**REPORT OF THE COMMITTEE**

**ON PLANNING AND COMMUNITY SERVICES**

**DATED JUNE 3, 1997**

On motion of Councillor Timm-Rudolph, the Report of the Committee on Planning and Community Services, dated June 3, 1997, was considered clause by clause.

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

Carried.

**Retrofitting of houses within the Airport Vicinity Protection Area (AVPA)**
**File EP-1.1 (P/W) (Vol. 12)**

**804 -** 1. The Committee on Planning and Community Services has been advised that interest has recently been expressed for a large scale retrofitting of approximately 420 homes in the Jameswood neighbourhood which lies within Area I of the Airport Vicinity Protection Area. These houses were formerly leased by C. F. B. Winnipeg (17 Wing Winnipeg) for married quarters and have since been acquired by Qualico Homes.

The Airport Vicinity Development Plan, adopted by Council in May 1994, acknowledged that these properties presented a potential problem because the lease was set to expire in 1997. The plan listed, as one of the actions, that the City of Winnipeg and C. F. B. Winnipeg (17 Wing Winnipeg):

> "initiate discussions with all involved parties with respect to the future use and development/redevelopment of housing currently leased for married quarters...".

The sale of these properties for redevelopment purposes was anticipated in the plan and the concerns that such an event would raise are adequately met through the current provisions of the plan. That is, the plan imposes density limits and higher construction standards for new housing.

However, Qualico's expressed interest in retrofitting the properties as opposed to redeveloping them was not anticipated in the plan and is not addressed adequately in the current provisions. While Qualico has agreed to meet the Canada Mortgage and Housing Corporation (CMHC) standard for 35 noise exposure forecast (NEF) as part of the retrofitting process, the possibility remains for other such retrofitting projects. The proposed amendment would address this concern.

Zoning By-law 6418/94 does not provide adequate direction in cases where residential properties within the AVPA are retrofitted.

For the information of Council, the Committee on Planning and Community Services has directed that all building permits for projects within the AVPA that do not comply with the CMHC standards (New Housing and Airport Noise, revised 1981) be withheld.

The Committee on Planning and Community Services recommends:

I. That Zoning By-law 6418/94, be amended in such a manner that the clause which requires new housing built within the AVPA to meet CMHC standards for noise be clarified to determine the applicability of those provisions to housing undergoing significant retrofitting.

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.

**Report of the Committee on Planning and Community Services dated June 3, 1997**

**Proposed Rezoning - land located at the northwest corner of Regent Avenue and Madeline Street - East Kildonan-Transcona Community File DAZ 271/88**

**805 -** 2. On May 20, 1997, the Committee on Planning and Community Services referred the report of the East Kildonan-Transcona Community Committee under File DAZ 271/88 (c/r AG 271/88) dated April 24, 1997, to the Administration.

Subsequently, the Administration have advised that discussions have taken place with the Developer who has indicated that the Zoning Agreement as originally executed for the above mentioned lands, (approved by Council on January 25, 1989), is acceptable and that no further amendments are required. The Developer has advised that a twenty-two unit, three storey walk-up condominium development will be constructed which is well under the restrictions imposed by the current Zoning Agreement.

However, approval is still required to amend the following conditions under the Servicing Agreement as recommended by the East Kildonan-Transcona Community Committee, namely:

1. That the physical widening of the lane be deleted; and
2. That the widening to the lane right-of-way be deleted.

Council's original instructions stipulated that the ten percent (10%) dedication be waived as the then proposal was non-profit in nature. Due to economic conditions the Developer did not proceed with the plans for a Seniors Non-Profit Development. The current plans are for a condominium development and the Developer has agreed to pay the required ten percent (10%) dedication. As the ten percent (10%) dedication is a condition outside of the Zoning Agreement, an amendment to the said agreement will not be required. The ten percent (10%) dedication has been paid by the Developer.

The Land and Development Services Department has recommended approval of the amendments as set out below.

The Committee on Planning and Community Services recommends:

I. That Council's approval of DAZ 271/88 dated January 25, 1989 be amended as follows:

   A. That the physical widening of the lane be deleted.

   B. That the widening to the lane right-of-way be deleted.

   C. That a payment be made in lieu of 10% dedication based on the increase in value of the land.

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.

