REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED MARCH 17, 1997

On motion of Councillor Timm-Rudolph, the Report of the Committee on Planning and Community Services, dated March 17, 1997 was considered clause by clause.

Moved by Councillor Timm-Rudolph,
That the Consent Agenda, Clauses 2,3,4,5,6,7,8,9,10,11 and 12 be adopted.

Councillor Clement requested that Clause 12 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,3,4,5,6,7,8,9,10 and 11 was put and declared carried.

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

535 - 1. The Committee on Planning and Community Services has been advised that on April 13, 1995, the Lord Selkirk-West Kildonan Community Committee recommended that favourable consideration be given to placing the McGowan Residence located at 127 Rupertsland Avenue on the Buildings Conservation List as a Grade III building.

On April 27, 1995, the Committee on Planning and Community Services placed the McGowan Residence, 127 Rupertsland Avenue on the Buildings Conservation List as a Grade III building, following a recommendation from the Historical Buildings Committee for the following reasons:

1. This house with its gambrel roof, front porch and verandas serves as a good example of an early 20th century middle-class home.

2. The building greatly contributes to the existing historical character of the neighbourhood.

3. Designed by Winnipeg architect Cyril Chivers, this building illustrates changes in housing types, ranging from the log vernacular of Seven Oaks House, the 1874 Red River frame Bleak House to an architect designed house, all for descendants of John Inkster.

For the information of Council the *Summary of Historic Research* is outlined on Schedule “A”.

Mrs. McGowan turned over the well-treed, 0.68-hectare (1.68-acre) site to the City of Winnipeg in 1994 for passive park purposes. This donation completed public ownership of the land between Colleen Road and Jones and Mac streets which contains the Seven Oaks Museum and a playground. Along with nearby Bleak House, these holdings form an exceptional collection of successive housing types on their original sites, a collection which not only represents four generations of Inkster family history, but also Winnipeg's evolution from a colonial fur trade and farm settlement to a modern urban centre.

The building has been secured pending finalization of plans for the site and possible integration with the North Winnipeg Riverbank Parkway.

On November 28, 1996, the Commissioners of Planning and Community Services and Protection, Parks and Culture prepared a report (as outlined on Schedule “B”) recommending as follows:

- That the Grade III Historical Designation associated with the dwelling known as McGowan House located at 127 Rupertsland Avenue, be rescinded and the structure demolished.

- That, subject to the aforementioned demolition, the associated property bequested to The City of Winnipeg for passive park purposes be formally named “McGowan Park.”

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On February 20, 1997, the Historical Buildings Committee reviewed the referenced administrative report recommending the delisting of the building located at 127 Rupertsland Avenue. The Committee recommended that the structure not be delisted since no significant circumstances had changed since the original evaluation of the building.

On March 17, 1997, the Committee on Planning and Community Services heard from a number of groups relative to the proposed delisting of McGowan House. Daria Tittenberger, Board Member, Winnipeg Art Festival Inc., and Bernice Marmel were heard in support of keeping McGowan House listed as a Grade III building and submitted a business proposal in this regard.

Lorne Campbell, Aikins, MacAulay and Thorvaldson, Barristers and Solicitors, representing the estate of the late Mrs. A. McGowan, and Ruth Boyd who submitted a communication dated February 28, 1997, requested the City to carry out the intent of Mrs. McGowan's wishes that the Grade III historical designation of 127 Rupertsland Avenue must be rescinded and the structure demolished immediately.

The Committee on Planning and Community Services reiterates its previous decision of April 27, 1995 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.

The Executive Policy Committee does not concur with the recommendation of the Committee on Planning and Community Services and recommends that the City carry out the intent of Mrs. McGowan's wishes that the Grade III historical designation of 127 Rupertsland Avenue be delisted and the structure demolished immediately.

Moved by Councillor Silva,
Adoption of the clause.

Moved by Councillor Murray,
Seconded by Councillor Vandal,

BE IT RESOLVED THAT the clause be referred back to the Committee on Planning and Community Services.

