affairs consented to the amendment on March 7, 1997 and Council gave third reading to the by-law on March 26, 1997. The Plan Winnipeg Amendment however will not come into force and effect until the zoning agreement required by Council in conjunction with approval of the rezoning under File DAZ 222/96 is registered at the Winnipeg Land Title's Office.

The subject site is presently zoned "M2" which permits a wide range of medium to heavy industrial development and commercial uses. Industrial development of the lands under an "M2" zoning has however to this time, been curtailed by the "Neighbourhood" Plan Winnipeg designation. The Community Planning Division has indicated their support for the applicant's Plan Winnipeg Amendment to designate the lands "Industrial" providing that a concurrent rezoning to an "industrial" zoning category of a higher development standard is made. Accordingly, the subject application provides for the re-designation the lands from an "M2". General Industrial District to an "M1-B" Light Industrial District.

The "M1-B" Industrial District requires that all operations be completely contained within an enclosed building and emissions are subject to regulation under the Provincial Clean Environment Act and applicable City of Winnipeg by-laws. Under the "M1-B" zoning, all building development is subject to approval by the "Building Design Board" which has authority to approve or reject applications for development permits upon review of a developers detailed plans.

In conjunction with the subject rezoning proposal, the applicants have indicated that their principal interest is to facilitate the expansion of Palliser Furniture. Consistent with this objective, the Community Planning Division is recommending that, should the rezoning be approved, then a zoning agreement be required which would limit the range of industrial uses that would be permitted on the lands. Similarly, the applicants have indicated that, subject to developer interest, they may use the most westerly 170 metres in depth of the lands (measured along the north and south property lines) for a retail shopping centre development. These lands (shown as site No. 1) should also be subject to use limitations which would ensure compatibility with the adjacent residential subdivisions. A list of proposed prohibited and permitted uses is contained within the recommendation section of this report.

In supporting the subject application, the Community Planning Division also suggests additional development requirements including restrictions on building height, and signage. Additionally, landscaping including berms should be established as the only permitted use on the lands north of the C.P.R. Right-of-Way along Springfield Road. Vehicular access should be prohibited from Springfield Road. Any vehicular access from Brunswick Street should be via Gateway Road and Burnett Avenue. Truck traffic on Brunswick Street south of Burnett Avenue is not appropriate since the east side of Brunswick Street is now developing with single-family houses.

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The applicants have also indicated that pending commercial or industrial construction on site No. 1, a recreation / field complex may be developed as an interim use. While such a use would be permitted outright by the zoning by-law, it is recommended that the layout of any recreation complex be subject to approval of the East Kildonan-Transcona Community Committee prior to development permits being issued.

Comments of affected operating Departments are contained within the Administrative Co-ordinating Group report dated May 26, 1997, as outlined on Schedule "C".

Public Hearing was held before the East Kildonan-Transcona Community Committee on June 17, 1997.

Four persons were heard in support of the application.

One person was heard in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that the proposed rezoning be approved for the following reasons:

A. This expansion provides a great opportunity for the community and allows the plant to become a Flagship for North America;

B. Provides the citizens an opportunity for employment;

C. The Company has shown that they are open to resolving community issues;

D. The zoning will create a synergy for the company by thereby having everything on one site;

E. The proposal has ensured that the visual, auditory, and sensual impacts on the community have been minimized.

The Committee on Planning and Community Services concurred in the recommendations of the East Kildonan-Transcona Community Committee and recommends:

I. That By-law 6400/94 be amended by rezoning the subject land as outlined on Schedule "A", for File DAZ 222/96, dated June 5, 1997, to an "M1-B" Industrial 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 only the following uses shall be <u>permitted</u> on site No. 2, as outlined on Schedule "B", dated June 5, 1997:

- Day Care Centre for the children of employees, or tenants, on the same zoning lot
- Furnishings, Household or Office, including carpet and furniture: Manufacture
- Glass Products: manufacture from finished glass
- Leather; Hides: Fur; Bone; Hair Products: Manufacture from finished materials
- Office
- Plastic Products: Manufacture from finished plastic
- Upholstering, custom
- Wholesale establishment, furniture only including offices and showrooms
- Wood Products: Manufacture from finished wood, including a cabinet shop
- Accessory Uses: Parking and loading areas; Permitted Signs; Showroom

2. That only the following uses shall be <u>permitted</u> on site No. 1, as outlined on Schedule "B", dated June 5, 1997:

- Any use permitted on site No. 2
- Animal Hospital; Veterinary Clinic
- Appliances, including major appliances: Rental; Sale; Service
- Arts/crafts/hobby: instruction, including beer and wine making supplies and equipment sales
- Audio/video recordings: Rental, sales

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- Automobile, including motorcycle, supplies/parts: Sales (no installation or repair permitted to vehicles on site)
- Bank; Credit Union; or similar financial service
- Banking/Teller Machines, automated
- Barber Shop; Beauty salon; or similar grooming service
- Bicycle: rental, sales, services
- Book: Sales
- Building Materials; Hardware; Home Improvement Supplies or Equipment: Sales - maximum 20,000 square feet floor area
- Church; Synagogue; or similar place of religious worship
- Clothing, including hats, shoes, other wearing apparel and accessories: - Alteration; Repair; Sales
- Driving School
- Dry-cleaning; Pressing; Dyeing, including accessory Depot; unlimited solvents
- Florist
- Furnishings, household or Office, including carpet and furniture; Rental; Sales
- Gift Store
- Grocery; Confectionery; including baked goods, candy, meats, soft drinks, or other specialties: Sales, including incidental food preparation. Maximum 60,000 square feet floor area.
- Jeweller; watchmaker, including custom manufacture
- Laboratory: Medical, Dental, Optical
- Luggage: Rental, sales, service
- Medical, Dental, Optical, Counselling, or other health or therapeutic clinic
- Medical, Dental, Optical or other Precision Instruments; Prosthetics: Rental; Sale; Service
- Musical Instruments: Rental; Sale; Service; Music Instruction
- Office
- Pet Sales; Pet Supplies Sales; Pet Grooming
- Photographic Developing/Printing
- Printing, Photocopying or similar service
- Recreation Centre, including indoor or outdoor courts, ranges, rinks, tracks, or similar sports or fitness facility (subject to Sub-Clause 13 below)
- Reducing Salon, Health Spa, Tanning Salon or similar facility (not including steam bath)
- Restaurant, maximum floor area 2,500 square feet
- Sporting Goods: Rental; Sale; Service; Trophy Sales, including incidental assembly and engraving
- Stationery Sales
- Toy Sales

3. That only the following uses may be permitted on site No. 1 as a <u>conditional use</u>:

- Day Care Centre
- Fuel Sales: Kiosk
- Motors or machines, recreational or utility, including power toboggans, outboard motors, lawn mowers: Rental, sales, services (no outside storage or display)
- Restaurant, exceeding a floor area of 2,500 square feet
- Restaurant: Drive-through

4. That only the following uses may be permitted on site No. 1 subject to approval of a <u>use variance</u> for that use.

- Drug store
- Electronic Equipment, including audio-visual, communication, copying, data processing, security and similar equipment, excluding satellite dishes and radio towers. Rental,
  Sales,
  Service

5. For purposes of Zoning By-law No. 6400/94, the front lot line shall be established as that property line abutting Gateway Road.

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6. That the maximum building height on site No. 1 is limited to 9.144 metres (30 feet) and on site No. 2 is limited to 15.24 metres (50 feet).