**Report of the Committee on Planning and Community Services dated June 3, 1997**

**Proposed Rezoning - land located at 1395 and 1399 Notre Dame Avenue, north side, east of Flint Street - Lord Selkirk-West Kildonan Community File DAZ 209/97**

**806 -** 3. The Committee on Planning and Community Services has been advised that an application has been received from Arain Enterprises Ltd., to rezone land commonly known as 1395 and 1399 Notre Dame Avenue from an "R2" Two-Family Residential District to a "C2" Commercial District to allow for Commercial Development.

The following is the present Site Description:

Dimensions: 88 feet by 91.5 feet

Lot Area: 8,052 square feet

Existing Land Use and Zoning: The subject lands consist of two (2) residential lots both developed with dwellings.

The following is the Surrounding Land Use and Zoning:

North: A 16 feet wide public lane to the north of which is a low density-residential development zoned "R2"

East: Residential development, zoned "R2"

West: An automotive transmission shop, zoned "C1"

South: Across Notre Dame Avenue, a hotel zoned "M3"

The applicant is proposing to establish a used car sales lot on the subject premises. Submitted plans indicate that the existing dwelling and garage at 1395 Notre Dame Avenue would be retained as a sales office and that the dwelling at 1399 Notre Dame is to be demolished and lot paved to accommodate a minimum of eight (8) vehicles on site. The applicant proposes to enclose the entire site with chain link fencing and to maintain a 20 foot by 20 foot landscaped area at the southwest corner of the lot.

The subject site is located adjacent to commercial lands to the west, in a mixed use area. As such commercial expansion in this block may be considered appropriate. However, commercial expansion will jeopardize the viability of the four (4) remaining residential properties. Commercial rezoning should only be favourably considered if further commercial conversion in this block is deemed appropriate.

Notwithstanding the above comments, a used car sales lot at this location creates some concern. This is a regional commercial use. A less intense "C1" Commercial development would be more compatible with the adjoining residential development.

The applicant indicates an understanding of these issues and has attempted to address the concerns of neighbours in the proposed site development. Site development controls can be established through a zoning agreement, however, if this rezoning application was for a less intensive commercial use such as an office, concerns about the site development would not be as significant.

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

Two persons were heard in support of the application.

No one appeared in opposition thereto.

**Report of the Committee on Planning and Community Services dated June 3, 1997**

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

A. This is considered to be an adequate and appropriate development for 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 By-law No. 6400/94 be amended by rezoning the subject land, as outlined on Schedule "A", for File DAZ 209/97, dated May 12, 1997, to a "C2" Commercial District, subject to the following:

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

1. That the use of the land be restricted to:
   - permitted and conditional "C1" Commercial District uses

   - automobile, sales, including accessory repair, service, installation of supplies/parts;

2. That no exterior alterations or additions be made to the existing building(s) and that no new building(s) or structure(s) be erected or located on the land except in accordance with plans approved by the Commissioner on Planning and Community Services;

3. That final construction plans indicating the design and location of accessory parking and loading areas, fencing, landscaping and garbage enclosures, be subject to the approval of the Commissioner on Planning and Community Services prior to the issuance of a building permit;

4. That no sign be erected on the land except in accordance with plans approved by the Commissioner on Planning and Community Services and that any free-standing sign be located in the westerly 20 feet of the site and not exceed a height of 20 feet;

5. That mobile advertising signs be prohibited except for a period of 14 days upon issuance of a new occupancy permit;

6. That vehicular access to the public lane be prohibited.

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 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.

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. 826 for attachment)

**Report of the Committee on Planning and Community Services dated June 3, 1997**

**Proposed Zoning Agreement Amendment - land located at 2020 Corydon Avenue, southwest corner of Edgeland Boulevard - Assiniboia Community**
**File ZAA 4/97 (c/r DAZ 268/84)**

**807 -** 4. The Committee on Planning and Community Services has been advised that an application has been received from Oxford Development Group, 711 - 234 Donald Street, Winnipeg, R3C 1M8, to amend the Zoning Agreement affecting the property shown below.

The following is the present Site Description:

Site Area: approximately 55,600 square feet (1.28 acres).

Existing Land Use and Zoning: Office and limited retail development with accessory parking, zoned "C2" Commercial District.

