REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED SEPTEMBER 17, 1996

On motion of Councillor Silva, the Report of the Committee on Planning and Community Services, dated September 17, 1996, was considered clause by clause.

Moved by Councillor Silva,

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

Carried.

Her Worship the Mayor and Councillors:

Renewal of Funding Agreement between the Main Street Project and the City of Winnipeg - Mainstay Residence
File EH-2.1 (Vol. 9)

1004 - 1. The Committee on Planning and Community Services has been advised that the Main Street Project has requested a renewal of the agreement respecting funding for the short-term hostel for hard-to-house people at 71 Martha Street. The current agreement between the City of Winnipeg and Main Street Project (MSP) expires December 31, 1996.

The City of Winnipeg, the Province of Manitoba and the United Way have jointly funded the Main Street Project since 1975. For the past decade a portion of the City's support has consisted of per diem payments on behalf of intoxicated persons detained at the crisis shelter under The Intoxicated Persons Detention Act (IPDA). These payments are included in the Winnipeg Police Service's operating budget. Through a formal funding agreement, the City also has provided for a grant towards the staffing costs for Mainstay, MSP's shelter for the hard-to-house. The agreement is budgeted for in the City's non-departmental account. Finally, the Social Services Department budgets for the per diem payments for social assistance clients who stay at Mainstay.

A new agreement between the City of Winnipeg and the Main Street Project is required in order to continue a long term funding partnership between the City, the Province of Manitoba and the United Way. The Main Street Project provides several unique and valuable programs in the community. The agreement will cover the City's financial support for one of Main Street Project's programs, the Mainstay Residence.

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The Mainstay is a 34-bed residence which provides shelter for hard-to-house people who cannot cope in regular housing, due to active substance abuse, lifestyle and/or mental health problems. From April 1, 1995, to March 31, 1996, the Mainstay residence provided a total of 10,538 bednites for individuals in the community. Approximately 43% of the bednites were utilized by people on social assistance with the City.

The City provided approximately $164,510.00 in gross support for Mainstay in 1995 including grant and per diem payments ($90,000.00 and $74,510.00 respectively) and will provide approximately $173,110.00 in 1996 ($98,600.00 grant, $74,510.00 projected per diem). The Main Street Project is requesting that the grant amount remain at $98,600.00 consistent with last year.

It should be noted that the previous funding agreement (#4708) was amended in August 1995 to provide an increase in funding to $90,00.00 from $81,144.00 in 1995 and to $98,600.00 in 1996. The United Way also increased their funding for that time period, as support provided to MSP proved insufficient to meet their needs. Their shortfall was attributed to a variety of factors including; a carry over deficit from the old facility (105 Galt Avenue), less-than-projected occupancy levels at the residence, and MSP's mortgage agreement with the Manitoba Housing Corporation (MHC) which requires their budget to be broken into two cost centres, with any surpluses from the "residence" portion of per diem revenues being applied against the outstanding mortgage.

The funding formula outlined in the administrative recommendation will provide approximately $173,000.00 in gross support for the Main Street Project in 1997, consistent with 1996 funding. This is in keeping with their request, and should be sufficient to maintain their operation, given other funding from the Province of Manitoba and the United Way. The net cost to the City will be approximately $106,796.00, after cost-sharing on per diem payments. Additionally, a grant of $98,600.00 represents 45% of Mainstay's total staffing costs, which moves back towards the City's 1985 commitment to cover 55% of staffing costs.

The Committee on Planning and Community Services recommends:

I. That the City of Winnipeg enter into a new five-year agreement with the Main Street Project with respect to the Mainstay Residence, commencing January 1, 1997, and ending on December 31, 2001.

II. That the Proper Officers of the City be authorized to do all things necessary to have the necessary agreement prepared, said agreement to provide for a $98,600.00 grant in 1997, plus provincially-approved per diem payments, and adjustments in the grant for 1998 through to 2001 equivalent to the annual percentage increase of the Winnipeg All Items Consumer Price Index as published by Statistics Canada for the previous year, October to October.

Adopted by consent.

Award of Contract for Evaluation of the Winnipeg Development Agreement
File FR-3.2 (Adm.) (Vol. 1)

1005 - 2. The Committee on Planning and Community Services has been advised that the Winnipeg Development Agreement (WDA) provides a mechanism whereby the three levels of government can work with business and the community to create long term sustainable economic development. Section 9 of the Agreement states that a plan for evaluating the WDA will be submitted to the Policy Committee within six months of signing the Agreement. The Policy Committee approved the Evaluation Plan developed by the Evaluation Subcommittee of the WDA on March 28, 1996, as outlined on Appendix "A". The evaluation will determine the effectiveness of each of the fifteen WDA programs in meeting their objectives as well as, the effectiveness of the WDA in meeting its overall objectives and principles.

The Evaluation Subcommittee, comprised of administrative representatives from the three jurisdictions, was struck to recommend a consultant to perform the evaluation component of the WDA.

The Evaluation Subcommittee, approved the selection of "Proactive Information Services Inc." to perform the evaluation of the WDA. The selection has been confirmed by the Municipal, Provincial and Federal members of the Management Committee of the WDA.

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In order to find the most suitable consulting firm, the Evaluation Subcommittee of the WDA undertook an extensive selection process during June and July, 1996. The results of the selection process are outlined on Appendix "B". As the total value of the contract will exceed $100,000.00 Council approval is required.

The Committee on Planning and Community Services recommends:

I. That Council approve an award of contract to "Proactive Information Services Inc.", total value not to exceed $148,730.00 (including all applicable taxes) to carry out the evaluation of the Winnipeg Development Agreement (WDA) pursuant to Section 9 of said Agreement.

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. 1063 for attachments)

Work Plan to Administer the Winnipeg Development Agreement: Program 3.A. Neighbourhood Revitalization
File FR-3.2 (PA-3) (Vol. 1)

1006 - 3. The Committee on Planning and Community Services has been advised that on March 10, 1995, the Winnipeg Development Agreement (WDA) was signed between the Government of Canada, the Province of Manitoba and the City of Winnipeg.

On August 4, 1995, the Program Authorization for Program 3.A - Neighbourhood Revitalization was approved. The Program Authorization established that the Program would be delivered in conformity with a work plan to be approved by Council.

The attached work plan is intended to provide the methodology for the delivery of this Program. Program 3.A. - Neighbourhood Revitalization is intended to maintain and improve the overall quality of living within targeted declining neighbourhoods.

A key feature will be the establishment of Neighbourhood Resource Centres which will be multidisciplinary facilities housing delivery and support staff from various government departments.

The Committee on Planning and Community Services recommends:

I. That Council approve the attached work plan, as outlined on Schedule "A", for Program 3.A. - Neighbourhood Revitalization.

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. 1064 for attachment)

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Winnipeg Development Agreement - Program Authorization - Strategic Initiatives Program - Manitoba/Winnipeg Trade and Transportation Corridor Strategy File FR-3.2 (PA-14) (Vol. 1)

1007 - 4. The Committee on Planning and Community Services has been advised that all applications and proposals for funding under Program Authorization 14, Strategic Initiatives will be coordinated by the Business Liaison and Intergovernmental Affairs Department. Projects in excess of $100,000.00 will be submitted to City Council for approval through the Committee on Planning and Community Services.

On April 24, 1996, Council adopted Clause 4 of the Committee on Planning and Community Services dated April 2, 1996, regarding the Strategic Initiatives Program Authorization as part of the Winnipeg Development Agreement.

Summary

It is proposed that the City of Winnipeg and the Province of Manitoba joint venture a Manitoba/Winnipeg Trade and Transportation Corridor Strategy which would have as its focus the development of trade/transportation corridors which reflect the economic opportunities for Winnipeg and Manitoba in the newly emerging global and continental marketplace facilitated by NAFTA and transportation technology innovations.

The budget is proposed to be $100,000.00 per year per jurisdiction over three years for a total of $600,000.00. The City of Winnipeg's share would therefore be $300,000.00 out of its $2,000,000.00 allocation under Program Authorization 14, Strategic Initiatives.

Background

Winnipeg has always been known as a transportation hub and a transportation gateway city. Both of Canada's national railways have large operations here. Eight of Canada's largest interprovincial trucking firms are headquartered in Manitoba. The Winnipeg International Airport is one of the few airports that does not have night-time landing restrictions. Winnipeg is centrally located in North America and a market of 80 million people live within 30 hours of Winnipeg by truck.

The Free Trade Agreement between Canada and the United States went into effect on January 1, 1989. Between 1988 and 1993, two-way trade in goods, services and income increased by 31%. This expansion continued in 1994, the first year of Mexico being in the NAFTA partnership. U.S. two-way merchandise and non-merchandise trade with Canada was up by 14.7% in 1994 over the previous year. Manitoba's own trade with both the U.S. and Mexico have seen dramatic increases as a result of free trade. If these figures are a preliminary indication, it is expected that as NAFTA continues, Manitoba's trade with these two countries will increase significantly. Winnipeg, as a transportation gateway city, has the potential to maximize its opportunities to take advantage of the new trade climate under NAFTA. Winnipeg is already developing as an important gateway to the U.S. mid-west for Western Canada.

The Mid-Continent Trade Corridor (an emerging North American Superhighway Corridor) offers the shortest distance/least travel time between the major population centres of Mexico, the United States, and Western Canada. The Mid-Continent Trade Corridor accounts for the fourth largest Canada-U.S. trade flow and connects with the busiest U.S./Mexican border crossing. Winnipeg, as the starting point of this corridor route, has tremendous sustainable economic development opportunities including the provision of transportation and logistics services and all the associated economic spin-offs from providing such services. To take advantage of these economic opportunities, Winnipeg must position itself as the northern terminus of the North American Superhighway Corridor running from Canada through the United States to Mexico.

Project Description

This project will enable, with the Province of Manitoba, a corridor development strategy and related activities to enhance and develop economic opportunities, which will position Winnipeg as the northern terminus of the North American Superhighway Corridor.

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The objectives of the strategy are to:

- guide the development of transportation corridors within the context of supporting and promoting Manitoba's and Winnipeg's current and future trade requirements;
- identify corridors for all modes and document the legislative, regulatory, and investment environment required to maximize the achievement of benefits to Manitoba's economy; and
- recommend a strategy to support the implementation of aggressive trade, investment and transportation corridor programs, projects, and other supporting activities.

These objectives will be undertaken within the context of expanding and promoting Winnipeg's role as a major transportation hub, gateway city, and a major northern link of the North American Superhighway Corridor.