7. That except for approved private approaches, a minimum 3.048 metre (10 feet) in depth landscaped yard shall be provided and maintained along the full length of the Gateway Road frontage of site No. 1.

8. That all that part of the subject lands lying north of the C.P.R. Right-of-Way along Springfield Road shall be established and maintained as a landscaped area only, and no other uses (including signs) shall be permitted on the land, said landscaping to be completed to the satisfaction of the Director of Community Services prior to the issuance of any development permits for site No. 2.

9. That appropriate signage be established, to the satisfaction of the Directors of Community Services and Streets and Transportation, to direct that access to all the lands for all commercial vehicular traffic (trucks) shall be via Burnett Avenue and Brunswick Street (North of Burnett Avenue), or any approved private approach from Gateway Road (Commercial vehicles accessing or leaving the site should do so via Gateway Road, or Brunswick Street north of Burnett Avenue, and then onto Burnett Avenue. All Inter Building truck traffic may use Burnett Avenue).

10. No private approach access nor any vehicular access or egress onto or from Springfield Road shall be permitted.

11. All free-standing signs shall be limited to a maximum of 25 feet in height.

12. Billboards; mobile signs, mobile poster signs, A-frames or similar temporary signs shall be prohibited on the lands.

13. That the location and design of any “recreation centre” that may be established on Lot 1 shall be subject to approval of the East Kildonan-Transcona Community Committee and shall be developed and maintained in accordance with approved plans.

14. That the location of all buildings, signs, fences, private approaches, parking and loading areas and landscaped areas shall be subject to the approval of the East Kildonan-Transcona Community Committee and shall be established and maintained in accordance with approved plans.

B. That the applicant enter into a Servicing Agreement with the City of Winnipeg containing therein all the conditions in the report of the Administrative Co-ordinating Group File DAZ 222/96, dated May 26, 1997, as outlined in Schedule “C”.

II. That a 10 per cent dedication 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 not be collected in this case since dedication was collected previously in conjunction with AG 29/80.

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 twelve (12) 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.

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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. 936 for attachments)

Proposed Rezoning - land located at 1044 St. Mary's Road, northwest corner of Maralbo Avenue and St. Mary's Road - Riel Community
File DAZ 201/97 (c/r DAV 25/97D)

898 - 6. The Committee on Planning and Community Services has been advised that an application has been received from Michael Mark to amend By-law No. 6400/94 by rezoning the land shown below from an "R2" Residential District to a "C2" Commercial District to permit the establishment of a commercial building (retail store and automotive service component).

The following is the Present Site Description:

Site Area: The lot has 48.44 feet of frontage on St. Mary's Road, and 106.75 feet of depth on the north side of the property.

Existing Land Use and Zoning: The current/past use of the property was residential. It is zoned "R2" Two-Family Residential.

The following is the Surrounding Land Use and Zoning:

South and East: zoned "C1" Commercial and occupied with commercial businesses,

West: zoned "RM-L" Multiple-Family area,

North: combination of "C2", "R2" and "RM-2" zoning.

The Community Planning Division has evaluated the proposed use/zoning of the land in question and endorses the conversion to commercial. The corner in question is one of the few remaining zoned residential sites (for two-family or single-family housing) fronting onto St. Mary's Road between Bishop Grandin Boulevard and Norberry Drive to the north. Practically all frontage along this stretch of St. Mary's Road is now zoned "C1" Commercial or "C2" Commercial with a wide range of businesses occupying those sites. Generally, the transition has been orderly without undue adverse effect on neighbouring residential areas either west or east of St. Mary's Road. This has usually been achieved by attaching conditions related to hours of operation, landscaping, or fencing requirements which reduce impact.

In the case of the subject application, the applicant proposes to construct a combination retail store and automotive service/parts installation component. The automotive servicing component is adjacent to Maralbo Avenue. At the rear of the automotive service component is an overhead door opening onto a concrete/asphalt parking area.

It is the view of the Community Planning Division that, with conditions, the proposed use can operate on the land with minimal impact on the adjacent residential areas to the west. It is recommended that some listed "C2" Commercial uses be prohibited in the zoning agreement which is consistent with the position that this Division has taken in the past for similar situations. It is also recommended that it be specified that the proposed overhead door be kept closed when automobiles are being serviced and that specific hours of operation restrictions for the automobile servicing component be considered.

Report of the Committee on Planning and Community Services dated July 7, 1997

Public Hearings were held before the Riel Community Committee on March 17 and June 16, 1997.

Three persons were heard in support of the application.

Five persons were heard in opposition thereto.

The Riel Community Committee recommended that the proposed rezoning be approved for the following reasons:

A. Although the Riel Community Committee believes the proposed development is over-development of the site, it is of the view that it is a good location for a commercial passive office, such as an engineering office, and will not adversely affect the surrounding area and be an improvement to the previous building on the land.

B. The Riel Community Committee intends to impose, as conditions of plan approval, requirements with respect to landscaping, fencing, parking and the installation of garbage receptacles to make the proposed commercial development compatible with the character of the surrounding area and to address the concerns of the area residents.

The Committee on Planning and Community Services concurred in the recommendations of the Riel Community Committee and recommends:

I. That Zoning By-Law No. 6400/94 be amended by rezoning the subject lands as outlined on Schedule "A" for File DAZ 201/97, dated March 10, 1997 to a "C1" Commercial District, subject to the following:

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

      i) That the use of the land be limited to an engineering office;

      ii) That final construction plans outlining design and location of buildings, accessory parking, garbage enclosures, fencing, landscaping, signage, etc., be subject to the approval of the Commissioner of Planning and Community Services and the Riel Community Committee prior to the issuance of any building permits.

II. That a 10 per cent 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 become effective 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 twelve (12) 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 of the above in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 937 for attachment)

Report of the Committee on Planning and Community Services dated July 7, 1997

Proposed Rezoning - land located at 3507 Vialoux Drive, north side, between Alcrest Drive and Hendon Avenue - Assiniboia Community
File DAZ 204/97 (c/r DCU 45/97D)

899 - 7. The Committee on Planning and Community Services has been advised that an application has been received from Better Care Health Services, to amend By-Law No.6400/94 by rezoning the land, as outlined on Schedule "A", from an "R1-6" Single-Family District to an "RM-L(A)" Multiple-Family District to permit the establishment of a residential institution (care facility) in an existing building (Convent).

The following is the present Site Description:

Site Area: Approximately 40,000 square feet (.92 acres)

Existing Land Use and Zoning: Vacant former convent, zoned "R1-6(A)" Single-Family District.

The following is the Surrounding Land Use and Zoning:

Southeast: predominantly single-family dwellings, with a multiple-family development

North: the Assiniboine River; adjacent lands are zoned "R1-6(A)" and "RM-1".

The applicant proposes to locate a care home residential institution in the existing 9,000 square foot former convent building. The proposed care home is to have sleeping quarters for 18-22 residents requiring Levels of Care 1, 2, and possibly 3. The facility is to have 24 hour care and supervision. In addition, the applicant proposes to provide an adult day care service, with a maximum of 10 clients on Tuesdays and Thursdays. The offices of Better Care Home Health Services are also to be located in this building.

The existing building, a 9,000 square foot convent and chapel, was built in 1960 to accommodate the Congregation of the Sisters and Precious Blood. The site and building are now surplus to the needs of the archdiocese. The applicant requests the opportunity to establish a 24 hour, seven day per week residential care facility. This facility, in addition to providing sleeping quarters for residents, will be staffed by licensed support workers, activity workers, and kitchen and housekeeping workers.