The motion to refer was put and declared carried.

Establishment of a permanent turnaround at the north terminus of Cloverwood Road - Assiniboia Community
Files DASSF 548/96 and DASZ 14/96 (AG 3/89

536 - 2. The Committee on Planning and Community Services has been advised that under the terms of Development Agreement AG 3/89, the Developer, Whyte Ridge Residential Developments Ltd., was required to pave Cloverwood Road up to Sigma Avenue. Council however at its meeting held on January 29, 1997, approved the closing of Cloverwood Road from the south limit of Sigma Avenue to a point 108' south of the south limit of Sigma Avenue. This closing creates a dead ended street situation which requires the establishment of a permanent street turnaround.

The Developer has agreed to provide the land required to effectuate the turnaround as outlined on Schedule "A" (DASSF 548/96), the registration of which plan will legally establish the right-of-way required for the turnaround.

On February 10, 1997, the Assiniboia Community Committee considered a communication from the Land Development Engineer, dated January 10, 1997, in the above connection.

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

I. That approval of development application DASSF 548/96 be subject to Development Agreement AG 3/89 being amended as follows:

A. By deleting the requirement for the Developer to construct a concrete pavement in Cloverwood Road from Sigma Avenue to a point 108' south of the south limit of Sigma Avenue.

B. By adding a clause that the Developer shall at no expense to the City, construct a concrete pavement turnaround at the north terminus of Cloverwood Road to the satisfaction of the Commissioner of Works and Operations.

C. By adding a clause that the Developer shall at no expense to the City construct a concrete sidewalk from Sigma Avenue southerly to connect to the street turnaround as determined by and to the satisfaction of the Commissioner of Works and Operations.

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. 557 for attachment)

Proposed Amendments to Development Agreements - AG 44/79 (Whyte Ridge Industrial Developments Ltd.) AG 58/85 and AG 3/89 (Whyte Ridge Residential Developments Ltd
Files DASZ 44/79, DASZ 58/85 and DASZ 3/89

537 - 3. The Committee on Planning and Community Services has been advised that Cairns Developers, representing Whyte Ridge Industrial Developments Ltd., and Whyte Ridge Residential Developments Ltd., requested a reduction of the stipulated boulevard sodding maintenance period of two (2) years to one (1) year.

In a letter dated October 10, 1996 to the Land Development Branch, Cairns Developers requested the City's acknowledgement that during a stipulated development agreement maintenance period of two (2) years, the Developer should not be responsible for repairing any boulevard sod damage caused by the City's snow removal operations and salt application.

In a letter dated November 7, 1996 to Cairns Developers, the Land Development Branch confirmed that during the stipulated development agreement maintenance period, the Developer is responsible for repairing any damaged boulevard sod and that administration would not support an amendment to remove that responsibility. However, the Land Development Branch stated that administration would support a reduction of the Developer's maintenance period of two (2) years to one (1) year to reflect the current Development Agreement Parameters.

In a memorandum dated November 22, 1996 to the Land Development Branch, the Parks and Recreation Department indicated support for the recommendations of the Land Development Branch, as stated in the November 7, 1996 letter to Cairns Developers.

The three development agreements and affiliated addendum agreements that are managed by Cairns Developers include AG 44/79, AG 58/85 and AG 3/89.

AG 44/79 was executed between the City and Whyte Ridge Industrial Developments Ltd. on April 16, 1980 and generally includes industrial lots located south of Chevrier Boulevard and west of Waverley Street.

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AG 58/85 was executed between the City and Whyte Ridge Residential Developments Ltd. on December 17, 1986 and generally includes residential phases located east of the C.P.R. La Riviere Subdivision and west of Scurfield Boulevard/Columbia Drive.

AG 3/89 was executed between the City and Whyte Ridge Residential Developments Ltd. on September 27, 1989 and generally includes residential lots located south of Sigma Avenue, west of the C.P.R. La Riviere Subdivision and east of Brady Road.