Typical program activities might include:

- building an international coalition of mayors along the corridor within Canada, the United States and Mexico;
- Manitoba/Winnipeg associations with American interest groups that are promoting the Mid-Continent Trade Corridor as the first North American Superhighway Corridor;
- identification of trade sector patterns, values, volumes, origin-destination modes, and future outlook;
- impact analysis of current and emerging issues including NAFTA, ISTEA, Winnport, Intelligent Transportation Systems, Shared Border Accord, Foreign Trade Zones, and Existing Corridor groups, to name a few;
- identification of required resources;
- outlining short and long-term activities including cost/benefit analysis; priority/timing of the components; necessary memberships, association or partnerships;
- communications strategy; and responsibilities of stakeholders; and
- a stakeholder consultation process.

Plan Winnipeg . . . Toward 2010

Under Chapter 2 - Economic Development, Plan Winnipeg lays out specific principles and policies in support of the Transport Industry.

Statement of Principle:

> "The City seeks to capitalize on Winnipeg's geographic location and strengthen the City's role as a transportation centre."

In meeting the needs of the transportation industry, Winnipeg's geographic location in the heart of the continent gives the city a distinct advantage over other major urban centres. Historically, this advantage has made the transport industry a major employer. Maintaining and enhancing employment opportunities offered by this industry remains essential to the economic well-being of the community.

Technological innovations and changes in regulations have affected both the transport service industry and the transportation equipment manufacturing industry. To remain competitive, Winnipeg must be promoted as an attractive and efficient transportation centre.

2E-01 Support Winnipeg's Role as Transportation Centre
The City shall support initiatives which encourage and strengthen Winnipeg's role as a national and international transportation centre. See also 2A-10.

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2E-02 Support Transport Industry
The City shall solicit the cooperation of the other levels of government, business, and labour to support and promote the transport service and transportation equipment manufacturing sectors of our economy.

2E-03 Explore Inter-Modal Transportation Possibilities
The City shall explore the potential for inter-modal transportation facilities in Winnipeg by drawing upon the expertise of the other levels of government and the business community. See also 2A-10.

2E-04 Facilitate Truck Movement
The City shall facilitate the movement of truck traffic by designating truck routes and seeking financial support from the other levels of government for the cost of maintaining the truck route network. See also 3D-03, 5C-05.

Rationale

This project proposal further supports the Government of Manitoba's objectives of maximizing Winnipeg's opportunities for development as an important North American gateway including the provision of multi-modal facilities for air, truck and rail transportation services.

This project is consistent with the development of Winnipeg's trade development and promotion activities with the Mid-continent U.S.; with the plans and activities of Winnport to develop a multi-modal air cargo hub at the Winnipeg International Airport; with NAFTA commitments; and with the activities of the City of Winnipeg and the Province of Manitoba, including the recent meetings with government officials along the Mid-Continent Trade Corridor route. Investment in corridor development initiatives will not only enhance Winnipeg's opportunity to develop as a transportation gateway city to promote safe and efficient transportation, but it will also be an important initiative in order to maintain Winnipeg's position as a premier North American transportation centre.

This project is supported by the Province of Manitoba, The City of Winnipeg, Winnport, Winnipeg 2000, and the Winnipeg Chamber of Commerce.

Project Cost

The Province of Manitoba's portion of this cost-shared project will be up to $300,000.00. The Provincial contribution of $300,000.00 is based on a $100,000.00 a year annual commitment over a period of three years.

The City of Winnipeg will be contributing $100,000.00 per year for three years up to $300,000.00 through its WDA Strategic Initiatives Program funds.

The total joint commitment would therefore be a 50/50% cost sharing of up to $600,000.00.

The Committee on Planning and Community Services recommends:

I. That Council approve the proposed funding of $300,000.00 under the Winnipeg Development Agreement, Program Authorization 14, Strategic Initiatives Program for a Manitoba/Winnipeg Trade and Transportation Corridor Strategy.

II. That the working group of the Manitoba/Winnipeg Trade and Transportation Corridor Strategy be requested to establish a set of achievable objectives and a time frame in which to achieve these objectives in order to monitor the funding under the Winnipeg Development Agreement, Program Authorization 14, Strategic Initiatives Program.

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.

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Proposed amendment to Eaglemere Development Agreement - East Kildonan-Transcona Community
File DASZ 26/88 (c/r AG 26/88)

1008 - 5. The Committee on Planning and Community Services has been advised that under the terms of the Eaglemere Development Agreement AG 26/88, the Developer is required to construct sidewalks on the west side of Eaglemere Drive between Walter Piper Grove and Golden Eagle Drive and at three other locations including the east side of Molson Street from the south limit of the Eaglemere Subdivision northerly to Grassie Boulevard, as outlined on Schedule "A". By way of a letter dated June 12, 1996, the Developer requested that the sidewalk on the west side of Eaglemere Drive be deleted for a variety of reasons.

The Developer's request has been reviewed by the Land Development Branch and by the Streets and Transportation Department and is deemed to be reasonable for the following reasons:

- At the time the Eaglemere Subdivision, DASZ 26/88, went to public hearing the overall concept plan showed Eaglemere Drive continuing north to connect to Grassie Boulevard.

- However when the land fronting on Molson Street north of Golden Eagle Drive was rezoned under DASZ 12/91 to permit the construction of the River East Personal Care Home, the Developer provided two revised concept plans for the balance of the land either of which showed an extension of Eaglemere Drive northerly to connect to Grassie Boulevard.

Copies of the two revised concept plans are outlined on Schedule "B". For the information of Council, a copy of the plan showing the location of the sidewalk proposed to be deleted, is outlined on Schedule "C".

On July 16, 1996, the East Kildonan-Transcona Community Committee considered the report from the Land Development Engineer, dated July 8, 1996, with respect to the above referenced matter.

The Committee on Planning and Community Services recommends:

I. That the Eaglemere Development Agreement AG 26/88 be amended to delete the requirement for the Developer to construct a sidewalk on the west side of Eaglemere Drive between Walter Piper Grove and Golden Eagle Drive.

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. 1065 for attachments)

Proposed Subdivision and Rezoning - land located at the North side of Valhalla Drive, West of Henderson Highway - East Kildonan-Transcona Community
File DASZ 4/96 (c/r DAV 98/96D)

1009 - 6. The Committee on Planning and Community Services has been advised that an application has been received from Andrew Wach, Architects, 432 Assiniboine Avenue, Winnipeg, Manitoba, R3C 0Y1, 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" Single-Family District to a "PR-2" Parks and Recreation District to permit the maintenance of existing tennis courts and an "RM-5" Multiple-Family District to permit the construction of a 48 unit apartment development (senior citizens).

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Related Applications: DAV 98/96D

The following is the present Site Description:

Site Area:	10,866 square metres (2.685 acres)
Existing Land Use and Zoning:	Kildonan Tennis and Canoe Club. Zoned "R1-20" Single-Family Residential District.

The following is the Surrounding Land Use and Zoning:

North:	Multiple-Family Development between Henderson Highway and Red River, zoned "RM-1" Multiple-Family District.
East:	Three-storey townhouses, zoned "RM-1" Multiple-Family District and higher density apartments along Henderson Highway, zoned "RM-7" Multiple-Family District.
West:	Riverbank lands owned by City of Winnipeg, zoned "R1-20" Single-Family District.
South:	Five-storey apartment buildings, zoned "RM-4" Multiple-Family District.

The following is the Development Description:

The present owners of the subject lands, the Kildonan Tennis and Canoe Club, have conditionally sold the northerly part of the site (proposed "RM-5") to the Lions Club of Winnipeg. The Lions Club propose to develop the site with a 48-unit, life-lease apartment development. The development will consist of two (2) six-storey residential buildings on top of one storey of parking. This seven-storey development will also contain a central, one-storey common room.

At-grade covered parking will be provided for 48 automobiles with an additional 13 exterior spaces along the access driveway from Valhalla Drive. In conjunction with an agreement with the Kildonan Tennis and Canoe Club, a 112 square metre (1,205 square foot) club house will be constructed adjacent to the parking structure at the southwest corner to serve the users of the tennis courts, etc., which are to be maintained on the land to the south.

The residual lands, proposed "PR-2," will still be held in the ownership of the Kildonan Tennis and Canoe Club. The club, which presently has six (6) courts, intends to maintain the use of four (4) or five (5) tennis courts on the site, as well as boat docking facilities in the Red River. As part of the variances under File No. DAV 98/96D necessary to support this use, permission is being sought to establish a boat dock storage area in the location of the most westerly of the existing tennis courts.

Land Use

From a land use perspective, the re-development proposal for this site can be viewed as an infill development. The site is bordered on the west by the Red River, and all other boundaries abut lands already developed with existing modern multiple-family housing at a variety of different densities. The surrounding predominant building character is one of the apartment buildings, although a row of three-storey townhouses has been constructed approximately 20 metres from the east property line of the subject site.

The proposal to redevelop the site in part with a multiple-family development is consistent in general with adjoining development. The proposed density at 29.2 units per acre is considered reasonable, and although the proposed zoning at "RM-5" is higher than the "RM-4" zoning to the south and east, and the "RM-1" zoning to the north, the purpose is to accommodate the height of the building in this case.

Although the proposed development would fit within the "RM-2" category for density (maximum 35 units per acre) the "RM-2" category permits a maximum height of only 35 feet. The "RM-5" zoning will accommodate the proposed seven (7) storey building within its maximum 70 feet height limitation.

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In January, 1995, the Kildonan Tennis and Canoe Club, through the Ward Councillor, had previously requested the Community Planning Division to give some guidance as to appropriate type and scale of re-development for the site. In response, the Community Planning Division advised that a building height of five (5) storeys would be most compatible with the area and that a combination of apartment structure and low-rise townhouses would probably enable maximum views of the river to be preserved for existing residents of adjoining buildings. The comments of the Community Planning Division were based on the information available at that time that all the lands (Lots 1 and 2) would be used for residential development. However, the Kildonan Tennis and Canoe Club have sold only part of their land for future residential development and have advised they intend to re-build four (4) or five (5) tennis courts in their present location. The Community Planning Division is of the opinion that, based upon the location and orientation of adjacent developments, the most appropriate re-development proposal for the long term would be one that includes the site of the tennis courts rather than simply establishing the seven-storey building on the north part of the site. The issue of the preservation of views is one, however, that is difficult to argue in the absence of public input from potentially affected residents. The Community Planning Division, in bringing this issue to the Committee's attention, is of the opinion that it should be evaluated in the light of opinion expressed at the public hearing. The Committee is able to take those opinions that are expressed into account in making decisions, not only as to the appropriateness or otherwise of the application, but into changes that also may be acceptable to the design of the buildings if preservation of existing views is an issue with adjacent residents.

If it is the opinion that the proposed development will not adversely impact upon the adjacent residential buildings, the Community Planning Division is supportive of the rezoning and subdivision application for both Parcels A and B. As part of the approval, the Division recommends that a zoning agreement be required for both proposed lots in order to establish the proposed uses and at the densities requested. The agreement should also contain a requirement for a Schedule "A" plan approval in order that the Community Committee can review and approve final development plans for the site.