The convent had a non-conforming right to its density and use at this location. The rezoning is required in order to permit the proposed use and recognize the density. The former and proposed uses, as well as the existing building, are of course anomalies in this neighbourhood. The applicant proposes to adaptively reuse the existing building, in accordance with the desire to integrate care facilities into residential neighbourhoods. The proposed facility and operations are compatible with surrounding land uses and should not have negative impacts on adjacent properties.

The site is currently accessed via a semi-circular driveway in the mature, landscaped front yard. Additional traffic will be generated by the adult day care, operating twice weekly. Parking and loading facilities may be required in the front yard to accommodate this and other associated activities.

Public Hearings were held before the Assiniboia Community Committee on April 22 and May 20, 1997.

Four persons were heard in support of the application.

Three persons were heard in opposition thereto.

The Assiniboia Community Committee recommended that the proposed rezoning not be approved for the following reason:

A. Parking is very limited in the area.

Report of the Committee on Planning and Community Services dated July 7, 1997

The Committee on Planning and Community Services concurred in the recommendations of the Assiniboia Community Committee and recommends that the application under File DAZ 204/97 to rezone the subject land from an "R1-6" Single-Family District to an "RM-L(A)" Multiple-Family District, not be proceeded with.

Adopted by consent.

(See Minute No. 938 for attachment)

Proposed Rezoning - land located at 175 Ronald Street, east side, north of Portage Avenue - Assiniboia Community
File DAZ 206/97 (c/r DCU 54/97D and DAV 110/97D)

900 - 8. The Committee on Planning and Community Services has been advised that an application has been received from Gaboury Associates Architects, to amend By-Law No. 6400/94 by rezoning land, as outlined on Schedule "A", a "R1-5.5(A)" Single-Family District to a "RM-5(A)" Multiple-Family District to allow for the establishment of Multiple-Family Housing.

Site Area: Approximately 28,750 square feet (.66 acres)

The following is the Existing Land Use and Zoning:

Surface parking area, accessory to the adjacent Courts of St. James Commercial mall and the multiple-family dwelling on the west side of Ronald Street, zoned "R1-5.5(A)" Residential District.

The following is the Surrounding Land Use and Zoning:

North: Single-family dwellings, zoned "R1-5.5(A)" separated from the proposed condominium development by an asphalt parking area.

South: Dairy Queen and Perkins restaurants, zoned "C2(A)" Commercial District, separated from the proposed condominium development by a public lane, parallelling Portage Avenue.

East: Ukrainian Catholic Church of St. Basil the Great and accessory parking area, zoned "R1-5.5(A)" Single-Family District. Single-family dwellings, also zoned "R1-5.5(A)".

West: Courts of St. James commercial mall and accessory parking, zoned "C2(A)" 15-storey apartment buildings, zoned "RM-7(A)" Multiple-Family District.

The applicant proposes to develop a five-storey, 40-unit condominium on property currently utilized for Courts of St. James overflow parking. In order to proceed, the lands must be rezoned to permit multiple-family housing, a conditional use order must be granted (to permit density of greater than 35 units per acre in the "Airport Vicinity Protection Area II"), and a variance order must be granted (to permit less than required yards and parking).

In October, 1996, representatives of the property owners and their consultant met with Community Planning Division staff to discuss the redevelopment of the entire parking area on the east side of Ronald Street (north of Portage Avenue). At that time, the discussion was preliminary and the proposal included two to three-storey townhouse style condominiums along the length of the parking area frontage on Ronald Street. The asphalt surface parking area would remain, between the new condominium units and the eastern property line, but substantially reduced in size. In order to redevelop any of the parking area on the east side of Ronald Street, a balance would necessarily be required between density (and height) of development and parking requirements. Subsequently, concept plans showing a five-storey, 40-unit building, to be located at the southern most extent of the parking area, were submitted in conjunction with the application.

Report of the Committee on Planning and Community Services dated July 7, 1997

The proposed development is supported, to a certain extent, by Plan Winnipeg (Urban Development Management section). High intensity residential development is directed towards sites in proximity to regional streets and transit corridors. Further, new development which adjoins and is compatible with existing development, and which is designed to minimize the use of land, is encouraged. On the other hand, Plan Winnipeg clearly articulates the primacy of accommodating redevelopment in existing neighbourhoods through consultation with residents and other local interests. The application is not inconsistent with adjacent development, to the west and south. Its distance from the single-family dwellings to the north significantly reduces impacts to those properties. Less clear cut are potential impacts on those properties located to the immediate east, the church and its parking area, the properties most directly affected by this proposal, will not likely experience adverse impact. The applicant organized a public meeting, to which local residents were invited. The proposal was presented and neighbours were consulted. In addition to introducing the proposed development to residents, the public meeting was intended to provide a forum for mitigating potential negative impact on adjacent properties.

The applicant proposes to redevelop an under-utilized and somewhat derelict parking area into seniors-oriented condominium housing. The proposed configuration attempts to provide a transition between the high-density apartment development to the west and the single-family housing to the east.

Public Hearings were held before the Assiniboia Community Committee on May 20, 1997 and June 17, 1997.

Two persons was heard in support of the application.

Twenty two persons appeared in opposition thereto.

Two persons appeared for information purposes.

The Assiniboia Community Committee recommended that the proposed rezoning not be approved for the following reason:

A. The developers and the community were unable to reach a common ground.

The Committee on Planning and Community Services concurred in the recommendation of the Assiniboia Community Committee and recommends that the application under File DAZ 206/97 to rezone the subject land from a “R1-5.5(A)” Single-Family District to a “RM-5(A)” Multiple-Family District Be Not Proceeded With.

Adopted by consent.

(See Minute No. 939 for attachment)

Proposed Rezoning - land located at 917 Lorette Avenue - City Centre Community
File DAZ 210/97 (c/r DAV 250/97D)

901 - 9. The Committee on Planning and Community Services has been advised that an application has been received from Maxer Limited, 395 Stafford Street, Winnipeg, Manitoba, R3M 2X4, to rezone the land commonly known as 917 Lorette Avenue from an "R1-3.5A" Single-Family Residential District to a "C1" Commercial District to allow for the establishment of a parking area accessory to an existing real estate office.

The following is the present Site Description:

Dimensions: 30 feet by 100 feet approximately

Site Area: 3,000 square feet

Existing Land Use and Zoning: one-storey, single-family dwelling.

Report of the Committee on Planning and Community Services dated July 7, 1997

The following is the Surrounding Land Use and Zoning:

North: "R1-3.5" Single-Family Residential District

East: "C1" Commercial District (Remax Office)

South: across Lorette, "C1" Commercial District (donut shop)

West: "R1-3.5" Single-Family Residential District.

A related application under DAV 250/97D deals with front and west side yard variances associated with the proposed parking lot development.

The property is owned by the applicant. The proposal is to demolish the house and establish a parking lot for Remax agents and their clients. The property is adjoining the Remax office at the northwest corner of Stafford Street and Lorette Avenue. The subject building is a small, single-storey house on a slab foundation. Other homes on Lorette Avenue are of similar construction, many built by railway workers at the Fort Rouge Yards.