The three subject development agreements stipulate that Cairns Developers shall be responsible for maintaining boulevard sodding for a period of two (2) years, as outlined on Schedule "A". These development agreements were negotiated between the City and the Developer when the City's Development Agreement Parameters included a recommended maintenance period of two (2) years for boulevard sodding.

Since the execution of these three development agreements, the City's Development Agreement Parameters have been revised and the recommended maintenance period for boulevard sodding is now one (1) year. Most development agreements executed between the City and Developers since 1990 have included a maintenance period of one (1) year.

Accordingly, the Land Development Branch is of the opinion that it would be fair and reasonable to amend the subject Cairns development agreements to be consistent with the current Development Agreement Parameters (i.e. to reduce the boulevard sodding maintenance period of two (2) years to one (1) year).

On February 10, 1997, the Assiniboia Community Committee heard in delegation, Lyne Jones, representing Whyte Ridge Industrial and Residential Developments Ltd. The Community Committee also considered the report from the Land Development Coordinator, dated January 27, 1997 and concurred in the recommendation contained therein.

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

I. That the relevant boulevard sodding maintenance period clauses of Development Agreements AG 44/79, AG 58/85 and AG 3/89, as outlined on Schedule "A", be amended by Letter of Agreement to reduce the Developer's stipulated maintenance period of two (2) years to one (1) year.

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. 558 for attachment)

Proposed Rezoning - land located at 600 Redwood Avenue, southwest corner of McGregor Street - Lord Selkirk-West Kildonan Community File DAZ 223/96 [c/r DAV 697/96D and DCU 248/96D]

538 - 4. The Committee on Planning and Community Services has been advised that an application has been received from Mr. John Karasevich, on behalf of 65676 Manitoba Ltd/Redwood Motors, to amend By-law No. 6400/94 by rezoning the land as outlined below from an "R2-T" Residential District to a "C1.5" Commercial District to permit the establishment of an auto sales and service business.

The following is the present Site Description:

In recent years, the lot on the corner has been occupied with a service station. The parcel to the rear has been occupied with a dwelling.

Report of the Committee on Planning and Community Services dated March 17, 1997

Site Area: The overall site area has a width of 25 metres and a depth of 41.3 metres.

Existing Land Use and Zoning: Currently zoned "R2-T" Transitional Residential.

The following is the Surrounding Land Use and Zoning:

All of the corner lots at the subject intersection have, at one time or another, been occupied with commercial businesses. All are currently zoned "R2-T." Lots to the west are occupied with single-family dwellings zoned "R1-2.5."

A non-conforming service station facility has been in operation on a portion of the subject site for some time. Recently the owners have acquired an adjacent residence at the rear and wish to consolidate that lot with the service station for an expanded parking area and storage area.

In order to expand the existing non-conforming commercial use, a rezoning to the "C1.5" zoning category is required for the overall site. The accompanying plan indicates that the new parking area will be asphalted and fenced, and will accommodate 7 parking stalls. There will be limited access to the rear lane; primary access will be via McGregor Street. The Community Planning Division does not oppose the required zoning change but will endeavour to ensure that adequate fencing and landscaping is established and maintained along both the west and south property lines through the variance plan approval process (DAV 697/96D). It is possible to support the proposal because the subject intersection has always been a commercial node for a range of small (usually neighbourhood-oriented) businesses. The "C1.5" Commercial zoning is also viewed as a restrictive commercial zoning category generally compatible with adjacent residential areas and designed for major collector streets like McGregor Street.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on January 21, 1997.

Six persons were heard in support of the application. One person was heard in opposition thereto.

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

A. The intersection has always been a commercial node for a range of small businesses and the "C1.5" Commercial zoning is viewed as a restrictive commercial zoning category generally compatible with adjacent residential areas and designed for major collector streets like McGregor Street.

B. Adequate fencing and landscaping will be established and maintained through the variance plan approval process (DAV 697/96D).

