REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED MAY 28, 1996

On motion of Councillor Silva, the Report of the Committee on Planning and Community Services, dated May 28, 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 and 12 be adopted.

Councillor Golden requested that Clause 11 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10 and 12 was put and declared carried.

Her Worship the Mayor and Councillors:

Recommended Criteria and Procedures for the Winnipeg Development Agreement - Program Authorization 13A - Buildings Preservation
Files FR-3.2 (PA - 13A) (Vol. 1) and G-3 (Vol. 8)

819 - 1. The Committee on Planning and Community Services has been advised that the Historical Buildings Committee has prepared and reviewed the recommended Criteria and Procedures for the Winnipeg Development Agreement, Program Authorization 13A, Buildings Preservation.

In March 1996, the Historical Buildings Committee completed a draft paper on its proposals for implementing the Winnipeg Development Agreement Program 13A - Buildings Preservation. The paper was circulated widely and discussed at a Public Consultation evening on April 24, 1996 at the Hotel Fort Garry.

On the basis of comments received, a number of changes were made to the proposed program design, distribution of funds, criteria, and administrative procedures. These revised recommendations are now being submitted for formal approval.

The Historical Buildings Committee is proposing that WDA Program 13A consist of two funds to provide capital grants of up to 50% of approved costs for the physical work needed to conserve designated heritage buildings and other structures, namely:-

1. Heritage Conservation Grants ($2,125,000) would be open to projects on a Winnipeg-wide basis except for the Exchange District.

2. The Exchange Partnership ($3,000,000) would be available only in that district and would complement a strategic plan currently being developed for the area.

The Recommended Criteria and Procedures for the Winnipeg Development Agreement, as outlined on Schedule “A”, describes the scope of work that would be eligible for grants, the criteria and conditions to be met by applicants, and procedures for receiving applications, assessing them, making recommendations to City Council, and administering the grants.

The Historical Buildings Committee notes that it proceeded with its proposals on the basis that WDA Program 13A is a capital, not a business stimulation, program. One theme that emerged from the public consultation, however, was a call for business development assistance, including tenant incentives, innovative measures to market heritage space, and proactive means of leveraging or brokering more equity and loan capital for heritage conservation.

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Consultation participants emphasized two other points:

- The City needs to move quickly to define its proposed municipal tax credit program and the Gail Parvin Hammerquist Fund in order to stimulate heritage conservation activity and clarify the spectrum of assistance that will be available to project proponents. A report is being prepared by the Community Planning Division and will be presented in the near future.

- The implementation and delivery of WDA Program 13A should be as timely and expeditious as possible. Concerns were expressed that there may be too many layers of program review and approval, that this may lead to undue delays and uncertainty for applicants, and that final decisions may be made on grounds other than the established criteria. If City Council is not prepared at present to revise the required stages of review and approval, it was recommended that a commitment be made to reconsider this issue after the program has operated for a year.

On April 30, 1996, the Committee on Planning and Community Services reviewed the report dated April 24, 1996, from the Heritage Planner and requested that it be referred to the Historical Buildings Committee and the Administration to discuss the merits of the proposed report.

On May 28, 1996, the Committee on Planning and Community Services considered the revised report from the Chairperson of the Historical Buildings Committee, dated May 21, 1996 and approved the following amendment which has also been incorporated in the recommendations, as set out in Schedule "A", namely:-

- That eligibility criteria No. 4, "Neither the City of Winnipeg, nor any other level of government, is eligible for WDA Program 13A funding.", be deleted in its entirety and replaced with the following,

  "Preference will be given to non-government buildings."

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

I. That the "Criteria and Procedures to Administer Winnipeg Development Agreement, Program 13A, Buildings Preservation" as outlined on Schedule "A" be approved.

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. 842 for attachment)

Appointment of Members to The Winnipeg Building Commission
File EB-1.2 (Vol. 3) (c/r GC-7 (Vol. 26))

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

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

"18.2.l. (2) The following members, shall have at least ten years' experience in his occupation and shall be in active practice during the term of his appointment:
(a) two (2) practising members of the Association of Professional Engineers of Manitoba of which one (l) shall be a Civil or Structural Engineer and the other a Mechanical Engineer;
(b) two (2) practising members of the Manitoba Association of Architects;

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(c) one (l) active member of the Winnipeg Construction Association;
(d) one (l) active member of the Manitoba Home Builders Association;
(e) one (l) senior Fire Officer of the City of Winnipeg Fire Department;
(f) one (l) member of an organization which represents owners or operators of multiple-family buildings; and
(g) one (l) member at large."