The Remax office at 395 Stafford Street currently provides parking off the lane for 7 cars, and parking in the front (off Lorette Avenue) for 8 stalls. Tandem parking often occurs in the front lot. The office building is about 6,400 square feet on two floors. For this floor area, parking requirements for office and retail use are 9 and 25 respectively. Under the current proposal, the building would provide parking for 27 vehicles.

The Community Planning Division rarely supports the removal of housing for commercial parking lots. Factors taken into consideration include the condition of the property, the state of traffic and parking congestion in the area, the nature of adjacent land uses, and the ability of the neighbourhood to absorb the loss of the dwelling. Of equal importance is the receptivity of immediately affected residents to the proposal. In the current case, the applicant obtained the signatures of adjacent residents on the proposed site plan. After considering the previous factors in relation to 917 Lorette Avenue, it was the decision of the Community Planning Division to support this application.

The parking requirement of 1:750 is insufficient for some types of office uses, especially real estate offices wherein the size of the office space bears little relationship to the number of agents working out of a particular location. This Remax office employs about 60 agents and support staff. The impact of the agent traffic on the immediate neighbourhood is substantial. And while the additional parking won't completely eliminate the shortfall, it will help take the pressure off of on-street parking in the area. Also, if the building use changes, the additional parking will satisfy the demands of most retail uses.

A Public Hearing was held before the City Centre Community Committee on June 10, 1997.

One person was heard in support of the application. No one appeared in opposition thereto.

One person appeared for information purposes.

The City Centre Community Committee recommended that the proposed rezoning be approved for the following reasons:

A. Although the Community Planning Division rarely supports the removal of housing for commercial parking lots, factors taken into consideration include the condition of the property, the state of traffic and parking congestion in the area, the nature of adjacent land uses, and the ability of the neighbourhood to absorb the loss of the dwelling as well as the receptivity of immediately affected residents to the proposal. In the current case, the applicant obtained the signatures of adjacent residents on the proposed site plan.

B. The parking requirement of 1:750 is insufficient for some types of office uses, especially real estate offices wherein the size of the office space bears little relationship to the number of agents working out of a particular location and as this Remax office employs about 60 agents and support staff, the impact of the agent traffic on the immediate neighbourhood is substantial.

C. The additional parking will not completely eliminate the shortfall, however, it will help take the pressure off on-street parking in the area, and, if the building use changes, the additional parking will satisfy the demands of most retail uses.

Report of the Committee on Planning and Community Services dated July 7, 1997

The Committee on Planning and Community Services concurred in the recommendations of the City Centre Community Committee and recommends:

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule “A” for File DAZ 210/97, dated June 24, 1997, to a "C1" Commercial District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 600(1) of The City of Winnipeg Act to provide for the following:

1) That the use of the property be limited to an accessory parking lot;

2) That a ten (10%) per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space, park and recreational use based on the increase in the market value of the land.

II. 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 when the Zoning Agreement has been executed.

III. That the rezoning by-law shall become effective when the Zoning Agreement has been registered as a first charge against the subject land at Winnipeg Land Titles Office.

IV. That the Proper Officers of the City be authorized to execute said Zoning Agreement.

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.

VI. That, in the event the application is not proceeded with expeditiously and the by-law is not enacted within 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.

Adopted by consent.

(See Minute No. 940 for attachment)

Proposed Rezoning - land located at 505 Stradbrook Avenue - City Centre Community File DAZ 211/97 (c/r DCU 91/97D and DAV 206/97D)

902 - 10. The Committee on Planning and Community Services has been advised that an application has been received from Thorvaldson Care Homes Ltd., 497 Stradbrook Avenue, Winnipeg, Manitoba, R3L 0K2, to rezone the land outlined as Schedule “A”, from an "R2-T" Two-family Transitional Residential District to an "RM-1" Multiple-family Residential District to allow for the construction of an addition to an existing residential institution.

The following is the present Site Description:

Dimensions: 15.088 metres (49.5 feet) by 45.385 metres (148.9 feet)

Site Area: 684.7 square metres (7,370.65 square feet)

Existing Land Use an Zoning: residential (care home)

Report of the Committee on Planning and Community Services dated July 7, 1997

The following is the Surrounding Land Use and Zoning:

North,
South and West: "R2-T" Two-family Transitional Residential District

East: "RM-1" Multiple-family Residential

Thorvaldson Care Homes Ltd., began operating in Osborne Village in 1976 from converted houses at 495, 499, 505, and 509 Stradbrook Avenue. In the late 1980's, they then undertook a 3-phase plan to replace the houses with a purpose-built nursing home. Phase 1 replaced the house at 495 Stradbrook Avenue, Phase 2 replaced the house at 499 Stradbrook Avenue, and the present proposal would replace the remaining houses at 505 (previously rezoned) and 509 Stradbrook Avenue (subject property).

The Phase 3 care home design and site layout mimics the earlier phases. A two-storey, L-shaped, vinyl-sided, pitched-roof structure will connect via a covered walkway to the existing, 2-storey, U-shaped building constructed under Phases 1 and 2. The layout will create a landscaped courtyard opening to the street. The 26 care units in

Phase 3 will bring the unit total at the home to 69.

Parking is proposed for the rear of the building off the lane. In total, the care home proposes lane parking for about 23 stalls available to staff and visitors. There are about 25 persons on staff at the facility, with shift work reducing the overall demand for staff parking.

With the proposed expansion, 511 Stradbrook Avenue, owned by St. Luke's Anglican, will be the sole remaining house on the north side between Osborne and Nassau Streets. The Church has discussed its options with respect to 511 Stradbrook Street, which include selling the property to Thorvaldson for yet another care home expansion, or demolishing the building for accessory parking. However, while the Community Planning Division supports the present proposal as being compatible with the area and an improvement over the current building situation (for care home staff and residents), the removal of housing, as a rule, is not condoned. Rather, where appropriate, the Community Planning Division prefers to see the conversion of the existing housing stock to other uses as a means of preserving the physical character of older neighbourhoods.

A Public Hearing was held before the City Centre Community Committee on June 10, 1997.

One person was heard in support of the application. No one appeared in opposition thereto.

The City Centre Community Committee recommended that the proposed rezoning be approved for the following reasons:

A. With the proposed expansion, 511 Stradbrook Avenue, owned by St. Luke's Anglican Church, will become the sole remaining house on the north side between Osborne and Nassau Streets.

B. The Church has discussed its options with respect to 511 Stradbrook Avenue, which include selling the property to Thorvaldson Care Homes for yet another care home expansion, or demolishing the building for accessory parking.

C. While the Division supports the present proposal as being compatible with the area and an improvement over the current building situation (for care home staff and residents), as a rule the Division does not condone the removal of housing but, rather, where appropriate, prefers to see the conversion of the existing housing stock to other uses as a means of preserving the physical character of older neighbourhoods.

The Committee on Planning and Community Services concurred in the recommendations of the City Centre Community Committee and recommends:

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 211/97, dated June 24, 1997, to an "RM-1" Multiple-Family Residential District.

II. That a ten (10%) per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space, park and recreational use based on the increase in the market value of the land.

Report of the Committee on Planning and Community Services dated July 7, 1997

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.

V. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 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.

Adopted by consent.