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 223/96, dated January 13, 1997, to a "C1.5" 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 final site plans indicating approaches, parking, building locations, signage, fencing and landscaping be submitted to and approved by the Commissioner of Planning and Community Services 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.

Report of the Committee on Planning and Community Services dated March 17, 1997

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 in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 559 for attachment)

Proposed Rezoning - land located at 202 Bond Street - East Kildonan-Transcona Community
File DAZ 224/96 [c/r DAV 800/96D

539 - 5. The Committee on Planning and Community Services has been advised that an application has been received from Ron Osesky, on behalf of J.A. Enterprises Ltd., 202 Bond Street, Winnipeg, MB R2C 2L4, to amend By-law No. 6400/94 by rezoning the land shown below from an "R1-4" Residential District to a "C2" Commercial District to permit the maintenance of a storage building, originally approved by a use variance for a period of five years ending April 8, 1999, and parking accessory to an existing hotel.

The following is the present Site description:

Site Area: 219.24 square metres (2,360 square feet)

Existing Land Use and Zoning: storage building, accessory to existing hotel, permitted under DAV 184/94C until April 8, 1999; zoned "R1-4" Single-Family District.

The following is the present Surrounding Land Use and Zoning:

West: existing hotel, zoned "C2" Commercial;

East: existing accessory parking for hotel, zoned "R1-4" Single-Family District;

North: commercial development, zoned "C2" Commercial District;

South: single-family homes, zoned "R1-4" Residential District.

Development Description:

Existing storage building for bottle return and accessory parking for the hotel.

The subject land is a part of the Princess Hotel property. The hotel itself is located at the north-east corner of Bond Street and Melrose Avenue. The subject land is located between the hotel building site and land which contains the majority of accessory parking for the hotel to the east.

Under file DAV 184/94C, the applicants were granted a five year use variance to permit the construction of a storage building on the subject land. The purpose of the rezoning application is to enable the storage building to be maintained beyond the expiry date of the above-noted variance.

Report of the Committee on Planning and Community Services dated March 17, 1997

The Community Planning Division has no objection to the proposed rezoning. The amount of land contained in the application is the minimum necessary to accommodate the existing storage building and the remainder of the parking area to the east will remain "R1-4" Residential District.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on February 18, 1997.

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

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

A. The current structure is already existing.

B. There is no negative impact on the community.

C. No opposition was registered.

The Committee on Planning and Community Services concurred in the recommendations of the East Kildonan-Transcona 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 224/96, dated January 22, 1997, to a "C2" Commercial District, subject to the following:

   A. 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.

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

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

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

Adopted by consent.

(See Minute No. 560 for attachment)

Proposed Zoning Agreement Amendment - 27 Red River Boulevard, Lot 1, Block 14, Plan 17125 - Lord Selkirk-West Kildonan Community
File ZAA 11/96 [c/r DASZ 29/76]

540 - 6. The Committee on Planning and Community Services has been advised that an application has been received from Bachman Property Management, 360 McMillan Avenue, Winnipeg, MB R3L 0N2, on behalf of the owner Crocus Enterprises Ltd., to amend the Zoning Agreement affecting the property known as 27 Red River Boulevard, by amending 2A(1) of Zoning Agreement DASZ 29/76 to permit the construction of a four (4) foot high chain-link fence to replace the existing six (6) foot high light-proof wood fence required.

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Under the original agreement, there was a requirement that a six (6) foot high light-proof fence be constructed along the entire length of the north property line. Why exactly that requirement was included as a specific clause in the Zoning Agreement is unknown. Normally fencing standards/ requirements are simply a part of the overall plan approval process which serves the same purpose and does not warrant a lengthy agreement amendment process to make the kind of changes requested by the applicant. In this particular instance, the original requirement for a light-proof fence was satisfied but over the years, light-proof fences often prove difficult to maintain. The fence on the subject property has fallen apart in recent years and the owners are of the view that a chain-link fence (4 ft. high) would be a more economical replacement. The Community Planning Division supports the proposed change and further recommends that the subject clause be deleted in its entirety from the subject agreement. Fencing requirements/changes can be dealt with in the future via the plan approval process.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on January 21, 1997 and February 12, 1997.