Servicing

The Administrative Coordinating Group has advised that existing water and sewer lines are available to serve the proposed development. Because part of the property lies within the "floodway fringe" area, flood-proofing measures for the building will have to be undertaken. The Streets and Transportation Department has noted that, because of the limited street frontage, any new private approach will be subject to the approval of the Committee on Works and Operations.

No other affected Departments or agencies had objections to the proposal.

Riverbank Lands and Historic Resources

In the year 1993, the City of Winnipeg purchased the riverbank lands from the Kildonan Tennis and Canoe Club. One of the agreed conditions of the sale and purchase included the release and indemnification of the City from claims, etc., arising out of loss or damage which might be connected with riverbank failure. This release is binding on the Kildonan Tennis and Canoe Club, its assigns and successors. The Legal Services Division has advised that in order to ensure proper ongoing notification in accordance with that agreement, it is appropriate to restate the above-noted clause within any zoning or other agreements which are to be required against the properties within the subject application.

The Parks and Recreation Department has advised that, since the City of Winnipeg presently owns the riverbank lands, no additional land dedication is recommended. In accordance with Council's previous policy, no cash dedication in lieu of land for parks and recreation purposes should be payable since the development is a life-lease, non-profit development.

The City of Winnipeg Waterways Engineer has reviewed a detailed geo-technical engineering report prepared by the applicant's consultant with regard to riverbank stability. The Waterways Engineer has advised that limited remedial works will be required to be undertaken along riverbank frontage owned by the City of Winnipeg. An agreement will be necessary to enable this work to be done on the City land, and at the expense of the developer. The Waterways Engineer has also advised that any construction on the applicant's site must comply with a physical setback established in the geo-technical report. The subject proposed apartment development meets the setback requirements.

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The Resource Management Archaeologist of the Province of Manitoba has reviewed the history of the site and advises that the prior construction of apartments in the general area will have already disturbed any heritage resources. The Manitoba Historic Resources Branch has no further concern or objections to the proposed subdivision and development.

Public Hearings were held before the East Kildonan-Transcona Community Committee on June 11, July 16, and July 22, 1996.

Fifty four persons appeared in support of the application. Four persons appeared in opposition to the proposed application.

The East Kildonan-Transcona Community Committee recommended that:

1. That the concerns outlined by Messrs. Janzen, Kroeker, Bergen and Novasat seem to be addressed.

2. That the proposal provides adequate parking.

3. That the number of accidents at the intersection of Valhalla Drive and Henderson Highway are lower than the City average.

4. That the land drainage is not going to exceed pre-development levels.

5. That the stabilization of the riverbank has been addressed and that the geotechnical engineering study has moved the building farther back from the riverbank.

6. This provides an opportunity to increase the tax base and provide jobs to the community.

7. This proposal provides relief to some of the problems affecting the Kildonan Tennis and Canoe Club Inc.

8. This proposal provides badly needed seniors housing in the community.

9. This is considered an adequate and appropriate development for the site and is compatible with the existing housing developments.

On September 17, 1996, the Committee on Planning and Community Services considered the proposed subdivision and rezoning application under File DASZ 4/96 and additional information from the Subdivision Officer dated August 8, 1996, as follows:

- That Recommendation VII contained within the basis of this report has now been satisfied with the letter of understanding between the Lions Club of Winnipeg Housing Centres and the Kildonan Tennis and Canoe Club Inc., which satisfies the requirement of the East Kildonan-Transcona Community Committees request for use of surface parking during off use hours.

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

I. That the plan of subdivision proposed under File DASZ 4/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule “A”, dated July 3, 1996, for registration in the Winnipeg Land Titles Office.

II. That the applicant be required to enter into an agreement with the City of Winnipeg to permit the applicant access to the adjacent City lands to construct and maintain, at the applicant’s cost, remedial riverbank stabilization works in accordance with the requirements of the City Waterways Engineer.

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

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IV. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 4/96, dated July 3, 1996, to a "PR-2" Parks and Recreation District, and a "RM-5" Multiple-Family District, subject to the following:

A. That the developer be required to enter into a zoning agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to proposed Parcel "A" (Lot 1) (proposed "RM-5" lands) to provide for the following:

1) that the use of the land shall be limited to:

a) Dwelling, Multiple-Family,
b) Tennis Club Building, (subject to use variance)
c) Accessory Uses;

2) that no more than forty-eight (48) dwelling units shall be permitted on the lands;

3) that a minimum of sixty-one (61) parking stalls be established and maintained on the site, that all accessory parking shall be either underground or enclosed by a building at grade, except for a maximum of thirteen (13) parking stalls which shall be permitted at grade and not contained within a building;

4) that no building, structures or works shall be erected or located on the land and no building permit issued for construction on the land unless and until plans showing the location and design of the proposed building, the type and colour of all exterior materials, the location and design of accessory parking areas, private approaches, driveways, entry gates, fencing, garbage enclosures, and landscaping are submitted to and approved by the East Kildonan-Transcona Community Committee, and thereafter identified by the signature of the Commissioner of Planning and Community Services under the designations as Schedule "A" to Zoning Agreement DASZ 4/96, and no buildings, structures or works shall be constructed or placed on the land except in accordance with Schedule "A" to the Agreement;

5) that the owner of lands being Part Lot 1, Plan 31105 WLTO (Proposed Lot 1) hereby agrees to release and indemnify the City, its officers, employees, contractors, agents and representatives from any and all claims, actions, costs and expenses and demands in respect of any injury, loss or damage to any person or property which it may suffer arising out of or connected with riverbank failure on the adjacent lands owned by the City of Winnipeg, being Public Reserve as outlined on Plan 31105 WLTO, in RL 51 Parish of Kildonan. It is understood and agreed that this release and indemnity shall be binding on the owner, its successors and assigns.

B. That the developer be required to enter into a zoning agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to proposed Parcel "B" (Lot 2) (proposed "PR-2" lands) to provide for the following:

1) that the use of the land shall be limited to:

a) Tennis Courts,
b) Boat Docking/Launching,
c) Accessory Parking;

2) that the owner of lands being Part Lot 1, Plan 31105 WLTO (Proposed Lot 2) hereby agrees to release and indemnify the City, its officers, employees, contractors, agents and representatives from any and all claims, actions, costs and expenses and demands in respect of any injury, loss or damage to any person or property which it may suffer arising out of or connected with riverbank failure on the adjacent lands owned by the City of Winnipeg, being Public Reserve as outlined on Plan 31105 WLTO, in RL 51 Parish of Kildonan. It is understood and agreed that this release and indemnity shall be binding on the owner, its successors and assigns.

V. That a cash dedication in lieu of land for open space, park and recreation purposes be waived as the application is non-profit in nature.

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VI. That the City Solicitor be requested to prepare the necessary by-law in accordance with the above.

VII. That the report to the Committee on Planning and Community Services not proceed until the developer provides the City with a copy of the Agreement between the owners of proposed Lot 1 in the name of the Kildonan Tennis and Canoe Club Inc., and proposed Lot 2 in the name of the Lions Club of Winnipeg confirming that both parties agree to permit shared parking on each of the above noted lots.

VIII. That the Subdivisions Mylars not be released until the applicant has signed the Agreement with respect to access to, and installations of remedial riverbank stabilization works on the adjacent public reserve land owned by the City of Winnipeg, as required under Clause II above.

IX. That the subdivision section of the by-law shall come into force and effect upon registration of the plan at the Winnipeg Land Titles Office.

X. 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(s) have been filed by caveat as a first charge in the Winnipeg Land Titles Office.

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

XII. 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.

XIII. 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. 1066 for attachment)

Proposed Subdivision and Rezoning - land located at the Southeast corner of Wilkes Avenue and Brockville Street (1215/1235 Brockville Street) - Assiniboia Community File DASZ 5/96

1010 - 7. The Committee on Planning and Community Services has been advised that an application has been received from Orange Properties Ltd., Box 4, 2 Donald Street, Winnipeg, Manitoba, R3P 0K5, c/o Mr. R. Crenian 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 "A" Agricultural District to an "RM-2" Multiple-Family District to permit the establishment of a multiple family condominium development.

The following is the present Site Description:

Site Area: 1.98 hectares (4.9 acres)

Existing Land Use and Zoning: The site is currently zoned "A" Agricultural District and is vacant.

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The following is the Surrounding Land Use and Zoning:

North: The site is bounded on the north by Wilkes Avenue. Lands north of Wilkes Avenue are currently developed with multiple-family/institutional developments including the Immanuel Pentecostal Church, Villa Nova and a single family residence. The site(s) are zoned "C2" Commercial District. The Immanuel Pentecostal Church site includes a retention pond which is zoned "PR1" Parks and Recreation District. Immediately north of Wilkes, flanking both sides of the Brock Street right-of-way, are two sites of less than one half acre each that are zoned "M2" Industrial District. They are currently vacant.

East: The east side of the site is currently undeveloped but was the subject of a previous rezoning application to permit the development of the Springs of Lindenwoods, handled by the same developer under File DASZ 26/94. The Springs will be a bungalow-style condominium development.

West: The west side of the property is bounded by Brockville Street. The lands west of Brockville Street are currently zoned "A" Agricultural District and are developed with a lumber yard (Paul Henzel Lumber), three residences, a contractor's yard, a storage yard (General Manufacturing and Repair), and a construction contractor's yard (Hugh Munro Construction).

South: Lands immediately south of the subject property are zoned "A" Agricultural District and are currently undeveloped.

The applicant is proposing to subdivide the existing ±5 acre parcel into three equal lots of approximately 192.3' x 370.73' (1.6 acres) each. Each lot would front on Brockville Street with its own access driveway. No access is requested off Wilkes Avenue.

Concurrently, the applicant has also applied for a rezoning of the entire property from an "A" Agricultural District to an "RM-2" Multiple-Family District to permit the establishment of 6, 3 storey multi-family condominium buildings, each building containing 24 dwelling units for a total of 144 units. Parking would be provided underground and at surface. The developer's preliminary sketches indicate approximately 29 surface parking stalls per lot. No recreational facilities are to be provided on the site. Landscaping plans are to be developed at a later date once site plans have been finalized.

This is the second proposal of a multiple-family nature requested by this developer in the area south of Wilkes Avenue, east of Brockville Street. There is only one vacant parcel remaining east of Brockville Street on lands owned by the same developer immediately south of the subject proposal. The Community Planning Division has received several inquiries from other developers in the area wishing to develop lands west of Brockville Street in a similar fashion, for multi-family living. The establishment of the institutional/multi-family developments to the north of Wilkes Avenue has precipitated the desire for additional multiple family units in the area, and conversion of nearby agriculturally-zoned lands to higher density residential uses.