(See Minute No. 941 for attachment)

Proposed closing of the public lane south of Corydon Avenue and east of Osborne Street - City Centre Community
File DAC 5/97

903 - 11. The Committee on Planning and Community Services has been advised that the Surveys Branch of the Land and Development Services Department has determined that the public lane south of Corydon Avenue and east of Osborne Street has never been legally closed. The lane, identified as "Proposed Lane Closing" on Misc. Plan No. 8811/2, as outlined on Schedule "A", does not physically exist. The major portion of it is contained within the CNR Right of Way Plan 357 and this portion will be offered to the CNR as part of the land exchanges for the South West Transit Corridor. The balance of the closed lane will be incorporated into the City property to the east of the CNR line.

The proposed opening has been circulated to all concerned City departments and public utilities with no objections having been received.

A Public Hearing was held before the City Centre Community Committee on June 10, 1997. The Community Committee recommended approval of the proposed street closing as outlined below.

The Committee on Planning and Community Services recommends:

I. 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. 8811/2, as outlined on Schedule "A".

II. 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 Minute No. 942 for attachment)

Report of the Committee on Planning and Community Services dated July 7, 1997

Proposed lane opening at the rear of 185 Pilgrim Avenue - Riel Community
File DAO 2/97

904 - 12. The Committee on Planning and Community Services has been advised that a lane opening at the rear of 185 Pilgrim Avenue, which is required to facilitate the turning radius of vehicles in the area, was paved with the verbal permission of the previous owner of 185 Pilgrim Avenue in 1989. The land was never legally opened as a public lane. The ownership of the property has changed and it has been necessary to enter into negotiations with the new property owners for the acquisition of the land required for the lane opening. The owners have now agreed to the sale of the property to the City, in accordance with Misc. Plan No. RIEL 9189/1, as outlined on Schedule "A", and may now be legally opened as a public lane.

The proposed opening has been circulated to all concerned City departments and public utilities with no objections having been received.

A Public Hearing was held before the Riel Community Committee on June 16, 1997. The Community Committee recommended approval of the proposed lane opening as outlined below.

The Committee on Planning and Community Services recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary By-law for submission to Council to effect the subject lane opening in accordance with Misc. Plan No. RIEL 9189/1, as outlined on Schedule "A".

II. 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 Minute No. 943 for attachment)

Proposed lane opening at the intersection of the first lane east of St. Mary's Road with the first lane south of Hull Avenue - Riel Community File DAO 3/97

905 - 13. The Committee on Planning and Community Services has been advised that in February of 1996, the Board of Commissioners considered a report of the Commissioner of Works and Operations concerning the proposed lane opening at the intersection of the first lane east of St. Mary's Road with the first lane south of Hull Avenue. At that time the Land and Development Services Department was directed to negotiate for the acquisition of the lane corner in accordance with Misc. Plan No. RIEL 9617, as outlined on Schedule "A", to facilitate the turning radius of vehicles in the area. The owners have agreed to the sale of the property to the City and the land may now be legally opened as a public lane.

The proposed opening has been circulated to all concerned City departments and public utilities with no objections having been received.

A Public Hearing was held before the Riel Community Committee on June 16, 1997. The Community Committee recommended approval of the proposed street opening as outlined below.

The Committee on Planning and Community Services recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary By-law for submission to Council to effect the opening of the land identified as "Proposed Acquisition" in accordance with Misc. Plan No. RIEL 9617, as outlined on Schedule "A".

Report of the Committee on Planning and Community Services dated July 7, 1997

II. 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 Minute No. 944 for attachment)

Proposed opening of part of Sterling Lyon Parkway at Paget Street - Assiniboia Community File DAO 7/97

906 - 14. The Committee on Planning and Community Services has been advised that the proposed street opening, as outlined on Schedule "A", in accordance with Misc. Plan No. ASBA 7703/14, was identified in 1995 by the Streets and Transportation Department during the negotiations for the sale of certain City properties east of Paget Street and north of Sterling Lyon Parkway.

A plan of survey was required to legally define the boundaries of the lands required for the street opening and the lands to be transferred. The state of the survey monuments in the area in 1995 had deteriorated so badly that it was impossible to prepare the required plan.

In view of the fact that a plan of survey could not be prepared, the City could not retain the lands required for the street and transfer the balance of its property. In order to expedite the sale, the Land and Development Services Department entered into an agreement with the purchaser, Hugh Munro Construction Ltd. The City agreed to transfer all of its property and Hugh Munro Construction Ltd., agreed to dedicate the lands required for public street purposes as soon as a plan of survey could be prepared.

Title to the property was issued in 1996 in the name of 2858127 Manitoba Ltd., a company affiliated with Hugh Munro Construction, which company has now assumed the obligation to dedicate the lands for street purposes upon demand.

City lands to the south of the numbered company (2858127 Manitoba Ltd.) are also required for the street opening. A condition of the agreement was that the City would transfer to Hugh Munro Construction Ltd., the portion of the City property east of Paget Street which was not required for the street.

The survey monuments in the area have now been restored and the lands required for the opening may be dedicated for public street purposes by way of a plan of survey.

The proposed street opening has been circulated to all concerned City departments and public utilities with no objections having been received.

Neither Sterling Lyon Parkway nor Paget Street physically exist at this location and there are no immediate plans to proceed with street construction. The dedication of these lands for public street purposes will serve to complete the transaction agreed to in 1995.

A Public Hearing was held before the Assiniboia Community Committee on June 17, 1997. The Community Committee recommended approval of the proposed street opening as outlined below.

The Committee on Planning and Community Services recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary By-law for submission to Council to effect the opening in accordance with Misc. Plan No. ASBA 7703/14, as outlined on Schedule "A".

Report of the Committee on Planning and Community Services dated July 7, 1997

II. 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 Minute No. 945 for attachment)

Proposed opening of part of the south side of Portage Avenue, west of Albany Street - Assiniboia Community File DAO 9/97

907 - 15. The Committee on Planning and Community Services has been advised that the requirement for the subject street opening, in accordance with Misc. Plan No. ASBA 9972, as outlined on Schedule "A" (shown as "Land Required for Portage Avenue"), was identified in the 1997 Capital Program. The Streets and Transportation Department has determined that the existing curve in this location is substandard and requires realignment to allow the safe operation of vehicles at the 60 KM/H speed limit. The transfer of the jurisdiction over this land from the Parks and Recreation Department to the Streets and Transportation Department is currently being processed.

The proposed street opening has been circulated to all concerned City departments and public utilities with no objections having been received.

A Public Hearing was held before the Assiniboia Community Committee on June 17, 1997. The Community Committee recommended approval of the proposed street opening as outlined below.

The Committee on Planning and Community Services recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary By-law for submission to Council to effect the opening, in accordance with Misc. Plan No. ASBA 9972, as outlined on Schedule "A".

II. 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 Minute No. 946 for attachment)

Proposed lane opening and closing, south of Lennox Avenue, east of St. Mary's Road - Riel Community File DAOC 2/97

908 - 16. The Committee on Planning and Community Services has been advised that an application has been received from Christ the King Church to acquire the public lane outlined on Schedule "A" ("Proposed Lane Closing"), in accordance with Misc. Plan No. RIEL 9961/1. The Church, through its affiliate, the Lennox Social Club, has acquired the property identified as Number 3 on the drawing for the expansion of the playground at the east end of its property. The Church wishes to acquire both the lane and the City property identified as Number 2 on the drawing for inclusion into the playground. The lane will be relocated in the area shown as "Proposed Lane Opening".