The following is the Surrounding Land Use and Zoning:

north: Commercial shopping centre ("C4")

south: single-family dwellings ("R1-9")

east: private military quarters ("R2")

west: personal care home ("RM-1")

Previous Applications:

In June, 1985, the subject site was rezoned from an "R2" Residential District to a restricted "C2" Commercial District to permit the construction of an office/retail development, under File DAZ 268/84.

In August, 1988, the zoning agreement was amended in order to accommodate an expanded list of commercial uses and expanded hours of operation, under File ZAA 14/88.

The applicant proposes to expand the list of permitted uses and expand the hours of operation. The request to expand uses and hours is not made on the basis of a prospective tenant; rather, it is to accommodate the potential requirements of future, unknown tenants.

The subject property was purchased from the City of Winnipeg and rezoned to accommodate an office building with limited ancillary commercial uses. The commercial uses were considered to be accessory and complementary to an office development and were not to exceed 30% of the total building area. The sale of the property was conditional upon the prospective owner agreeing to uses and restrictions identified in a schedule attached to the offer to purchase.

In 1988, the zoning agreement was amended to allow expansion of the permitted commercial uses and hours of operation. The Assiniboine Park-Fort Garry Community Committee stated the following reason for approval of the former ZAA:

> "That the amendments should have the effect of reducing the total density of the development without significantly adding to the range of uses or hours of operation of the businesses."

The current applicant is aware of the history of the development on this site and the desire to balance business opportunity with the potential impacts on the local community. Both previous applications at this location were met with opposition from neighbouring property owners, concerned about adverse impacts which commercial operation can have when in proximity to dwelling units.

Community Planning Division remains concerned with those same potential impacts, should the application be approved as advertised. The proposed uses, with the exception of the Restaurant and Audio/Video Recordings: Rental, Sales, Service, likely will have no more impact on adjacent properties than those uses currently permitted.

**Report of the Committee on Planning and Community Services dated June 3, 1997**

The proposed restaurant and audio/video rental uses are the cause of some concern at this location. Both are heavier commercial traffic generators and both uses would alter the character of the existing development. Without a pending tenant and development plans, the Community Planning Division recommends that the restaurant and audio/video rental uses be subject to conditional use approval. This would allow interested parties to review the proposed development at a public hearing and would potentially shorten the public hearing and permit process, from that of amending a zoning agreement.

The Community Planning Division is also concerned with the proposed expansion of hours of operation. Currently, hours are limited from 7:30 a.m. to 10:00 p.m., Monday to Saturday, and 1:00 p.m. to 5:00 p.m., Sunday. The applicant requests permission to expand operating hours to 6:30 a.m. to 1:00 a.m., Monday through Sunday. Community Planning, though recognizing the desire to expand hours of operation, considers the request excessive given the context. Limiting hours of operation to between 7:00 a.m. and 11:00 p.m., Monday through Sunday, is consistent with Provincial standards on noise and definition of daytime operation. It should be noted that the Division's support for this application to this extent is based, in part, on the quality of site development - including separation of customer and staff parking and separation of the office and retail buildings from the adjacent single-family dwellings.

A Public Hearing was held before the Assiniboia Community Committee on April 22, 1997.

Two persons were heard in support of the application.

Five persons were heard in opposition thereto.

The Assiniboia Community Committee recommended that the proposed zoning agreement amendment be approved for the following reasons:

A. The applicant has the right to apply for a rezoning.

B. Traffic problems currently exist at the corner of Edgeland Boulevard and Corydon Avenue.

On June 3, 1997, the Committee on Planning and Community Services considered the Report of the Assiniboia Community Committee, dated May 21, 1997 and approved the following amendment which has affected the recommendations as set out below:

- That Recommendation I. A., proposed by the Assiniboia Community Committee, which included the words "and that access to the public to the Winnipeg Police Service be restricted to 12 hours per day (provided said access is between 6:30 a.m. and 10:00 p.m.)", be deleted in its entirety.