The Brockville neighbourhood as defined by the Winnipeg Area Characterization Study, is bounded by the CP LaRiviere Subdivision on the west, Sterling Lyon Parkway on the south, Waverley Street on the east, and the CN Main Line on the north. The Brockville area is designated "Neighbourhood" under Plan Winnipeg. This designation permits the development of neighbourhood uses including single-family and multiple-family residential, commercial, and some light industrial.

The Brockville area was the subject of a planning study commissioned by the City's Land Surveys and Real Estate Department and conducted by ID Engineering (IDE) in April, 1989. The purpose of the study was to prepare a land use concept plan, preliminary engineering analysis and recommended development strategy for the area now called Brockville. The final study reached several important conclusions related to each area of analysis. With respect to land use, the study recommended that "industrial land uses with some accessory office and commercial development, and an area devoted to institutional, cultural and residential, be allowed to develop" in the Brockville area. The recommended concept plan included provision for the area south of Wilkes to be designated for light industrial development; the area north of Wilkes to be reserved for industrial development in the northwestern portion, and institutional, cultural and residential uses in the northeastern portion; and an industrial/business park in a linear strip along the north side of Sterling Lyon Parkway. A stormwater retention lake would be required north of Wilkes Avenue. A copy of the concept plan is outlined on Schedule "B".

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The concept plan recommended by IDE has generally been accepted, however, it has not been implemented to its full extent since it was completed. With the rezoning of lands east of the subject parcel to allow for the development of multiple-family bungalow condominiums, and further conversion of lands north of Wilkes Avenue to institutional/cultural uses, the recommended concept plan has been somewhat superseded. This is not problematic as the uses established are compatible with adjacent developments in Lindenwoods to the south. However, to continue to rezone properties for additional multiple-family uses west of Brockville Street and in the northwestern portion of the Brockville neighbourhood, would continue to defeat the recommended plan. The Community Planning Division believes that this could hamper proper implementation of the plan. In addition, amenities are not available within the neighbourhood to properly service additional family-oriented residential development (i.e., recreational areas, schools, etc.).

The IDE plan was developed on the basis of sound planning principles and the Community Planning Division agrees with the rationale. The report identifies the reasoning behind their conclusions. The proposed light industrial area extending north of Wilkes Avenue in the northwestern portion of the Brockville neighbourhood and south of Wilkes Avenue is appropriate as it:

- blends in with existing developments;
- meets demand for this type of development;
- can be serviced by Wilkes Avenue which is proposed to become a collector industrial roadway; and,
- provides a transition between residential/institutional/cultural uses, railway lines, and heavy industrial uses to the west.

The proposed industrial business park strip along Sterling Lyon Parkway is appropriate since:

- the high quality of development that normally accompanies this type of industrial park provides an ideal land use transition between Lindenwoods to the south and the existing industrial development to the north;
- this type of development can co-exist with the existing industrial development in the area;
- there is a significant demand for this type of development; and,
- these uses will not disrupt traffic flow along Sterling Lyon Parkway provided a service road is made available to access this strip of proposed uses.

The institutional/cultural and residential node in the northeastern portion of the Brockville neighbourhood is appropriate since:

- demand is present from cultural and institutional groups for sites;
- these land uses will be only marginally impacted by the eventual closure of Wilkes Avenue westbound at Kenaston Boulevard;
- this type of development is already occurring in the area; and,
- these developments will utilize the stormwater retention lake as an amenity feature.

At the time the IDE report was prepared, the Brockville area was designated for industrial development under the Greater Winnipeg Development Plan. Plan Winnipeg has since changed the designation to neighbourhood. This revision will have a significant impact on the ultimate land use plan, however, in the interim it is important to recognize the status of existing land uses in the area, and plan for the future conversion of these lands to other uses. For example, the conversion of existing industrial lands west of Brockville Street (Hugh Munro Construction, General Manufacturing and Repair, etc.), would require significant investment for clean-up of the lands to allow for development of residential uses. By maintaining the recommended concept for these lands in a light industrial category, the existing uses would provide a reasonable transition to future land uses. This is particularly true for lands west of Brockville Street. Lands east of Brockville Street are currently in agricultural use, and do not have the same reservations regarding clean-up as the lands to the west. Therefore, lands to the east of Brockville Street could be recommended for continued conversion to residential use.

The report of the Administrative Coordinating Group (ACG) identifies the servicing issues related to the proposed subdivision and rezoning. The Group decided to attempt to initiate the enactment of local improvement by-laws for the installation of a full range of services from Wilkes to Stovel Street. In addition, it was recommended that the applicant amend its plan to provide a 0.942 metre widening along the east side of Brockville Street to allow for the future construction of a turnaround at Brockville and Stovel Streets, and that approval of the amended plan be subject to the developer entering into a Servicing Agreement with the City as per the ACG minutes dated March 27, 1995.

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In keeping with the recommended concept plan, with some minor adjustments to account for development which has occurred since its completion, it is therefore recommended that the proposed rezoning and subdivision of land be approved. However, it should be noted that no further rezoning of land would be recommended west of Brockville Street for residential purposes. These lands should be reserved for light industrial and business park uses.

A Public Hearing was held before the Assiniboia Community Committee on June 10, 1996. Two persons appeared in support of the application.

One person appeared in opposition to the proposed application.

The Assiniboia Community Committee recommended that:

1. The proposal is compatible with the existing site and surrounding area and is consistent with Plan Winnipeg.

On September 17, 1996, the Committee on Planning and Community Services considered the proposed subdivision and rezoning under File DASZ 5/96 and additional information from the Manager of Community Planning dated September 13, 1996, as follows:

- That Recommendation III. A. 3., be deleted and reworded with “In addition to the required parking under By-law No. 6400/94, that an additional 10% of the total parking requirement be provided as visitor parking, and be designated as such.”

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

I. That the plan of subdivision proposed under File DASZ 5/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 5/96, dated May 27, 1996, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the plan be amended to provide a 0.942 m widening along the east side of Brockville Street for the full length of the property and south to the easterly extension of the south limit of Stovel Street, subject widening to be provided at no cost to the City;

   B. 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 15, 1996.

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

III. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 5/96, dated May 27, 1996, to an "RM-2" Multiple-Family District, subject to the following:

   A. That the Developer be required to enter into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject lands to provide for the following:

      1. That no buildings or structures be erected or located on the land except in accordance with plans approved by the Commissioner of Planning and Community Services prior to the issuance of any building permits, said plans to indicate the design and location of buildings and structures, exterior elevations, building materials, site access, accessory parking areas (underground and surface), fencing, site landscaping, garbage enclosures and other site amenities and be maintained thereafter in good condition to the satisfaction of the Commissioner of Planning and Community Services;

      2. That not more than 144 dwelling units shall be constructed on the site;

      3. In addition to the required parking under By-law No. 6400/94, that an additional 10% of the total parking requirement be provided as visitor parking, and be designated as such.

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4. That no private approaches to the site be provided from Wilkes Avenue;

5. 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 two (2) additional building site(s) being created based on the increase in the market-value of the land;

6. That the Developer and Successors acknowledge and are hereby put on notice of the presence of existing industrial uses along the west side of Brockville Street.

IV. That the Assiniboia Community's portion of all funds from the cash-in lieu of the requirement for land for open space, park and recreational use, be dedicated toward Lindenwoods Community Centre.

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

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

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and (if Zoning Agreements are required) when the Zoning Agreement(s) has been filed by caveat as a first charge in the Winnipeg Land Titles Office.

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

IX. 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.

X. 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. 1067 for attachments)

Proposed Subdivision and Rezoning - land located at the southwest corner of Grant Avenue and Chalfont Road - Assiniboia Community
File DASZ 7/96 (c/r DAZ 205/96)

1011 - 8. The Committee on Planning and Community Services has been advised that an application has been received from Deer Meadows Condo Services Ltd., c/o Jeff Badger, 201 - 6 Roslyn Road, Winnipeg, Manitoba, R3L 0G5, 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" Single-Family District to an "RM-L (A-35)" Multiple-Family District to permit the establishment of 18 single-storey bungalow style condominium dwelling units.

Related Application: DAZ 205/96 (text amendment)

The following is the Site Description:

Site Area: The gross site area of the subject parcel is 1.65 acres prior to the street widening. The proposed street widening comprises a triangular parcel measuring 3.424 m by 21.397 m (24.2 sq. m) or 260 square feet at the southeast corner of the property.

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Existing Land Use and Zoning: The majority of the site is currently vacant with the exception of a single-family dwelling (3030 Grant Avenue) located at the northwest corner of the site. The existing dwelling would be removed to allow construction of the proposed development. The site is currently zoned "R1-20" Single-Family District.

The following is the Surrounding Land Use and Zoning:

North: The Wellington senior citizens' condominium apartment building is located immediately north of Grant Avenue on the northwest corner of Grant Avenue and Chalfont Road. It is zoned "RM-2" Multiple-Family District and exhibits density of 39 units/acre. Beside the Wellington to the west is West Park Manor, a personal care home zoned "R1-5" Single- Family District.

East: East of Chalfont Road, on the southeast corner of Grant Avenue and Chalfont Road is a parking lot and entrance to the Assiniboine Forest. The lands for the forest are zoned "PR-2" Parks and Recreation District.

West: The parcel immediately west of the subject site is occupied by the Eastern Star Chalet, a one storey, 100 suite elderly persons' housing development at a density of 20 units/acre. It is zoned "RM-1" Multiple-Family District.

South: The south boundary of the subject site is formed by single family lots that back on to the site from Shoreham Bay. These lots are zoned "R1-5.5" Single- Family District.

The applicant, Deer Meadows Condo Services Ltd., is proposing to subdivide a parcel of land to accommodate a proposed street widening and rezone the land from an "R1-20" Single-Family District to an "RM-L (A-35)" Multiple-Family District to allow for the construction of a single storey condominium development composed of three buildings containing six (6) units each for a total of 18 units. A single access to the site would be provided off Chalfont Road, along the easterly boundary of the site.

Each attached bungalow style condominium unit will contain approximately 1,225 to 1,450 square feet of living space including a full basement, two bedrooms, outdoor deck and a double attached garage. Two guest parking stalls would be available per unit in front of the garage. A total of two additional parking stalls for visitors are provided on site. Pedestrian access to Grant Avenue is provided by an opening along the north property line. The site will be landscaped and fenced with details to be provided at a later date.

The subject property is situated within Area 1 of the Airport Vicinity Protection Area (AVPA) Zoning By-Law No. 6418/94 which limits residential development to single-family dwellings in this area. The Commissioner of Planning and Community Services initiated a text amendment to By-law No. 6418/94 in April 1996, to include the site of this application as another exception to the by-law. The amendment would increase the allowable density of residential development on the site to twelve units per acre of building lot area. The amendment application was heard by the Committee on Planning and Community Services under File DAZ 205/96, and received approval in principle by Council on May 22, 1996. Approval of the AVPA Zoning By-Law Text Amendment addresses the issue of legislative conformity and enables the consideration of the present application.