The proposed opening and closing has been circulated to all concerned City departments and public utilities with no objections having been received. The Streets and Transportation Department has advised that it will be necessary for the applicant to enter into a servicing agreement to carry out the required associated municipal works and to post a performance letter of credit to cover these obligations. The Water and Waste Department has advised that it

Report of the Committee on Planning and Community Services dated July 7, 1997

will require an easement for existing facilities within the lane to be closed. MTS Netcom has advised that it will require an easement for its underground plant located in the City property identified as Number 2 on the drawing.

A Public Hearing was held before the Riel Community Committee on June 16, 1997. The Community Committee recommended approval of the proposed street opening/closing as outlined below.

The Committee on Planning and Community Services recommends:

I. 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. RIEL 9961/1, as outlined on Schedule "A".

II. That the documents effecting the opening and closing not be registered in the Winnipeg Land Titles Office until the Applicant has executed an agreement dealing with the construction of the new lane pavement and associated works to the satisfaction of the Commissioner of Works and Operations.

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 Minute No. 947 for attachment)

Proposed opening of part of Donald Street and closing of part of Clarke Street - City Centre Community File DAOC 3/97

909 - 17. The Committee on Planning and Community Services has been advised that the Winnipeg Squash Racquet Club has submitted an application to acquire the portion of Clarke Street identified as "Proposed Closing" on Misc. Plan No. CC 9782/2, as outlined on Schedule "A". The Squash Racquet Club requires the land for a proposed addition to their building. It will be necessary to close this portion of the street before it may be sold.

The proposed closing has been circulated to all concerned City departments and public utilities with no objections having been received. The Streets and Transportation Department has stipulated that a condition of their approval of the proposed closing will be the dedication of the Squash Racquet Club property identified as "Proposed Opening" on Misc. Plan No. CC 9782/2. The Water and Waste Department has advised that it will require an easement for an existing sewer line within the Squash Racquet Club property. Centra Gas has advised that it will be necessary to relocate a gas main located within the proposed closing.

A Public Hearing was held before the City Centre Community Committee on June 10, 1997. The Community Committee recommended approval of the proposed street opening/closing as outlined below.

The Committee on Planning and Community Services recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary By-law for submission to Council to effect the opening in accordance with Misc. Plan No. CC 9782/2, as outlined on Schedule "A".

II. 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 Minute No. 948 for attachment)

Report of the Committee on Planning and Community Services dated July 7, 1997

Proposed Street Name Change - Harrow Street, south of Taylor Avenue - City Centre Community
File SC-3.14(32) (Vol. 1)

910 - 18. The Committee on Planning and Community Services has been advised that the north-south portion of Harrow Street, south of Taylor Avenue was opened originally by plan 857 in 1904. The portion of Harrow Street connecting to Pembina Highway, known as the "Harrow Street Diversion", was established by plan 3475, registered in the Winnipeg Land Titles Office on January 31, 1931. With the registration of the Harrow Street diversion plan in 1931, the Harrow Street name was duplicated, as outlined on Schedule "A". More recently, with the redevelopment of the former Motel 75 site, the issue of addressing duplicate street names has been brought to the attention of the Land and Development Services Department.

To eliminate the possibility of confusion with emergency services and to alleviate any problems with addresses, the Administration recommends the addition of the suffix "East" to that portion of Harrow Street connecting with Pembina Highway to remedy the duplication of street names.

On June 10, 1997, the City Centre Community Committee considered a report from the Land Development Administrator, dated March 24, 1997, with respect to the above matter.

The Committee on Planning and Community Services concurred in the recommendation of the City Centre Community Committee and recommends:

I. That the currently registered street name Harrow Street, for that portion between the north-south segment of Harrow Street south of Taylor Avenue and Pembina Highway be changed to "Harrow Street East" and that in approving this change Council authorize the following:

A. That the Director of Land and Development Services 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 prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that the 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, publish the street name change in two daily newspapers having a general circulation through the City of Winnipeg.

D. That the City Clerk, upon passage of the by-law, provide the relevant Community Clerk with a copy of the by-law and the report 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 effect the intent of the foregoing.

Adopted by consent.

(See Minute No. 949 for attachment)

Report of the Committee on Planning and Community Services dated July 7, 1997

Proposed Street Name Change - Markham Road to Barnes Street - Riel Community
File SC-3.14(35) (Vol. 1)

911 - 19. The Committee on Planning and Community Services has been advised by the Land and Development Services Department that the Markham Road right-of-way which extends several hundred feet south of Bison Drive is in fact an extension of Barnes Street, as outlined on Scheduled “A”. A visual inspection has also indicated that this portion of the legally registered street of Markham Road is signed as Barnes Street.

In order to legitimize the use of the existing street name of Barnes Street, the Land and Development Services Department recommends that the legal name of the right-of-way be made consistent with its common use to avoid any possible confusion.

On June 16, 1997, the Riel Community Committee considered a report from the Subdivision Officer, dated April 25, 1997, with respect to the proposed street name change, concurred in the recommendations contained therein.

The Committee on Planning and Community Services concurred in the recommendations of the Riel Community Committee and recommends:

I. That the currently registered name "Markham Road" south of Bison Drive, as outlined on Schedule "A", be changed to “Barnes Street” and that in approving this change, Council authorize the following:

A. That the Director of Land and Development Services Department 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 the 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 the report 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 effect the intent of the foregoing.

Adopted by consent.

(See Minute No. 950 for attachment)

Report of the Committee on Planning and Community Services dated July 7, 1997

Status Report on the Planned Program Expenditures 1997 and 1998 - 2002 for Streetscaping - Defined locations
File SC-3 (Vol. 6)

912 - 20. The Committee on Planning and Community Services has been advised that in 1995, the Planning Department which had the responsibility for the Streetscaping Program was disbanded and the responsibility passed to the Community Services Department. Under the Community Services Department, Streetscape Projects follow a three stage implementation process:

Year 1 - The development of a conceptual master plan in consultation with civic line departments and representatives of the neighbourhood mainstreets.
Year 2 - Phase I construction.
Year 3 - Phase II construction.

The 1995 Streetscaping Budget was $400,000.00 and was allocated with concurrence from Committee on Planning and Community Services, in the following manner:

1995 STREETSCAPING BUDGET ALLOCATION			
AREA	ACTION	CLIENT	BUDGET
Ellice/Sargent	Construction	West End B.I.Z.	$150,000.00
Osborne Village	Construction	Osborne Village B.I.Z.	$175,000.00
Osborne South	Concept Plan	Osborne South B.I.Z.	$25,000.00
St. James Village	Concept Plan	St. James Village Merchants	$5,000.00
Norwood Grove	Concept Plan, Working Drawings & Construction Management	Norwood Grove B.I.Z.	$45,000.00

The 1996-2000 Five Year Capital Program approved by City Council provided for $412,000.00 for streetscaping on neighbourhood mainstreets in each of the five years. Based on the 1995 allocation, the Five Year Capital approval and on the three step implementation process, the 1996 plan was as follows:

1. Phase I of Osborne Street South construction

2. Phase I of St. James Village construction

3. Phase I of Norwood Grove construction

4. The development of a conceptual master plan for both Transcona and Grosvenor Square

The 1996 budget originally proposed as being $412,000.00 was reduced by City Council to $100,000.00. This required an adjustment to the projected allocations and resulted in a number of processes scheduled for 1996 being postponed until 1997. The following revised program was concurred with by the Committee on Planning and Community Services.