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

The terms of office of the present members of the Commission expires on July l6, l996.

The Committee on Planning and Community Services recommends:

I. That the following persons (detailed information is outlined on Appendix "A") be appointed to the Winnipeg Building Commission for a period of three years effective July l6, l996, pursuant to Section l8 of the Winnipeg Building By-law No. 4555/87, namely:-

Mr. Helmut Waedt, The Association of Professional Engineers of Manitoba

Mr. Easton Lexier, The Association of Professional Engineers of Manitoba

Mr. Stan Rhoda, The Manitoba Association of Architects

Mr. Brian Tokar, The Manitoba Association of Architects

Mr. Brian Akins, The Winnipeg Construction Association

Mr. Leonard Sobie, The Manitoba Home Builders Association

Chief Barry Lough, The Winnipeg Fire Department

Mr. Louis Rosenberg, The Manitoba Property Managers' Association

Mr. Jim Hicks, "member at large"

II. That Mr. J. Klein, P. Eng., a retiring member of the Winnipeg Building Commission, be formally recognized for the services he provided to the City over the last 16 years. Mr. Klein represented the Manitoba Association of Professional Engineers since July 16, 1980.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Proposed Subdivision and Rezoning - land located at the southeast corner of Peguis Street and Ravelston Avenue West - East Kildonan-Transcona Community
File DASZ 14 "A" /94 (c/r DCU 41/96D)

821 - 3. The Committee on Planning and Community Services has been advised that an application has been received from U.M.A. Engineering on behalf of the applicant, Genstar Development 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 "A-5" Agricultural Residential District to a "R1.4" Single-Family District and a "PR1" Parks and Recreational District to permit the establishment of single-family lots, a park, a stormwater impoundment and a fire station.

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Related Applications: File DCU 41/96D

The following is the present Site Description:

Existing Land Use and Zoning: Zoned "A-5" Agricultural District; lands are presently vacant.

The following is the Surrounding Land Use and Zoning:

North: vacant lands to Ravelston Avenue West, zoned "A-5" Agricultural District

East: C.N.R. Victoria Beach right-of-way

West: Peguis Street (single-family dwelling lots zoned "R1-5.5" Residential District exist on Almey Avenue, west of Peguis Street)

South: Costco Ltd., zoned "C4" Commercial District.

The subdivision proposal includes the construction of new residential streets with principal access to Peguis Street, and establishment of approximately 163 single-family residential lots. The developer has reserved a site at the southwest corner of the subdivision for acquisition by the City of Winnipeg for the establishment of a fire station, subject to approval of a conditional use application. In conjunction with the subdivision, the developer intends to construct a stormwater retention pond abutting the C.N.R. Victoria Beach right-of-way to serve the subdivision and additional lands.

Proposed parks and recreational lands, to be acquired by dedication and purchase, are located adjacent to the retention pond and to the fire station site.

Your Community Committee, in 1995, had previously requested that a review of development related issues be undertaken for lands generally located between Panet Road and the north/south corridor alignment north of Regent Avenue. In response, the Community Planning Division prepared an issues paper which was reviewed by both the East Kildonan-Transcona Community Committee and the Committee on Planning and Community Services. Your Committee concurred that there should not be a general freeze on rezoning and land use changes in the area while the general review was being undertaken. The general review will take into account the future recommendations of the Transplan Review Committee for the area, as well as the development of traffic management strategies for the existing streets. Consideration of the subject application at this time is consistent with your Committee's direction.

The subject proposed development is located within a neighbourhood area designation in Plan Winnipeg and is consistent with the uses permitted within that designation. The applicant's plan indicates that the proposed subdivision consists of two phases. Additionally, a concept plan for additional streets to the north has been provided to indicate how the subdivision can fit within the existing collector system (Peguis and Ravelston).

The proposed development consists of approximately 163 single-family residential lots. The Streets and Transportation Department considers that provided Peguis Street is upgraded as part of the development, the additional lots can be accommodated without adverse effect on existing adjacent lands and uses. The Streets and Transportation Department has advised that it would be desirable that proposed road "F" be redesigned as a cul-de-sac in order to limit the number of access points onto Peguis Street. The additional recommended street improvements are more specifically as outlined in the Administrative Co-ordinating Group (ACG) report. Should your Committee recommend approval of the application, the Streets and Transportation Department has requested that special yards be adopted within By-law 6400/94 for setbacks along Peguis Street for noise attenuation purposes. It is also recommended that the developer be required to construct a fence along the full length of the Peguis frontage, except for the fire station site.