Under Plan Winnipeg, the subject site is designated "Neighbourhood". The Neighbourhood designation provides for a mix of land uses ranging from single-family to light industrial. Single, multiple and high-density residential development is permitted. The subject rezoning proposal is consistent with the intent and direction provided by Plan Winnipeg.

When considering a request for a rezoning to accommodate multiple-family densities, certain criteria should be used to judge the proposal. Generally, multiple-family sites should be:

- located along collector or regional arterial streets;
- in close proximity to an existing transit node or along a transit route;
- situated in proximity to neighbourhood level services including shopping and other personal conveniences; and,

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- located within a 10 minute walking distance of local schools and recreational amenities of a neighbourhood nature (i.e., parks, library, etc.)

The proposed development has not been exclusively reserved for a +55 target age group, and should therefore meet the criteria provided above for a family-oriented development. It is well located along a major east-west arterial and adjacent to developments of a similar nature. It provides an appropriate land use transition between adjacent single-family developments to the south and Grant Avenue to the north. The subject proposal also meets the remainder of criteria identified.

In advance of submission of the rezoning/subdivision application, the developer met with residents backing on to the property from Shoreham Bay and a few residents along Chalfont Road in February/March, 1996. The Planner was invited to meet with adjacent area residents along Shoreham Bay and the developer on April 25, 1996, to discuss localized concerns. Discussion focused mainly on the features of the development and its overall potential impacts on the neighbourhood. Items discussed included: fencing, access entrance details, location of utility services, drainage, construction techniques, location of air conditioning mechanical units, height, location and access to garbage enclosures, off-site parking, traffic generation, landscaping and location of outdoor patios. The majority of adjacent residents agreed that the development could proceed provided certain conditions were satisfied. The suggested conditions included a maximum limit on the height of the development (one-storey), and that potential nuisance-causing features be located in the interior court yard away from existing residences (i.e., air conditioning units). No other significant concerns were raised.

The proposed subdivision which forms part of this application is as a result of a required road widening at the southeast corner of the property along Chalfont Road. The City requires the widening to even the curvature of the right-of-way of Chalfont Road at this location.

The Assiniboia Community Committee held a public hearing on July 16, 1996.

Eleven persons appeared in support of the proposed application. No persons appeared in opposition to the proposed application.

The Assiniboia Community Committee recommended that:

1) The proposal is consistent and compatible with the surrounding neighbourhood.

On September 17, 1996, the Committee on Planning and Community Services considered the proposed subdivision and rezoning under File DASZ 7/96 and an additional verbal communication from the Manager of Land and Development Services on September 17, 1996, as follows:

- That Recommendation I. A. 1) 4. be moved to Recommendation III. and renumbered to A. 1. b).

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

I. That the plan of subdivision proposed under File DASZ 7/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, as outlined on Schedule "A", for File DASZ 7/96, dated July 4, 1996, 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 June 10, 1996.

   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 a 10% increase in the 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 7/96, dated July 4, 1996, to an "RM-L (A-35)" Multiple-Family District, subject to the following:

A. That the Developer be required to enter into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject property, to provide for the following:

1. a) That no buildings or structures be erected or located on the land except in accordance with plans approved by the Commissioner of Planning and Community Services, in consultation with the Ward Councillor, prior to the issuance of any building permits, said plans to indicate the design and location of buildings and structures, exterior elevations, building materials, site access, accessory parking areas, fencing, site landscaping, garbage enclosures and other site amenities, and be maintained thereafter in good condition to the satisfaction of the Commissioner of Planning and Community Services;

b) The Developer shall provide an overhead pickup bin, for once or twice-weekly City refuse pickup, on a structural concrete pad in a safe accessible location and the roadway access to the container shall be structurally designed to handle refuse vehicle loading and accommodate vehicle maneuvering.

2. That not more than eighteen (18) dwelling units shall be constructed on the site;

3. That the development be a maximum of one-storey;

4. That no private approaches to the site be provided from Grant Avenue;

5. That air conditioning units be located in the interior court yard (and not in the rear yard).

IV. That the Assiniboia Community’s portion of all funds from the cash-in-lieu of the requirement for land for open space, park and recreational use, be dedicated toward the Marj Edey Park Reserve Account of the Charleswood/Fort Garry Ward.

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

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

VII. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office.

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

IX. 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.

X. 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. 1068 for attachment)

Report of the Committee on Planning and Community Services dated September 17, 1996

Proposed Subdivision and Rezoning - land located at the northwest corner of East Mint Place and Royal Mint Drive - Riel Community
File DASZ 9/96 (c/r DAV 250/96D)

1012 - 9. The Committee on Planning and Community Services has been advised that an application has been received from Royal Mint Properties for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from a "C1-5" Commercial District and an "A5" Agricultural District to an "RM-L" Residential District to permit the establishment of a low-density, multiple-family project.

The following is the Present Site Description:

Site Area: Approximately 3.5 acres.

Existing Land Use and Zoning: Vacant land; north half zoned "A5" Agricultural; south half zoned "C1-5" Commercial.

Surrounding Land Use and Zoning:

North: undeveloped "A5" Agricultural land.

East: undeveloped "RM-L" Multiple-Family (a small parcel surrounded by "PR-1" Public Reserve.

West: undeveloped "A5" Agricultural abutting Highway 59.

South: undeveloped "C1-5" Commercial and developed "R1-5" Residential.

The applicants, upon completion of the rezoning and consolidation of the two parcels in question, wish to construct an internal street off of which they are proposing to construct nineteen (19) condominium units.

This site within the development is covered by Development Agreement AG 25/80 and as such, all services and dedication requirements area covered under that agreement.

When the preliminary concept plans were being reviewed for the subject area ten years ago, it was the intent that there would be two small commercial parcels to the north and south of East Mint Place. Land further to the north, lying between Royal Mint Drive and Highway 59, was to be subdivided into about seven single-family lots accessed by a service road. The overall development of the area as a single-family subdivision has been slow and there does not appear to be a need for two commercial parcels. The applicants are of the view, however, that an "RM-L" Multiple-Family condo development (19 units) would be a marketable alternative to the large lot, single-family lots being sited to the south and east. The Community Planning Division is of the view that a multiple-family development of the scale proposed is in character with adjacent residential areas to the south and an already zoned "RM-L" parcel immediately adjacent on the east side of Royal Mint Drive.

It is therefore recommended that the Committee endorse the proposed consolidation of properties and accompanying rezoning application, subject to the conditions outlined in the zoning agreement.

The Riel Community Committee held public hearing on July 22, 1996.

Three persons appeared in support of the proposed application. Two persons appeared in opposition to the proposed application.

The Riel Community Committee recommends that:

1. The Riel Community Committee believes this proposal is compatible with the surrounding neighbourhood.

2. This development proposal will be a great benefit to the community, will add to the surrounding property values, and will make the neighbourhood more stable.

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3. The Riel Community Committee also believes the healthiest communities are ones with a good mix of single-family and seniors' housing.

4. Inasmuch as the housing market has changed, it is important to provide alternative life-style opportunities in the neighbourhood.

5. The Southland Park Residents' Association supports this development proposal.

6. There is minimal opposition to this application.

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

I. That the plan of subdivision proposed under File DASZ 9/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, as outlined on Schedule "A", for File DASZ 9/96, dated July 2, 1996, for registration in the Winnipeg Land Titles Office.

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

III. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 9/96, dated July 2, 1996, to an "RM-L" Multiple-Family District, subject to the following:

A. That the Developer be required to enter into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to provide for the following:

1) That the number of dwelling units be limited to a maximum of twenty (20) as proposed;

2) That all final construction and site plans indicating design and location of proposed buildings, fencing, landscaping and garbage enclosures be subject to the approval of the Commissioner of Planning and Community Services and the Riel Community Committee prior to the 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 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.

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

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

VIII. That the City Solicitor/Manager of Legal Services be requested to 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. 1069 for attachment)

Report of the Committee on Planning and Community Services dated September 17, 1996

Proposed Subdivision and Rezoning - land located at Eaglemere Drive between Crozier Avenue and Walter Piper Grove - East Kildonan-Transcona Community
File DASZ 12/96

1013 - 10. The Committee on Planning and Community Services has been advised that an application has been received from River East Developments Ltd. 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 "A5" Agricultural District to an "R1-4" Residential District to permit the establishment of ten (10) new single-family residential lots and residual lots to be set aside for either a future street or residential development.

The following is the present Site Description:

Site Area: 5643.65 square metres (1.394 acres)

Existing Land Use and Zoning: Land is vacant and zoned "A5" Agricultural District.

The following is the Surrounding Land Use and Zoning:

North: Vacant land zoned "A5" Agricultural

East: Single-family dwellings zoned "R1-5.5"

West: Single-family residential lots (vacant), zoned "R1-4"

South: Single-family dwellings zoned "R1-4"

The subject development proposal is an extension of the Eaglemere Subdivision. The applicant proposes to create ten (10) new buildable single-family lots (Lots 1-10). Lot 12 is residual land from the plan which will be incorporated at a future date in a development application to the north. Lot 11 is to be reserved from development at the present time pending developer decisions on the configuration and use of adjacent lands, and may be required as a public street in the future.

The proposed ten (10) new residential lots are consistent in terms of zoning and development potential with the existing development in the Eaglemere Subdivision. The Community Planning Division considers that the depth of the proposed lots at 35.0 metres (114.8 feet) is adequate to accommodate current single-family home designs and the excess land (Lot 12) can be excluded from these lots.

The applicant has submitted two concept plans which illustrate how development to the north may occur. Should future development occur as illustrated in the option 3 concept plan (attached), then proposed Lot 11 in the subject application will be needed to provide a public street access. Should the developer apply to proceed in the future with the option 4 concept plan (attached), then the street opening may not be needed and it could be developed with a dwelling. The Community Planning Division has not been asked to comment on the merits of the option 4 concept plan and a detailed evaluation of that proposal will be necessary should an application be made in the future.

In order to preserve the options for the developer as indicated by the two concept plans, the Community Planning Division is supportive of the subdivision proposal providing that all the excess lands in the subdivision (i.e., proposed Lots 11 and 12) are consolidated into one lot. The developer should then be required to enter into a subdivision agreement prohibiting any development on those lands until an application incorporating the adjacent lands to the north has been received, approved by Council, and registered at the Winnipeg Land Titles Office.

The Administrative Co-ordinating Group recommends that the applicant be required to enter into an addendum agreement to the Eaglemere Development Agreement, AG 26/88, with respect to servicing.

Advance dedication of park lands under File DASZ 26/88 is sufficient to meet dedication requirements of this application.