1996 STREETSCAPING BUDGET ALLOCATION			
AREA	ACTION	CLIENT	BUDGET
Osborne South	Construction Phase I	Osborne South B.I.Z.	$80,000
Old St. Vital	Concept Plan	Old St. Vital B.I.Z.	$15,000
St. James Village	Demonstration	St. James Village Merchants Association.	$5,000
TOTAL			$100,000

The planned program expenditures for 1997 and 1998 follow the three step implementation process articulated above and articulated in the 1997 Annual Capital Estimates and in the 1998-2002 Five Year Capital Forecast as approved by City Council.

Report of the Committee on Planning and Community Services dated July 7, 1997

On March 20, 1997, Council approved $412,000.00 for the 1997 Streetscape Defined Locations Capital Budget. The Five Year Capital Plan identifies the following budget amounts:

1998	$0
1999	$350,000
2000	$400,000
2001	$400,000
2002	$300,000

As a result of these funding uncertainties combined with concerns previously raised by both the Department and various merchant and BIZ groups, the project allocations for 1997 are being done differently that in past years. For 1997, the Department is proposing to allocate monies on the basis on what is required to complete a phase of the project rather than allowing the budget to dictate the size and shape of the project.

This approach was discussed with and approved by the Winnipeg BIZ Association which passed a motion in support of this approach and of the 1997 projects as defined.

The 1997 project list appears as follows:

Transcona Concept Plan (quoted price)	20,000.00
Norwood Grove Phase I Construction	110,000.00
Osborne South Phase II Construction	100,000.00
St. James Village Phase I Construction	110,000.00
Grosvenor Square Phase I Construction	25,000.00
Contingency	27,000.00
Finance & Administration Charges	20,000.00
Total	412,000.00

* Old St. Vital Phase I construction ($700,000.00) complementary funding is being provided through the Glenwood M/WCRP Program.

In each of the projects, the respective BIZ has agreed to assume all operating and maintenance costs for any costs which are over and above the City's normal operation and maintenance budgets.

Due to circumstances of construction scheduling and weather, a timely concurrence with this report is requested.

For the information of Council, the Committee on Planning and Community Services concurs in the recommendation that the 1997 allocation of Capital Funds Streetscaping, Defined Locations be concurred with as concurrence is required in order to finalize the 1997 allocation.

Adopted by consent.

REPORT "A" OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED JULY 7, 1997

On motion of Councillor Timm-Rudolph, the rule was suspended and Report "A" of the Committee on Planning and Community Services dated July 7, 1997, was considered.

Rooming Houses File EL-1 (Vol. 2)

913 - 1. The Committee on Planning and Community Services has been advised that the Commissioner of Planning and Community Services established a Rooming House Task Force in 1996 to investigate a number of issues associated with rooming houses, in particular, concerns that there was a backlog of inspections and unissued licenses for rooming houses.

Rooming houses have been a basic choice of accommodation for many residents. Many are well maintained, meet City By-law standards and are occupied by tenants who behave as responsible citizens. A number of rooming houses, particularly in the inner-city area, are of concern in that they may not meet zoning requirements, be inadequately maintained and have residents whose social behaviour impacts negatively on the neighbourhood. Housing stock in general in the inner-city area is much older and in far greater need of major repair than that of other areas of the city.

The City has attempted to address the condition of rooming houses through the enforcement of by-laws which set standards for safety and living conditions and more recently through a licensing program.

The licensing program for rooming houses, which began in 1995, arose from a concern regarding fire safety. It was determined that regular review of the fire safety features of such buildings was necessary in order to minimize fire hazards for occupants. An annual license was required, based on compliance with the zoning by-law and fire safety standards contained in the Residential Buildings Fire Safety By-law. Over 1300 buildings were identified as rooming houses.

It was recognized that with the start of a new licensing program it would not be possible to evaluate all 1300 properties within the first year. However, it became evident at an early stage that the program was not meeting expectations in that backlogs of applications and inspections were increasing, and reports of illegal conversion of houses into rooming houses were becoming more frequent. A review of the licensing program by officials from Zoning, Community Planning, Building Inspections, Fire Prevention, Health, Licensing, Social Services and Legal Services revealed a number of weaknesses, one of which was the topic of the previous report relating to non-conforming rights.

While inspections to date have determined that over 900 rooming houses met fire safety standards and 450 complied with zoning regulations, the current situation is of significant concern. Large backlogs of license applications, inspections and enforcement activities to address non-conformities exist.

Approximately 200 licenses have been issued in 1997 compared to almost 500 last year. This is due to a combination of factors including owners who have not reapplied for their license, backlogs of inspections and enforcement activities, and changes in ownership which necessitate a new license.

A zoning review of over 500 rooming houses remains to be completed. In addition, enforcement action is required for 300 buildings which do not comply with zoning. It is estimated that with current resources three to five years will be necessary to carry out zoning assessments, including enforcement to bring illegal uses into compliance.

Inspections and upgrading to fire safety standards of approximately 400 buildings also are necessary. It is estimated that two to three years will be required to complete this work at present staffing levels. In addition, new buildings will be added to the list requiring evaluation as information is received from other agencies concerning buildings which have been recently converted into rooming houses.

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Several other weaknesses related to the current system have also been uncovered including:

- inadequate system for determining the location of rooming houses (estimates vary from 1500 to 4000),
- limited information sharing between departments concerning the status of involvement with rooming houses,
- limited coordination between departments in taking enforcement action against non-complying rooming houses,
- limited follow up to review applicants who do not renew their license.

It is clear that the current system is not operating effectively and that changes are necessary.

Options which may be considered are:

1. Withdraw licensing program for rooming houses

   The backlog of license applications would become a non-issue, the City would not be liable for inadequate enforcement of the by-law and there would be a saving of staff time, which could be used for other tasks.

   However, there would be a loss in revenue from license fees. The City would still be responsible to take reasonable action to investigate and bring into compliance with city by-laws the rooming houses listed on its registry. The loss of the program would also diminish the City's efforts to address on going concerns of fire safety in this type of occupancy.

2. Continue licensing program under current system

   The current list of rooming houses will be brought into compliance with zoning and fire safety regulations within a three to five year period. Additional staff resources will not be required.

   Significant weaknesses exist with the current program as indicated earlier in this report. The City could be open to challenge that it is not providing a reasonable level of enforcement of the Licensing By-Law. The current system lacks focus, is not pro-active and does not meet neighbourhood needs.

3. Enhance licensing program through creation of a centralized co-ordinating function dedicated to addressing rooming house problems

   A response team would be created focusing exclusively on rooming house issues and would enforce the rooming house licensing program, including co-ordinating the activities of the various agencies involved. The first priority would be to immediately address the backlog of inspections and where necessary take enforcement action to bring rooming houses into compliance with city by-laws. Improved liaison with neighbourhood groups would assist in determining rooming houses which were of particular concern.

   The system itself would be re-engineered to provide a more effective program. Elements would include: an effective method of locating rooming houses, a shared data base providing the status of buildings, co-ordinated enforcement activities and reduction of regulatory 'red tape'.

   Given sufficient resources, it is expected that the current backlog of inspections could be cleared up within a one year period. It would also enable the City to provide a reasonable response time in evaluating new applications. The improved system would take a pro-active approach to addressing rooming house issues and facilitate their compliance with city by-laws.

The Administration believes that the third option is considered the most appropriate to address the issues involving rooming houses.

On July 7, 1997, the Committee on Planning and Community Services heard representatives of the Wolseley Residents Association, Zoning Committee and the East Wolseley Community Association in delegation with respect to concerns regarding rooming house issues.