The Committee on Planning and Community Services concurred in the recommendations of the Assiniboia Community Committee, as amended, and recommends:

I. That Zoning Agreement DAZ 268/84 be amended, in part, as follows:

   A. That Clause 4 be amended in part for the Winnipeg Police Service only to allow hours of operation 24 hours per day, Monday through Sunday;

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 268/84, as approved in aforesaid Clause I;

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

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

*The Executive Policy Committee recommends that Recommendation I. A., proposed by the Assiniboia Community Committee, which included the words, "and that access to the public to the Winnipeg Police Service be restricted to 12 hours per day (provided said access is between 6:30 a.m. and 10:00 p.m.)", be reinstated in its entirety to read as follows, namely: -*

**Report of the Committee on Planning and Community Services dated June 3, 1997**

*I. That Zoning Agreement DAZ 268/84 be amended, in part, as follows:*

*A. That Clause 4 be amended in part for the Winnipeg Police Service only to allow hours of operation 24 hours per day, Monday through Sunday, and that access to the public to the Winnipeg Police Service be restricted to 12 hours per day (provided said access is between 6:30 a.m. and 10:00 p.m.);*

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

In amendment,

Moved by Councillor Timm-Rudolph,
That the recommendation of the Executive Policy Committee be adopted.

The recommendation 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.

**Proposed Zoning Agreement Amendment - land located at 885 Wilkes Avenue, north side, west of Waverley Street - Assiniboia Community**
**File ZAA 5/97 (c/r DAZ 282/80, DCU 782/97C and DAV 174/97C)**

**808 -** 5. The Committee on Planning and Community Services has been advised that an application has been received from Stratfield Properties, to amend Clause 4 of the Zoning Agreement affecting the property shown below to read "No building shall be erected or located on the most northerly 4.0 metres (13.12 feet) or the most southerly 46 metres (15 feet) of the land" instead of "No building shall be erected or located on the most northerly 15 metres (50 feet) of the land or on the most southerly 46 metres (151 feet) of the land."

In 1981, Council approved the sale of 23.8 acres of City land at the north west corner of Wilkes and Waverley Street to the Grant Memorial Baptist Church. Parcel 1 (8.8 acres) was to accommodate the first phase of development being a church building and Christian Education Centre; Parcel 2 (4.9 acres) was to accommodate housing; and Parcel 3 (10.1 acres) was to accommodate an auditorium.

As a condition of sale the City established a reversionary agreement whereby the City could re-acquire the most southerly 101 feet of the land if required for street widening purposes and the most northerly 50 feet of the land if required for parks and recreation purposes. These conditions were reflected in the zoning agreements by prohibiting any building from being located in these designated areas.

Lot 2 is presently developed with a 92-unit seniors housing complex. The applicant is now proposing to construct Phase 2 of this development, a 32-unit seniors housing building with underground parking. The proposed building is sited to provide a 13.12 feet rear yard (north yard) instead of 50 feet as required under the present zoning agreement.

The Parks and Recreation Department has indicated they no longer have an interest in acquiring the lands along the CNR Rail right-of-way for parks purposes. The applicant is in the process of acquiring residual rail lands between the subject site and the rail right-of-way for inclusion in the site. The exact dimensions of the CN lands are not known, however, the applicant has indicated that once these lands are acquired the resulting rear yard set back to the proposed building will comply with the zoning by-law requirements.

Related applications include a conditional use application (DCU 78/97C) to permit a multiple-family dwelling and a variance application (DAV 174/97C) to permit a 13.12 feet rear yard. These applications are scheduled to be heard by the Board of Adjustment on May 28, 1997.

**Report of the Committee on Planning and Community Services dated June 3, 1997**

The zoning agreement also provides that final plans of the proposed development be approved by the Assiniboia Community Committee prior to the issuance of a building permit.

A Public Hearing was held before the Assiniboia Community Committee on May 20, 1997.

One person was heard in support of the application.

No one appeared in opposition thereto.

The Assiniboia Community Committee recommended that the proposed zoning agreement amendment be approved for the following reason:

A. The application is compatible with the surrounding area.

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

I. That Clause 4 of the Zoning Agreement DAZ 282/80 (By-Law No. 4916/88), dated June 15, 1988, be amended to read as follows:

   A. "No building shall be erected or located on the most northerly 4 metres (13.12 feet) or on the most southerly 46 metres (151 feet) of the land."

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 282A/80 (By-Law No. 4916/88), dated June 15, 1988, as approved in aforesaid Clause I;

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

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

Adopted by consent.