Report of the Committee on Planning and Community Services dated September 17, 1996

A Public Hearing was held before the East Kildonan-Transcona Community Committee on July 16, 1996.

One person was heard in support of the application. No one was heard in opposition to the proposed application.

The East Kildonan-Transcona Community Committee recommended that:

1. The proposed plan of subdivision represents an extension of the existing development.

2. The plan continues the residential component of the community.

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

I. That the plan of subdivision proposed under File DASZ 12/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 12/96, dated June 27, 1996, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the plan be amended to provide for the consolidation of Lot 12 with Lot 11.

   B. That the Developer be required to enter into an Addendum to Development Agreement AG 26/88 with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group dated June 26, 1996.

   C. That the developer be required to enter into a Subdivision Agreement with the City to provide for the following:

      i) that no development approvals/building permits shall be issued for Lot 11 until a plan of subdivision and/or rezoning on adjoining lands to the north has been approved by Council and registered in the Winnipeg Land Titles Office.

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

III. That Zoning By-Law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 12/96, dated June 27, 1996, to an "R1-4" Single-Family District.

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 Subdivision 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.

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

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. 1070 for attachment)

Report of the Committee on Planning and Community Services dated September 17, 1996

Proposed Subdivision and Rezoning - land located at 132 Marrington Road, Northwest Corner at Kirkbridge Drive - Riel Community File DASZ 13/96

1014 - 11. The Committee on Planning and Community Services has been advised that an application has been received from Juba Kastes and Associates Inc., on behalf of South Park Estates Inc., for the approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from a "PR1" Parks and Recreation District to an "RM-3" Multiple-Family District to permit the establishment of a 65 multiple-family unit (seniors complex).

The following is the Present Site Description:

Site Area: 117 metres by 118 metres

Existing Land Use and Zoning: Currently zoned "PR1" Parks and Recreation (undeveloped)

Surrounding Land Use and Zoning:

North: Zoned "PR1" Parks and Recreation (undeveloped)

East: Zoned "RM-2" Multiple-Family (occupied by a Church)

West: Zoned "PR1" Parks and Recreation area and developed "R1-5.5" Single-Family subdivision

South: Developed single-family subdivision area, zoned "R1-5"

The applicants are proposing to construct a three-storey 65 unit seniors complex (non-profit) which is affiliated with the Roman Catholic Church (Mary Mother of the Church) at the northeast corner of Kirkbridge Drive and Marrington Road.

Juba Kastes and Associates Inc. have made application on behalf of the Board of Directors of South Park Estates Inc. to construct a three-storey (65 units) senior complex at the subject location. South Park Estates Inc. is a non-profit organization formed by the Knights of Columbus Council 5262 of Mary Mother of the Church situated on the adjacent corner. The Board of Directors has in recent months been negotiating with the City of Winnipeg to purchase the subject parcel for a seniors complex. The Land Surveys and Real Estate Branch in conjunction with the Parks and Recreation Department and the Fort Garry School Division No. 5 has successfully completed their negotiations with the applicants pending approval of the subject rezoning and subdivision application. Council, upon recommendation from the Committee Finance and Administration have all approved the sale of a portion of the previously designated school site, conditional upon completion of the rezoning/subdivision process. The Fort Garry School Division No. 5 has agreed to transfer the land to the City in exchange for an alternate parcel of land for a school site. The most northerly 30% of the former school site will actually be retained by the City and remain zoned "PR1" Parks and Recreation District.

The proposed structure is three-storeys in height and has three (3) separate wings all oriented towards a main lobby/office area. The plans suggest that there are 21 units on the main floor, and 11 units on each of the remaining two (2) floors. An underground parking area can accommodate 59 vehicles and is to be accessed by two (2) ramps - one off Marrington Road, the other off of Kirkbridge Drive. A 17 stall visitor parking area is proposed at the front of the building and will similarly be accessed off of Marrington Road.

Seniors complexes, some of which are affiliated with neighbourhood churches or synagogues, are more and more regularly being constructed both in and beside what are primarily single-family residential areas. Two that immediately come to mind are the Foyer Vincent on Horace Street in Central St. Boniface and the Rosh Pina Seniors Complex on Matheson Avenue in West Kildonan. They range in scale from three-storey to six-storeys but most are low-scale, low-density structures which are unobtrusive and are not out of character with the neighbourhood.

An effort appears to have been made with the subject proposal to design a building which is both aesthetically appealing and at a scale which will blend in with the adjacent neighbourhood.

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Detailed landscaping/fencing plans are not available currently but will be required to be endorsed by the Riel Community Committee prior to the issuance of a building permit.

The Community Planning Division is of the view that the proposed development can work if the applicants are sensitive to the needs of the neighbouring property owners and incorporate any reasonable suggestions that they might have relative to site layout into their final site plans. It is therefore recommended that your Committee endorse the subject rezoning/subdivision subject to the recommendations attached.

A Public Hearing was held before the Riel Community Committee on July 22, 1996.

Fifty-seven persons appeared in support of the application. One person was heard in opposition to the proposed application and one person appeared for information purposes.

The Riel Community Committee recommended that:

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

2. The proposed development will be a great addition and benefit to the community with balance to the grounds and park area.

3. The applicant has gone a long way to try and include the community in what is being proposed and has endeavoured to address the concerns and incorporate the recommendations in its development proposal.

4. The subject property is ideal for the proposed senior's complex for the reasons previously mentioned above.

On September 17, 1996, the Committee on Planning and Community Services considered the proposed subdivision and rezoning under File DASZ 7/96 and an additional verbal communication from the Manager of Land and Development Services on September 17, 1996, as follows:

- That Recommendation VI., which reads as follows, "That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement." be deleted in its entirety and the remaining recommendations be renumbered.

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

I. That the plan of subdivision proposed under File DASZ 13/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor, as outlined on Schedule "A" for File DASZ 13/96, dated July 2, 1996, for registration in the Winnipeg Land Titles Office.

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

III. That Zoning By-Law No. 6400/94 be amended by rezoning proposed Lot 1, as outlined on Schedule "A" for File DASZ 13/96, dated July 2, 1996, to an "RM-3" Multiple-Family District, subject to the following:

   A. That the Developer be required to enter into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to provide for the following:

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

      ii) That the number of dwelling units be restricted to a maximum of sixty-five (65) on site.

      iii) That the height of the proposed building be restricted to three (3) storeys.

IV. That the standard 10% dedication requirement be waived in this case.

Report of the Committee on Planning and Community Services dated September 17, 1996

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

VI. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office, and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office.

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

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. 1071 for attachment)

Proposed Rezoning - 921 Jessie Avenue - City Centre Community
File DAZ 213/96 (c/r DAV 361/96D & DCU 121/96D)

1015 - 12. The Committee on Planning and Community Services has been advised that an application has been received from Glanville Everitt (Patricia Glanville), 125 Queenston Street, Winnipeg, MB, R3N 0W4, to amend By-law No. 6400/94 by rezoning the land shown below from an "R1-3" Residential District to a "C1.5" Commercial District to allow for commercial development.

Related Files: DAV 361/96D, DCU 121/96D

The following is the present Site Description:

Existing Land Use and Zoning:

The subject lot is located at the northeast corner of Jessie Avenue and Stafford Street and is currently used for two family residential purposes. The site is zoned “R1-3” Residential District.

The following is the Surrounding Land Use and Zoning:

The property is bounded on the west by St. Ignatius Roman Catholic Church which is zoned “R1-3.5” Residential District, on the east by single family development zoned “R1-3” Single Family District, on the north by a Chicken Delight outlet zoned “C1.5” Commercial District, and on the south by single family residential development zoned “R1-3” Single Family Residential District.

The applicant is proposing to convert an existing residence for commercial use on the basement and main floors and a residential use on the second floor, in a two step process under two related files. The first step of the process will be to vary the existing zoning on the property to allow for the proposed commercial use (medical clinic). The second step of the process will be to rezone the property to permit commercial development in general, and the medical clinic specifically, as a permitted use in a “C1.5” Commercial District with the residential component covered under an application for a conditional use. The residential unit on the second floor will not be occupied by the owner/operator of the clinic. Variances are also required for parking and yards. The existing garage on the property will be demolished to make way for five parking spaces, and a handicap ramp is proposed along the east side of the property.

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The applicant is proposing to rezone an existing residential property fronting on a residential street (Jessie Avenue) located at the end of the block with flankage on an arterial street (Stafford Street) for commercial uses. The proposed use is for a medical clinic with the proposed rezoning category as "C1.5" Commercial District, extending the existing "C1.5" zone fronting Corydon Avenue, immediately to the north of the lane backing on to the subject property. Primary access to the site would be from Jessie Avenue, with a parking area to the rear of the lot accessed from the lane. Entrances to the building are proposed from Jessie Avenue and from Stafford Street. One of the proposed five parking spaces would be reserved for the residential use on the second floor.

The property is located in the Earl Grey neighbourhood. Earl Grey was the subject of a major downzoning in late 1995. The downzoning from an "R2" Residential District to an "R1-3" Single Family Residential District which was initiated by the neighborhood through the M/WCRP program, took effect in November 1995. The key reason behind the downzoning was to protect the single family residential integrity of the neighborhood thereby deterring the introduction of multiple family and commercial uses. The proposed rezoning would defeat the intent of the original downzoning process.

The Community Planning Division has been consistently opposed to the conversion of residential properties flanking arterial streets in this area. Such rezonings tend to detract from the predominantly residential character in an area known for its strong residential base.

Stafford Street is a four lane undivided roadway with poor provision for commercial parking. In the absence of adequate parking on site, residential streets tend to be utilized more heavily for commercial traffic and parking. In order to maintain the strong residential character of the area, it is best from a planning perspective to direct commercial traffic away from residential streets and on to collectors and arterials.

The proposed rezoning, as outlined on Schedule "A", would in effect, constitute an extension of the commercial zoning fronting Corydon Avenue south along Stafford Street. The "C1.5" commercial zoning was established to recognize the presence of a business improvement district limited to Corydon Avenue.

On the basis of the above neighborhood concerns and with the intent of protecting the residential character of the area from the intrusion of non-residential uses, the Community Planning Division recommends that the proposed rezoning not be approved.

A Public Hearing was held before the City Centre Community Committee on July 16, 1996.

One person was heard in support of the application.

Ten persons were heard in opposition to the proposed application. One person appeared for information purposes.

The City Centre Community Committee recommended that:

1. The property is in the Earl Grey neighbourhood which was the subject of a major downzoning from an "R2" Residential District to an "R1-3" Single Family Residential District initiated through the Manitoba/Winnipeg Community Revitalization Program and took effect in November 1995.