The Parks and Recreation Department has advised that they do not concur with the proposal to establish a public park area adjacent to the fire station site. Should your Committee approve the establishment of the fire station site, a recommendation will be necessary as to whether additional publicly-owned lands around the fire station are necessary because the Fire Department does not wish to purchase those additional lands. The proposed parks and recreation dedication adjacent to the storm water retention pond consists of 0.81 hectares of land. These lands account for half of the 8.0 per cent of the net developable land area of the subdivision required for dedication. The Parks and Recreation Department has recommended that the additional 2 acres of attributable dedication be taken

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from lands to the north when they are subdivided and that a caveat to this effect be registered against those lands. An additional 1.8 ha (4.45 acres) of land is being acquired adjacent to the stormwater impoundment, and will also be available for public use. Additional recommendations with regard to landscaping, etc., are contained within the ACG report.

The Transcona-Springfield School Division has indicated that they have no objections, subject to satisfactory street and pedestrian facility design to enable bussing of students.

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

Two persons appeared in support of the application.

Thirty persons appeared in opposition to the proposed application. Two persons appeared for information.

The East Kildonan-Transcona Community Committee recommended that:

1. The proposed subdivision and rezoning be approved for the following reasons:

    A) The extension of Reenders will alleviate some of the traffic problems from Ravelston and Almey onto Reenders.

    B) The subdivision will enhance the community and alleviate some of the problems with respect to truck routes and snow dumping by increasing and creating a more residential community.

    C) The subdivision will increase the employment opportunities and benefits in the community.

    D) That during the Regular meeting the Administration will be requested to examine the closure of the centre median at Almey Avenue and Lagimodiere Boulevard, as well as the installation of a four way stop sign at the intersection of Ravelston Avenue and Peguis Street, and any other solutions that the Administration can come forth with to correct the problems with respect to traffic in the general location.

2. The proposed subdivision and rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

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 14 “A”/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 14 “A”/94, dated March 28, 1996, for registration in the Winnipeg Land Titles Office, subject to the following:

    A. That the Developer be required to enter into a Development Agreement with the City subject to the conditions outlined in the report of the Administrative Co-ordinating Group dated March 26, 1996, as outlined on Schedule “B”, with the following amendments:

    The east property line for Peguis Street adjacent to the proposed subdivisions is to be established as outlined on Schedule "C". Right-of-way corner cuts measuring 2.0 m by 2.0 m are to be provided in the north east and south east quadrants of the intersection of the most southerly east-west street with Peguis Street and all street rights-of-way within which land drainage sewers of a diameter greater than 525 mm are required shall be widened by 2 m.

    4. h) The Developer shall construct a water well, if required by the Commissioner of Works and Operations, appurtenances and ancillary works to enable maintenance of impoundment water level, all in accordance with drawings and specifications approved by and to the satisfaction of the Commissioner of Works and Operations.

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6. The Developer shall construct, at no expense to the City, the following improvements in Peguis Street north of Regent Avenue:

a) An 8.3 m in width by 200 mm in thickness portland cement concrete pavement from the present terminus of the concrete pavement at the south limit of the proposed subdivision to the North limit of Phase 2; this pavement may be staged to coincide with development of Phases 1 and 2.

Should the Developer choose to construct this pavement in stages, an asphaltic concrete transition from the newly constructed portland cement concrete pavement to the existing gravel road shall be provided at the terminus of each stage.

Delete 6 b, and c, and replace with the following:

6. b) The Developer shall construct an 8.3 m in width by 200 mm in thickness portland cement concrete pavement from Reenders Drive to Peguis Street, to the satisfaction of the Commissioner of Works and Operations, and that it be constructed one year after the first display home is completed, and that temporary pole mounted lighting be installed on Reenders Drive.

c) That the Plan of Subdivision shall not be registered until the City of Winnipeg has secured the Right-of-Way for the extension of Reenders Drive.

Deletion of Sections 6 d, e, and f.