**Proposed lane corner widening at the intersection of the first lane north of Dumas Avenue with the first lane west of Pembina Highway - Assiniboia Community**
**File DAO 4/97**

**809 -** 6. The Committee on Planning and Community Services has been advised that in November of 1996, the Board of Commissioners considered a report of the Director of Streets and Transportation concerning the subject proposal and directed the Land and Development Services Department to negotiate for the acquisition of the lane corner cut shown as "Proposed Lane Opening" on Misc. Plan No. ASBA 9725, as outlined on Schedule "A". The corner cut is required to facilitate the turning radius of vehicles in the area. The owners have now agreed to the sale of the property to the City and it is necessary to legally open the land 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 Assiniboia Community Committee on May 20, 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 9725, as outlined on Schedule "A".

**Report of the Committee on Planning and Community Services dated June 3, 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. 827 for attachment)

**Proposed opening of part of McGregor Street between Machray and Cathedral Avenues - Lord Selkirk-West Kildonan Community File DAO 8/97**

**810 -** 7. 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 portion of McGregor Street between Machray Avenue and the lane to the north as outlined on Schedule "A", in accordance with Misc. Plan No. LSWK 9095, has never been legally opened as a public street. The land has been in use as a public right-of-way for many years. The passage of a street opening by-law will correct this situation.

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 Lord Selkirk-West Kildonan Community Committee on May 20, 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. LSWK 9095, 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. 828 for attachment)

**Proposed Street Name Change - Cardiff Avenue, west of Charleswood Road - Assiniboia Community File SC-3.14 (31) (Vol. 1)**

**811 -** 8. The Committee on Planning and Community Services has been advised that on May 20, 1997, the Assiniboia Community Committee recommended that Cardiff Avenue, west of Charleswood Road, be changed to "Van Roon Drive".

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

I. That the portion of Cardiff Avenue, west of Charleswood Road be changed to "Van Roon Drive" as outlined on Schedule "A", and that in approving the change, Council authorize the following:

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

**Report of the Committee on Planning and Community Services dated June 3, 1997**

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 this 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. 829 for attachment)

**Report of the Committee on Planning and Community Services dated June 3, 1997**

**Proposed Street Name Change - Ashcroft Point east of Glendale Boulevard - Assiniboia Community**
**File SC- 3.14(31) (Vol. 1)**

**812 -** 9. The Committee on Planning and Community Services has been advised that it has been brought to the attention of the Land Development Branch that a portion of Ashcroft Point has been numbered and named as a continuation of Assiniboine Avenue. Ashcroft Point and lotting hereto was legally registered as a street plan in 1932. However, that portion of the street lying south and east of Glendale Boulevard, with the exception of the two most easterly lots, which were correctly addressed as 145 and 147 Ashcroft Point, as outlined on Schedule “A”, have been addressed as a continuation of Assiniboine Avenue.

Further investigation has revealed that the residents using the Assiniboine Avenue address appear in the 1993 Henderson Directory and the Post Office has assigned postal codes following the Assiniboine Avenue series. The Winnipeg Telephone Directory also notes that the occupants are maintaining the Assiniboine Avenue addresses and the two occupants addressed as Ashcroft Point are the sole occupants maintaining an Ashcroft Point address.

Research has indicated that the majority of homes on Assiniboine Avenue between 2694 and 2748 were constructed between 1954 and 1959. This would indicate that this house numbering was assigned prior to Unicity in 1972.

On April 22, 1997, the Assiniboia Community Committee considered the report from the Land and Development Services Department dated July 10, 1996 and at that time did not concur in the recommendation. Subsequent to the Community Committee meeting, the Administration provided clarification to the area Councillor regarding the intent to only change the street signage on the portion of the street with Assiniboia Avenue addresses. The Councillor has therefore recommended approval of the original proposal and that same be considered by the Committee on Planning and Community Services for recommendation to Council.

The Committee on Planning and Community Services recommends:

I. That the portion of Ashcroft Point, as outlined on Schedule "A", be changed to “Assiniboine Avenue” and that in approving the change, Council authorize the following:

   A. That the Director of the 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 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 this 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. 830 for attachment)

## COMMITTEE ON PLANNING AND COMMUNITY SERVICES

## UNFINISHED BUSINESS

On motion of Councillor Timm-Rudolph, Clause 2 of the Report of the Committee on Planning and Community Services, dated April 8, 1997, was considered.

**Listing of the McGowan Residence - 127 Rupertsland Avenue as a Historic Building File G-3.1.1 [c/r PR-7(34) (Vol. 1)]**

**813 -** 2. At its reconvened meeting of March 27, 1997, Council referred back Clause 1 of the Report of the Committee on Planning and Community Services dated March 17, 1997 as outlined in Schedule "A".