One person appeared in support of the application.

Three persons appeared in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed rezoning agreement amendment be not proceeded with for the following reasons:

A. The original requirement was for construction of a 6 foot light proof wooden fence along the north property line which the owner was well aware of when the property was purchased.

B. A wooden fence, if constructed properly, will be solid and will best serve the purpose.

C. Construction of a chain link fence with plastic strips would cost about the same as a wooden fence and could be more easily vandalized.

D. The area residents have to be given more consideration than an absentee landlord.

The Committee on Planning and Community Services concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends that the application for an amendment to the Zoning Agreement affecting property at 27 Red River Boulevard be not proceeded with.

Adopted by consent.

Proposed street corner cut at the south west corner of Nairn Avenue and Grey Street - East Kildonan-Transcona Community
File DAO 15/96

541 - 7. The Committee on Planning and Community Services has been advised that the subject proposal, shown as “Proposed Street Opening” on Misc. Plan No. EKT 9514/2, as outlined on Schedule “A”, was initiated by the Director of Streets and Transportation in November of 1995. The corner cut is required to facilitate the turning radius of vehicles in the area. The acquisition of the property was not included in the overall expropriation of the lands approved by Council in conjunction with the Nairn Avenue widening project and it was necessary to negotiate the terms and conditions of the purchase. The owners have agreed to the sale of the property to the City and the corner cut has been constructed. It is now necessary to legally open the land as a public street.

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 East Kildonan-Transcona Community Committee on February 18, 1997. The Community Committee recommended approval of the proposed street corner cut as outlined below.

Report of the Committee on Planning and Community Services dated March 17, 1997

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. EKT 9514/2, 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. 561 for attachment)

Proposed widening of the north side of Grosvenor Avenue, west of Cambridge Street - City Centre Community
File DAO 19/96

542 - 8. The Committee on Planning and Community Services has been advised that the requirement for the subject widening has been identified by the Streets and Transportation Department in the course of processing of an offer to purchase the City property south of and adjacent to No. 395 Cambridge Street.

The owners of No. 395 Cambridge Street have agreed to exchange the portion of their property required for the widening plus a purchase price of $5,995.56 for the balance of the City property not required for the widening. It is now necessary to legally open the land as a public street.

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 February 11, 1997. The Community Committee recommended approval of the proposed street corner cut 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 9087/1, 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. 562 for attachment)

Proposed widening of the east side of Lagimodiere Boulevard, north and south of East Mint Place - Riel Community
File DAO 23/96 [c/r DASZ 25/80]

543 - 9. The Committee on Planning and Community Services has been advised that in 1982, Royal Mint Properties entered into a Development Agreement with the City under file DASZ 25/80. The Developer was obliged by the terms of that agreement to do all things necessary to dedicate the lands known as "Proposed Street Opening" on Misc. Plan No. SBSV 8637, as outlined on Schedule "A". The construction of the widening took place several years ago.

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The land required for the widening is owned by Manitoba Hydro. The process by which the land may be legally dedicated a as public street has been held in abeyance because the Developer had not acquired the consent of Manitoba Hydro to the dedication of its property. The Developer has recently obtained Manitoba Hydro's consent.

The land may now be legally opened as a public street.

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 February 17, 1997. The Community Committee recommended approval of the proposed street corner cut 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. SBSV 8637, 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. 563 for attachment)

Proposed widening of part of the east side of Main Street, south of Assiniboine Avenue - City Centre Community File DAO 24/96

544 - 10. The Committee on Planning and Community Services has been advised that the Surveys Branch of the Land and Development Services Department has recently determined that part of the public sidewalk on the east side of Main Street is not contained within the existing Main Street right-of-way. The property is owned by the City of Winnipeg and is identified as "Proposed Main Street Widening" on the Misc. Plan No. CC 9784, as outlined on Schedule "A". In order to regularize this matter, it is necessary to dedicate the property as a public street.