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The Committee on Planning and Community Services recommends:

I. That an enhanced licensing program be implemented through creation of a centralized co-ordinating function dedicated to addressing rooming house problems. (It is estimated that seven additional staff would be required to undertake this program.)

II. That the Commissioner of Planning and Community Services be requested to provide a report on the advisability of requesting the Province of Manitoba for enabling legislation to establish a Landlord / Rental Property Association, similar in nature to those professional associations governing doctors, lawyers, etc.

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

On July 16, the Executive Policy Committee laid over Report "A" of the Committee on Planning and Community Services dated July 7, 1997, to July 22, 1997 and requested the administration to provide an additional report requesting development of a strategy for an enhanced licensing program, outlining the number of staff persons required for the program in 1997 on a contract basis, total cost of hiring 3 staff persons on a contract basis and identifying the departmental budget these funds will be allocated from.

On July 22, 1997, the Executive Policy Committee considered the following report from the Administration, namely:

a) Strategy for the enhanced licensing program:

A centralized response team will be created focusing exclusively on the enforcement of the Rooming House Licensing Program including coordinating the activities with other agencies or departments involved. The Team would consist of Zoning, Fire and Building Inspectors with clerical and supervisory support. Seven additional staff will be added to the program for a one year period of time through term appointments and redeployment from other duties in order to respond significantly to the problem of illegal rooming houses.

The first priority would be to immediately address the backlog of inspections on the 1300 properties currently identified as rooming houses and where necessary take enforcement action to bring these buildings into compliance with zoning, fire safety and licensing regulations. Improved liaison with neighbourhood groups would assist in determining rooming houses which are of particular concern and should receive early attention.

The first step would be to determine compliance with zoning regulations. To date over 300 buildings have been discovered to be in non-compliance and will require enforcement action. In addition, a backlog of approximately 500 buildings require inspection to determine if they meet zoning requirements. Fire safety and upgrading inspections will follow once buildings have been cleared for zoning compliance. Enforcement action for non-compliance will be centralized and the most appropriate by-laws will be utilized to address violations.

An improved system of coordination between departments will be put into place. Elements will included an effective method of locating rooming houses, a shared data base providing the status of buildings, and reductions of regulatory red tape.

As a result of the accelerated inspection and enforcement program, the response team will require support from other departments and agencies.

Report "A" of the Committee on Planning and Community Services dated July 7, 1997

Examples include:

1. Planners in the Community Services Division who will submit reports to the Board of Adjustment on variance applications.
2. The Board of Adjustment who may require extra sessions to consider the increased volume of applications for variance
3. The Crown Attorney and Enforcement Branch of the Building Inspections Division to prepare and administer court cases
4. Information Technology and Systems development staff who will create a shared database
5. Building Inspectors and Plan Examiners of the Building Inspections Division who will process construction permits for fire safety upgrading or conversion of rooming houses to one or two family dwellings
6. Fire Prevention Officers to inspect premises following licensing in order to ensure that they are maintained to fire and property standards
7. Health inspection to address insanitary buildings

It should be recognized that staffing levels for the program are based on the current list of 1300 rooming houses. Backlogs of inspections should be substantially cleared up within a year from the time staff is in place and trained. However, additional illegal rooming houses will be discovered, court cases may extend beyond the one year period and due to ownership changes, licenses may be issued on a given property more than once a year. The enhanced program will not be able to address all illegal rooming houses in this period of time but will provide a firm foundation for an improved licensing program over the long term. It is recommended that the program be reviewed after one year.

b) Staff persons required for this program:

For the period of one year, hiring of Three Zoning Development Officers on a temporary basis and redeployment of additional staff from current duties as follows:

1 Fire Prevention Officer, Fire Department

2 Building Trades Inspectors, Building Inspections Division, Land and Development Services Department

1 Clerical Position, Community Services Department

1 Manager (to be seconded from one of these departments to head up the program)

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c) Total cost for hiring three staff persons:

Salaries:			
	1. Salaries - Zoning	$46,000 x 3 staff	$ 138,000
	Development	$12,098 x 3 staff	36,294
	Officers		$ 174,294
	2. Benefits (26.3% x $46,000)		
Total Salaries & Benefits:			
Non-Salary Costs:			
	1. Cellular Telephone Costs	$ 800 x 4 staff	3,200
	2. Car Allowance	$4,500 x 4 staff	18,000
	3. Miscellaneous Expenses (eg. Boot allowance, certified mail kits, etc)	$200 x 3 staff	600
	4. Land Phones		
	5. Furnishings (eg. Filing cabinets)		
	6. Computer equipment	$500 x 7 staff	3,500
		$2,000	2,000
		$3,500	3,500
	Total Non-salary Costs:		30,800
	TOTAL COSTS		$ 205,094

Funds for this purpose have not been budgeted in the 1997 current operating budget. An additional appropriation of $ 51,270 for the remainder of 1997 and $ 153,824 for a 9 month period in 1998 will be required in the Land and Development Services Department current budget.

The Executive Policy Committee recommends:

I. That an accelerated inspection and enforcement program as outlined above be approved.

II. That the program be evaluated by December 31, 1997.

III. That the Board of Commissioners be requested to consider conducting pilot work with The Canadian Underwriting Services Ltd. or any other private sector firms in this industry.

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

Moved by Councillor Timm-Rudolph,
Adoption of the clause.

In amendment,

Moved by Councillor Timm-Rudolph,
That the amendment proposed by the Executive Policy Committee be adopted.

The amendment proposed by the Executive Policy Committee was put and declared carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

914 - On motion of Councillor Timm-Rudolph, 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. 7063/97, a by-law of The City of Winnipeg to widen the east side of Osborne Street, south of Maplewood Avenue. File DAO 27/96

By-law No. 7064/97, a by-law of The City of Winnipeg to widen the west side of Shaftesbury Boulevard, south of Grant Avenue. File DAO 16/96

By-law No. 7065/97, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change for land located on the south east corner of Dakota Street and John Forsyth Road in the Riel Community. File DASZ 31/84(6)

By-law No. 7066/97, 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 Beaudry Bay south of Shorehill Drive in the Riel Community.
File DASZ 5/90 (Portion of Stage I)

By-law No. 7067/97, a by-law of The City of Winnipeg to widen part of the south side of Wellington Crescent, west of Doncaster Street. File DAO 24/92

By-law No. 7068/97, a by-law of The City of Winnipeg to effect an amendment of a minor nature to its By-law No. 6868/96, being an amendment to By-law No. 6400/94, for the enactment of a zoning change on the west side of St. Anne's Road between Beliveau Road and Bishop Grandin Boulevard in the Riel Community. File DAZ 209/96

By-law No. 7069/97, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change for lands located south-east of Gateway Road and Springfield Road in the East Kildonan-Transcona Community. File DAZ 222/96

By-law No. 7071/97, a by-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on lands located at 917 Lorette Avenue in the City Centre Community. File DAZ 210/97

By-law No. 7072/97, 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 505 Stradbrook Avenue in The City Centre Community. File DAZ 211/97

By-law No. 7073/97, 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 west side of Charleswood Road between Cardiff Avenue and the former CNR Cabot Subdivision in the Assiniboia Community. File DASZ 3/97

By-law No. 7080/97, a by-law of The City of Winnipeg to amend The Winnipeg Electrical By-law No. 6499/94. File EB-2.1 (Vol. 5)