2. The key reason for the downzoning was to protect the single family residential integrity of the neighbourhood thereby deterring the introduction of multiple family and commercial uses and the proposed rezoning would defeat the intent of the original downzoning process.

3. The Community Planning Division has been consistently opposed to the conversion of residential properties flanking arterial streets in this area as such rezonings tend to detract from the predominantly residential character in an area known for its strong residential base.

4. Stafford Street is a four lane undivided roadway with poor provision for commercial parking, and, in the absence of adequate parking on site, residential streets tend to be utilized more heavily for commercial traffic and parking. In order to maintain the strong residential character of the area, it is best to direct commercial traffic away from residential streets and on to collectors and arterials.

5. The proposed rezoning would constitute an extension of the commercial zoning fronting Corydon Avenue south along Stafford Street. The "C1.5" commercial zoning was established to recognize the presence of a business improvement district limited to Corydon Avenue.

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6. The community has gone through a long process of trying to enrich both the residential and commercial components of the areas both on Corydon Avenue and on the residential streets, and were very rigid in their demands to restrict commercial activity to Corydon Avenue and collector streets such as Lilac Street and Grosvenor Avenue.

7. Improvements have been made to the area in terms of obtaining vacant properties and redeveloping them as parks and piazzas, providing a buffer which has helped to stabilize the area.

8. The rezoning which was undertaken, which was initiated by a mixture of commercial/residential owners in the area halted commercial properties on Stafford Street to prevent any sprawl into the residential areas, as a result of which residential property values in the area have increased by about forty (40%) per cent.

9. There is no justification for rezoning a residential property for commercial use when there is ample smaller properties within the commercial boundaries and approval of the subject application would undermine the residents' confidence.

10. The community is in the process of forming a neighbourhood management traffic study.

11. Approval of the application would be injurious to the residential character of the area.

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

I. That the proposed zoning change to amend Zoning By-law No. 6400/94 by rezoning land under File DAZ 213/96 from an "R1-3" Residential District to a "C1.5" Commercial District Be Not Proceeded With.

Adopted by consent.

(See Minute No. 1072 for attachment)

Proposed Zoning Agreement Amendment - 434 St. Anne's Road - Riel Community File ZAA 10/95 (c/r DAZ 211/92 & DCU 308/95D)

1016 - 13. The Committee on Planning and Community Services has been advised that an application has been received from Mediacom Inc. 1600 Inkster Boulevard, Winnipeg, R2X 3A4, to amend the subject zoning agreement By-law 5986/92 (DAZ 211/92) to allow for:

- an additional use advertising sign; and
- to allow for the maintenance of a building having a north yard of 6.45 feet instead of the specified 8 feet under the agreement.

The following is the present Site Description:

Dimensions: 68.78 feet x 126.4 feet

Site Area: 807.6 M² (8,694 feet²)

Existing Land Use: Engine and automobile repair shop

The following is the Surrounding Land Use and Zoning:

north: Video Rental Store/Residence Zoned "C1"

Report of the Committee on Planning and Community Services dated September 17, 1996

east: Commercial - Zone "C1"

west: Low Density Housing Zoned "R1" Residential

south: Convenience Store Zone "C1"

In 1992, the subject land was rezoned to a "C2" Commercial category (DAZ 211/92) in order to accommodate the development of a small engine/automobile repair business. Because of some resident opposition, there were restriction placed on the number of uses permitted on the land within the agreement. In fact the Riel Community Committee essentially restricted use of the land to a public garage with building height restriction (25 feet maximum) and yard restriction i.e. north side yard of a minimum 8 feet.

Presumably, at that time, there was good reason to omit free-standing signs from the list of permitted uses. Quite possibly the fact that there already was two (2) large free-standing signs in place on both adjacent properties may have influenced that decision. In any event, the Community Planning Division is of the view that nothing has changed that would warrant amending the agreement as it relates to the list of permitted uses (including signage). However, the 6.45 foot side yard which currently exists and which is a foot and a half less than that specified under the agreement is a marginal change to the intent and purpose of the original conditions and should be cleaned up and endorsed by way of this amendment.

Public hearings were held before the Riel Community Committee on January 8, 1996, February 12, 1996, March 11, 1996, April 22, 1996, June 10, 1996 and July 22, 1996.

Two persons were heard in support of the zoning agreement amendment. Four persons were heard in opposition to the zoning agreement amendment.

The Riel Community Committee recommends that:

1. The Legal Services Division of the City's Corporate Services Department is of the view there already is a mechanism in place to enforce conditions that exist under the Zoning Agreement pursuant to File DAZ 211/92.

2. The Riel Community Committee believes it is the responsibility of the City's Enforcement Branch of the Community Services Department to ensure that the conditions of the Zoning Agreement under File DAZ 211/92, and the Zoning Agreement Amendment (to be entered into) under File ZAA 10/95 are enforced on an ongoing basis.

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

I. That the Zoning Agreement under DAZ 211/92 be amended in part to amend Clause 5 to allow for the maintenance of a building having a north yard of 6.45 feet subject to the following conditions:

   (a) That plans showing the location of the building, landscaping and fencing be submitted to and approved by the Commissioner of Planning and Community Services, or his designate, and the Riel Community Committee.

   (b) That outdoor storage of vehicles, trailers or other materials on the subject site be prohibited excepting during the hours of operation, namely, between 8:00 a.m. and 7:00 p.m.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary amendment to Zoning Agreement DAZ 211/92 as stipulated in the previous clause.

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

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

Adopted by consent.

Report of the Committee on Planning and Community Services dated September 17, 1996

Proposed lane corner cut at the intersection of the first lane North of York Avenue with the first lane East of Donald Street - City Centre Community
File DAO 9/96

1017 - 14. The Committee on Planning and Community Services has been advised that The City of Winnipeg acquired the land in accordance with Misc. Plan No. CC 9500/1, in 1992, as outlined on Schedule "A".

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

The City Centre Community Committee held a public hearing on June 26, 1996.

No person appeared either in support or in opposition to the proposed lane corner cut.

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 9500/1, 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. 1073 for attachment)

Proposed lane corner cut at the intersection of the first lane East of Main Street with the first lane South of Aberdeen Avenue - Lord Selkirk-West Kildonan Community
File DAO 11/96

1018 - 15. The Committee on Planning and Community Services has been advised that in September of 1994, the Board of Commissioners considered a report from the Commissioner of Works and Operations concerning the proposal and instructed the Land Surveys Branch to negotiate for the acquisition of the subject lane corner cut in accordance with Misc. Plan No. LSWK 9328/1, as outlined on Schedule "A". The corner cut is required to facilitate the turning radius of vehicles in the area. The owners have agreed to the terms and conditions of the sale of the property.

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

The Lord Selkirk-West Kildonan Community Committee held a public hearing on July 16, 1996.

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 9328/1, as outlined on Schedule "A".

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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. 1074 for attachment)

Proposed lane corner cut at the rear of No. 140 Alfred Avenue - Lord Selkirk-West Kildonan Community
File DAO 12/96

1019 - 16. The Committee on Planning and Community Services has been advised that in September of 1994, the Board of Commissioners considered a report from the Commissioner of Works and Operations concerning the proposal and instructed the Land and Development Services to negotiate for the acquisition of the subject lane corner cut in accordance with Misc. Plan No. LSWK 9327/2, as outlined on Schedule "A". The corner cut is required to facilitate the turning radius of vehicles in the area. The owners have agreed to the terms and conditions of the sale of the property.

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

The Lord Selkirk-West Kildonan Community Committee held a public hearing on July 16, 1996.

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 9327/2, 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. 1075 for attachment)

Proposed opening of part of the abandoned CNR Cabot Subdivision crossing the Perimeter Highway between Wilkes Avenue and Roblin Boulevard - Assiniboia Community File DAO 13/96

1020 - 17. The Committee on Planning and Community Services has been advised that in 1959, the lands now used for the portion of the Perimeter Highway as outlined on Schedule "A", Misc. Plan No. 8754/1 were dedicated as public road by Plan 7066. The City property identified as "Proposed Road Opening (City Owned Land)" on Misc. Plan No. 8754/1 was not included in that plan. Consequently, although the land has been in use as part of the travelled way of the Perimeter Highway for a number of years, it has never been legally opened. It is necessary to dedicate the land as a public road.

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

In addition to the affected City lands, there is a parcel of Provincial land that will require dedication as a public road. This parcel is identified as Public Road No. 2 on Misc. Plan No. 8754/1. The City does not have the authority to dedicate Crown land as a public road. The Surveys Branch of the Land and Development Services Department will co-ordinate with the Provincial authorities the inclusion of the parcel into the documentation that will dedicate the City property as a public road.

The Assiniboia Community Committee held a public hearing on July 16, 1996.

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. 8754/1, 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. 1076 for attachment)

Proposed Private Right-of-way Name Change - Strauss Drive - Assiniboia Community File SC-3.14 (31)(Vol. 1)

1021 - 18. The Committee on Planning and Community Services has been advised that Strauss Drive between Ness Avenue and Silver Avenue was registered on February 22, 1973, under Plan 11442. Subsequent to the registration, a right-of-way over private land was developed and continues to be utilized as an extension of Strauss Drive. Some time in the past a street name sign identifying the private road as "Strauss Drive" was installed at the Ness Avenue intersection of the road. The private right-of-way is outlined on Schedule “A”.

It has been brought to the attention of the Administration that the situation may impose difficulty for emergency services such as police, fire and ambulance to the immediate area. The City of Winnipeg Act under Section 500 (c) gives the City authority to name streets either public or private. It is proposed that the street segment be given its own name separate from Strauss Drive.

The Subdivision Branch contacted both land owners affected. The Shindico Company had no objections. The Dynasty Group, however, had expressed opposition to the proposed renaming of the portion of the private right-of-way as they are of the opinion that their leasing office at 24 Strauss Drive would require a change of address. However, this is not the case. Although the leasing office does take access off the private roadway there would not be a change of address required as it has frontage on and is numbered off the portion of Strauss Drive that is registered as a public right-of-way.

The Assiniboia Community Committee considered the report from the Subdivision Officer, dated May 9, 1996 on June 10 and July 16, 1996. The Assiniboia Community Committee heard one person in opposition to the proposed street name change on June 10, 1996.