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 February 11, 1997. The Community Committee recommended approval of the proposed street corner cut 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 9784, 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. 564 for attachment)

Report of the Committee on Planning and Community Services dated March 17, 1997

Proposed widening of part of the east side of Osborne Street south of Maplewood Avenue - City Centre Community File DAO 27/96

545 - 11. Council, at its meeting of October 24, 1996, adopted the report of the Director of Streets and Transportation, recommending that the City exercise an option to acquire for a public street, the land outlined on Misc. Plan No. CC 6918/2, as outlined on Schedule "A". In accordance with the terms of the option, the land will be conveyed to the City at no cost. The street widening is required to accommodate the construction of a bus shelter.

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 February 11, 1997. The Community Committee recommended approval of the proposed widening 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 6918/2, 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. 565 for attachment)

Versacold Group - Cold Storage Facility - 200 Dawson Road File EP-7 (Vol. 1

546 - 12. The Committee on Planning and Community Services concurs in the following resolution and submits same to Council for favourable consideration:

WHEREAS the City of Winnipeg has been advised that Versacold, who operates a food warehouse and distribution centre at 200 Dawson Road, has indicated its serious objections to the asphalt plant being proposed for construction at 190 Dawson Road North;

AND WHEREAS, both 190 and 200 Dawson Road North are currently zoned "M-3", and that both the Distribution Centre, which is a cold storage facility for primarily meat and dairy products, and the proposed Borland asphalt plant, are currently permitted uses under "M-3" zoning but are considered to be possibly incompatible when in operation side by side;

THEREFORE BE IT RESOLVED that the Minister of Environment be advised that the City of Winnipeg is considering a review of the zoning by-law relative to compatible uses within the industrial zoning designation.

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

Moved by Councillor Clement,
That the clause be referred back to the Committee on Planning and Community Services.

Carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Murray,
Seconded by Councillor Vandal,

547 - WHEREAS Brew Pubs are a useful tool in the redevelopment of downtown and the Exchange District;

AND WHEREAS current Manitoba Liquor Control Commission policy does not recognize Brew Pubs but indicates instead that those wanting to open Brew Pubs apply for Cabaret or Lounge licences;

AND WHEREAS requirements that Cabarets have live entertainment every night and cannot be open for lunch make them financially unviable for potential Brew Pub operators;

AND WHEREAS Lounges require a restaurant food service to liquor service area ratio that does not work for Brew Pubs;

AND WHEREAS Alberta, British Columbia and Saskatchewan all have Brew Pub categories in their Liquor Control legislation and several Brew Pubs are established in each of those provinces;

AND WHEREAS several investors have tried unsuccessfully to establish Brew Pubs in Winnipeg and two groups of investors are currently attempting to open such businesses in Winnipeg;

AND WHEREAS under current Liquor Legislation not one Brew Pub has opened in the Province;

THEREFORE BE IT RESOLVED THAT The City of Winnipeg request the Province to amend the Manitoba Liquor Control Act to allow for the licensing of Brew Pubs as defined in other Western Provinces, including such allowances as the service and sale of products brewed on site, operating hours that include lunch, dinner, late night and food/liquor ratios that support the viability of the Brew Pub concept.

Automatic Referral to the Committee on Planning and Community Services in accordance with Rule 16.1 of the Procedure By-law

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

548 - 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. 6965/97, a by-law of The City of Winnipeg to establish fees for development applications and related matters. File EP-1 (Vol. 18)

By-law No. 6998/97, a by-law of The City of Winnipeg to close a portion of Blackmore Avenue, adjoining 58 Blackmore Avenue and a portion of the Public Lane and the drain right-of-way south of Blackmore Avenue, all west of River Road. Files DAC 24/91 and DAC 4/92

By-law No. 6999/97, 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)