On April 8, 1997, the Committee on Planning and Community Services heard Daria Tittenberger, Board Member, Winnipeg Art Festival Inc., and Shelley Shaw in support of retaining the Grade III listing of McGowan House and re-submitted a business proposal in this regard.

The Committee also heard Lorne Campbell, Aikins, MacAulay and Thorvaldson, Barristers and Solicitors, and Mr. McMurray, Executor to the estate of the late Mrs. A. McGowan, in opposition to the Grade III listing and reiterated their request that the City carry out the intent of Mrs. McGowan's wishes that the Grade III historical designation of 127 Rupertsland Avenue be rescinded and the structure demolished immediately.

The Committee on Planning and Community Services reiterates its previous decision of March 17, 1997 and recommends that the structure located at 127 Rupertsland Avenue not be delisted inasmuch as there have been no significant changes since the original evaluation and that the McGowan Residence continue to be listed as a Grade III building on the Buildings Conservation List.

For the information of Council, the Committee on Planning and Community Services requested the Committee on Protection, Parks and Culture and the Lord Selkirk-West Kildonan Community Committee to meet with local interest groups to determine how this building can be utilized in a Passive Park environment and to determine if there is a feasible Business Plan in connection with the proposed use.

*The Executive Policy Committee does not concur with the recommendation of the Committee on Planning and Community Services and recommends that the structure located at 127 Rupertsland Avenue be delisted and demolished without delay in accordance with the wishes of Mrs. C. L. McGowan in her communication dated August 9, 1995 and outlined in Schedule "B".*

Moved by Councillor Timm-Rudolph,
That the clause be considered.

Carried.

Moved by Councillor Timm-Rudolph,
That the recommendation of the Executive Policy Committee be adopted.

Moved by Councillor Lazarenko,
That the clause be laid over to the September 24, 1997 meeting of Council.

The motion to lay over was put.

Councillor Lazarenko called for the yeas and nays, which were as follows:-

Yea: Councillors Lazarenko, Lubosch, Murray, Thomas and Vandal. 5

Nay: Councillors Prystanski, Clement, Phillips, Silva, Timm-Rudolph, Her Worship Mayor Thompson, Councillor Angus and Deputy Mayor Eadie. 8

and the motion to lay over was declared lost.

**Committee on Planning and Community Services - Unfinished Business (continued)**

The recommendation proposed by the Executive Policy Committee was put.

Councillor Lazarenko called for the yeas and nays, which were as follows:-

Yea: Councillors Prystanski, Clement, Phillips, Silva, Timm-Rudolph, Her Worship Mayor Thompson, Councillor Angus and Deputy Mayor Eadie. 8

Nay: Councillors Lazarenko, Lubosch, Murray, Thomas and Vandal. 5

and the recommendation of the Executive Policy Committee was declared carried.

(See Minute No. 831 for attachments)

## COMMITTEE ON PLANNING AND COMMUNITY SERVICES

## CONSIDERATION OF BY-LAWS

**814 -** 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. 7050/97, 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 600 Redwood Avenue in the Lord Selkirk - West Kildonan Community. File DAZ 223/96

By-law No. 7051/97, a by-law of The City of Winnipeg to change the names of certain highways in The City of Winnipeg. File SC-3.14(33) (Vol. 1)

By-law No. 7052/97, 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 between Willowlake Crescent and Bluewater Crescent west of the C.P.R. Emerson Subdivision in the Riel Community. File DAZ 227/96

By-law No. 7053/97, 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 757 Lyon Street in the Assiniboia Community. File DAZ 203/97

By-law No. 7057/97, 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 south side of Regent Avenue, north side of Pandora Avenue West, east of Starlight Drive in the East Kildonan - Transcona Community. File DASZ 1/97

By-law No. 7058/97, 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 south of McGillivray Boulevard north of Chevrier Boulevard east and west of Dovercourt Drive in the Assiniboia Community. File DASZ 6/97

By-law No. 7059/97, a by-law of The City of Winnipeg to close the existing public lane south of Boyd Avenue, west of McGregor Street and to open a new public lane south of Boyd Avenue, west of McGregor Street. File DAOC 2/96

By-law No. 7060/97, 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 1395 - 1399 Notre Dame Avenue in the Lord Selkirk - West Kildonan Community. File DAZ 209/97