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

I. That the private roadway currently identified as a segment of Strauss Drive, as outlined on Schedule “A”, be legally confirmed as “Strauss Drive” and that Council authorize the following:

Report of the Committee on Planning and Community Services dated September 17, 1996

A. That the Director of Land and Development Services Department be requested to provide the necessary legal description to the City Solicitor 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 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. 1077 for attachment)

The Municipal and Various Acts Amendment Act - Bill 54
File GL-5.1.1 (Vol. 9)

1022 - 19. The Committee on Planning and Community Services concurs in the following resolution and submits same to Council for favourable consideration:

WHEREAS that the integrity of the City of Winnipeg's boundaries are critical elements of coherent and proper land use planning;

WHEREAS that all properties should fairly share the costs and benefits from the economies of property organized boundaries in the Capital Region;

BE IT RESOLVED that the City of Winnipeg request that Bill 54 be amended to require a majority vote of the Council of the City of Winnipeg to amend the boundaries of the City;

BE IT RESOLVED that the City be a party to establishing the terms of and conditions of any impact study for the purposes of annexation of a portion of the City of Winnipeg;

BE IT RESOLVED that any annexation request of change in the boundaries of the City of Winnipeg require a request from a municipal council directly affected by the change;

BE IT RESOLVED that the City request that Sections 71 (2) and 72 be deleted from Bill 54;

BE IT FURTHER RESOLVED that any significant change to the boundaries of the City of Winnipeg require a vote by the Legislature of the Province of Manitoba to ensure all elected members of the Legislature from the City of Winnipeg may participate in the discussion and formulation of any such legislation.

The Executive Policy Committee recommends that the resolution be received as information, and further, that the Commissioner of Planning and Community Services in consultation with the City Solicitor/Manager of Legal Services be requested to prepare a resolution for consideration by Council on September 25, 1996 outlining in more specific detail, the City's request to The Province of Manitoba for amendments to Bill 54.

Moved by Councillor Silva,
That the clause be considered.

Report of the Committee on Planning and Community Services dated September 17, 1996

Moved by Councillor Silva,

That the resolution outlined in the clause be deleted in its entirety and replaced by the following.

WHEREAS the integrity of the City of Winnipeg's boundaries are critical elements of coherent and proper land use planning;

AND WHEREAS properly organized boundaries in the Capital Region are essential to the equitable sharing of costs and benefits between adjacent municipalities and the development of cost-effective regional servicing plans;

AND WHEREAS changes to municipal boundaries in the Capital Region should only proceed through a process that ensures meaningful consultation with each affected municipality;

THEREFORE BE IT RESOLVED that the City of Winnipeg request the Province of Manitoba to amend Bill 54 as follows:

1) to require a majority vote of the Council of the City of Winnipeg to alter the boundaries of the City;

2) to provide that any proposal for the formation of a rural municipality from land in the City of Winnipeg or for the annexation of land within the boundaries of the City of Winnipeg by a municipality be required to follow the process provided under Division 2 which applies to a proposal by the City of Winnipeg to annex land outside its boundaries;

3) to provide that the City of Winnipeg shall be entitled to participate in establishing, and must approve, the terms of reference and conditions of any impact study relating to a proposed annexation of land which affect its boundaries;

4) by deleting subsection 71(2) and providing that any proposal for the annexation of land within the boundaries of the City of Winnipeg require a request from any municipal council directly affected by the proposal;

5) by amending section 72 to provide that minor annexations of land within the boundaries of the City of Winnipeg can only occur by regulation where City Council has passed a resolution confirming that it is not opposed to the proposed annexation;

BE IT FURTHER RESOLVED that the City request the Province of Manitoba to establish principles, standards and criteria to provide for the annexation by the City of lands in rural municipalities outside its boundaries where the density of development is at or approaching an urban scale.

Carried.

The Speaker called the Deputy Speaker, Councillor Prystanski, to the Chair in order to participate in the debate, and after speaking, resumed the Chair.

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

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

REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

SEPTEMBER 24, 1996

On motion of Councillor Silva, the rule was suspended and the Report of the Committee on Planning and Community Services, dated September 24, 1996, was considered.

Her Worship the Mayor and Councillors:

Proposed street closing of Sanford Street, South of St. Matthews Avenue - Assiniboia Community File DAC 9/96

1023 - 1. The Committee on Planning and Community Services has been advised that a proposal to close Sanford Street South in accordance with Misc. Plan No. ASBA 9627/3 has been initiated by the Land and Development Services Department, who wish to incorporate the closed street into the lands to be sold to Home Depot Canada for their proposed building site.

This proposal has been circulated to all interested City departments and public utilities with the following comments having been received:

- The Community Planner recommended that the closing by-law not be executed until Home Depot has exercised its option to purchase the lands identified as "Optioned By Home Depot" on Misc. Plan No. ASBA 9627/3 and title to those lands is in Home Depot's name.

- The Streets and Transportation Department recommended that the existing street approach be closed and the curb, boulevard and sidewalk be reconstructed in the event that:

    a) alternate access to the Winnipeg Hydro sub-station at the southeast corner of Sanford Street and St. Matthews Avenue can be acquired, and

    b) Home Depot doesn't require the approach for its own purposes.

- The Water and Waste Department advised that an easement will be required to maintain their watermain and sewer facilities in the right-of-way.

- Winnipeg Hydro advised that it opposed the proposed closing of the portion of Sanford Street adjacent to its sub-station and recommended that either that portion of Sanford Street remain open or that title to the closed street remain in the City's name. Winnipeg Hydro further noted that an easement will be required for an existing duct line and overhead pole line.

- Centra Gas advised that an easement will be required for its facilities in the right-of-way.

- MTS NetCom Inc. advised that it shares the overhead pole line with Winnipeg Hydro and will require an easement.

The Land and Development Services Department is of the opinion that the concerns of Winnipeg Hydro regarding access to its sub-station may be fully addressed by way of an easement agreement.

The execution of the closing by-law will be contingent on the successful completion of negotiations for the sale of the lands required for the Home Depot site.

On September 17, 1996, the Assiniboia Community Committee held a public hearing with respect to the above noted file.

Report of the Committee on Planning and Community Services dated September 24, 1996

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. ASBA 9627/3, 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.

Moved by Councillor Silva,
Adoption of the clause.

The Speaker advised that on the direction of Council, Council would table discussion of this clause until the Report of the Committee on Finance and Administration, dated September 24, 1996, was considered.

(See Minute No. 1061 for disposition)

Council here proceeded to consider the order of business - “Committee on Planning and Community Services, Consideration of By-laws".

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

1024 - On motion of Councillor Silva, 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. 6880/96, a by-law of the City of Winnipeg to enact amendments of a minor nature to its By-law No. 6400/94 being the Winnipeg Zoning By-law. File DAZ 209/94

By-law No. 6881/96, a by-law of the City of Winnipeg to close part of Finkelstein Road (formerly Four Mile Road) at McGillivray Boulevard. File DAC 25/95

By-law No. 6882/96, a by-law of the City of Winnipeg to close portions of Bower Boulevard, Latimer Boulevard and the lane between both, south of Park Place West.
File DAC 20/94

By-law No. 6883/96, a by-law of the City of Winnipeg to amend By-law No. 6162/93, being the City of Winnipeg Municipal Assistance By-law. File EH-2.1 (Vol. 9)

By-law No. 6884/96, a by-law of the City of Winnipeg to change the names of certain highways in the City of Winnipeg. File SC-3.14 (31)

By-law No. 6885/96, a by-law of the City of Winnipeg to open (lane corner cut) the intersection of the first lane north of Church Avenue with the first lane east of Parr Street.
File DAO 5/96

By-law No. 6886/96, a by-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change to property located at 558 Talbot Avenue (S/E Talbot Avenue at Gateway Road) in the East Kildonan-Transcona Community.
File DAZ 207/96

Committee on Planning and Community Services - Consideration of By-laws (continued)

By-law No. 6887/96, a by-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at the south east corner of Wilkes Avenue and Brockville Street in the Assiniboia Community. File DASZ 5/96

By-law No. 6888/96, a by-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the north west corner of East Mint Place and Royal Mint Drive in the Riel Community. File DASZ 9/96

By-law No. 6893/96, a by-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the north side of Kirkbridge Drive between Marrington Road and Ainsworth Place in the Riel Community. File DASZ 13/96

By-law No. 6894/96, 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 west corner of Chalfont Road and Grant Avenue in the Assiniboia Community. File DASZ 7/96

The Speaker advised that consideration of By-law Nos. 6895/96 and 6896/96 would be tabled until after discussion of The Report of the Committee on Planning and Community Services, dated September 24, 1996.

(See Minute No. 1062 for disposition of By-law Nos. 6895/96 and 6896/96)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

QUESTION PERIOD

1025 - Councillor Timm-Rudolph referred to the possible construction of a new velodrome and ball diamond facility at the Forks and suggested that the Forks Corporation be approached to discuss the possibility of accommodating both facilities at the public market site in the St. Boniface Industrial Area.

Councillor Silva noted the City had not been party to Provincial Government discussions but indicated that concerns were raised by the Intergovernmental Affairs Committee at a meeting with Mr. Keller of the Fork's North Portage Development Corporation. Councillor Silva further advised that the matter would be addressed with the Executive Policy Committee and the Intergovernmental Affairs Committee, with the intent of putting it on the table for discussion with the other levels of government, representatives of the Forks North Portage Partnership and the Pan Am Games Committee.

Councillor Timm-Rudolph referred to the public market site Ad Hoc Committee and suggested that Councillors Golden and Vandal, as representatives of the Committee, be encouraged to stress the importance of constructing facilities on the east side of the Red River.

Councillor Silva referred the question to Councillor Vandal, the local Councillor, and requested that he raise the issue of secondary plan consultation at the Ad Hoc Committee level.

Councillor Vandal noted that Councillor Golden, along with himself, and various administrative representatives of the Ad Hoc Committee would consider all the options.

Councillor Murray referred to concerns regarding the rail sector of Winnipeg's economy and questioned the strategy that would be implemented to stop relocation outside of the City.

Councillor Silva referred to the Airport Development Facility Advisory Committee, Chaired by Deputy Mayor Eadie, noted numerous discussions regarding Winnipeg's position as a rail centre, and committed to bring the issue of the City's strategy and role in remaining a viable rail centre to the table at the next Airport Development Facility Advisory Committee Meeting.

Councillor Murray noted concerns about the existing Committee and further questioned what immediate measures could be taken to stop the relocation. Councillor Murray also referred to a letter forwarded to Her Worship outlining possible suggestions and requested a response.

Councillor Silva acknowledged the concerns expressed by Councillor Murray and again committed to discuss the issue with all the partners at the Airport Development Facility Advisory Committee level. Councillor Silva further noted that he would raise the issue of Councillor Murray's letter with Her Worship and endeavour to respond to Councillor Murray.

Councillor O'Shaughnessy noted concerns about a new Manitoba Liquor Control Commission license that allowed minors access to single room sports bars and questioned how the City planned to react to the new license.

Councillor Silva noted that the Province of Manitoba had implemented the new license category without input from the City and that the City of Winnipeg Unified Zoning By-law No. 6400/94 did not currently cover such a category in terms of permitted or non-permitted usages.

Moved by Councillor Timm-Rudolph,

That Council recess at 11:00 a.m. to reconvene at 1:30 p.m.

The motion to recess was put and declared lost.