6. g) Street lighting on the east side of Peguis Street, abutting the side of the proposed subdivision, to the satisfaction of the Commissioner of Works and Operations, to coincide with the portland cement concrete pavement constructed under sub-clause a) above.

Deletion of Section 8 in its entirety.

20. a) The construction access route for the proposed subdivision shall only be via Regent Avenue and Peguis Street to the site.

22. The Developer shall be responsible to provide and ensure emptying of covered refuse bins for the use of all contractors and sub-trades during the installation of services and the house construction, and be responsible for all litter pick-up.

23. a) The Developer shall sell to the City at a price of $20,000.00 per acre approximately 9.6 acres of land required for stormwater impoundment purposes which selling price shall be deducted from the Developer's land drainage trunk capacity charge;

24. The Developer shall dedicate 2.77 acres of land or approximately 8% of the NET AREA* for parks and recreation purposes; consisting of the two proposed PUBLIC RESERVES identified on the November 2, 1995 UMA Engineering plan.

GROSS AREA:		45.70 acres
DEDUCTIONS:	Peguis Street Expansion	2.50 acres
	Lake Component (Stormwater Impoundment Area)	5.19 acres
	Public Land Component (Stormwater Impoundment Area)	4.45 acres
*NET AREA:		33.56 acres

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25. The Developer shall, at no expense to the City, grade, level and sod the two proposed PUBLIC RESERVES and "Impoundment Area 1.8 ha" shown on the November 2, 1995 UMA Engineering Plan and, in accordance with plans and construction specifications prepared and submitted by the Developer and approved, prior to installation, by the Director of Parks and Recreation. The Developer shall be responsible for maintenance of the landscaping improvements for a period of one year in accordance with specifications of the Director of Parks and Recreation.

26. The Developer shall, at no expense to the City, install services in the road allowances located adjacent to the two proposed PUBLIC RESERVES illustrated on the November 2, 1995 UMA Engineering Plan.

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 14 “A”/94, dated March 28, 1996, to a "R1-4" Single-Family District and a "PR1" Parks and Recreation 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 land and to provide for the following:

1) that a caveat shall be registered against the title of each residential lot abutting Peguis Street requiring the owner to maintain or repair the fence as originally constructed by the developer pursuant to the Development Agreement.

B. That Zoning By-law No. 6400/94 be amended to establish the following special alignments:

1) all "R1-4" zoned lots abutting (rear lot lines) Peguis Street: minimum 17.5 metres rear yard to wall of all habitable structures;

2) all "R1-4" zoned lots having flankage (side lot line) onto Peguis Street: minimum corner side yard 10.0 metres to wall of habitable structures.

IV. That the City Solicitor 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 Development Agreement.

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

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

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 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. 843 for attachments)

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Proposed Subdivision and Rezoning - land located North of Leila Avenue, West of Brenner Bay - Lord Selkirk-West Kildonan Community File DASZ 3/96

822 - 4. The Committee on Planning and Community Services has been advised that an application has been received from Genstar Development Co. 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-5" Agricultural District to a "R1-4" Single-Family District and a "PR-1" Parks and Recreation District to permit the establishment of 110 residential lots and a park area.

The following is the Site Description:

Site Area: 25.22 acres

Existing Land Use and Zoning: Vacant land - Zoned "A-5" Agricultural

The following is the Surrounding Land Use and Zoning:

North: Vacant - Zoned "A-5" Agricultural

East: Zoned "R1-5" - Developed Single-Family Subdivision

West: Generally vacant - Zoned "A-5" Agricultural

South: South site - Zoned "PR-1" Parks and Recreation and several "RM-3" Multiple Family parcels

The following is the Development Description:

Proposed 110 lot - Single-family subdivision

The subject application constitutes the next phase in the development of the Amber Trails Subdivision. The proposed development ties in with an overall concept plan for the area extending as far north and west as the proposed Kildonan Corridor. The proposed park areas will focus part of a lineal park system which will connect the retention lakes and school areas throughout the subdivision.

Primary access to the new phase which totals 110 lots will be via Allan Blye Drive and Amber Trail. Leila North Elementary School was recently constructed on Allan Blye Drive to serve the new subdivision and existing residential areas lying adjacent to the south. The proposed zoning is "R1-4" but in fact the minimum lot width is to be 43 feet. Approximately 60 of the proposed lots are 45 feet wide and over. Minimum lot area is projected to be a minimum 5,010 square feet. The proposed lots, while not as large as the initial lots developed in the first phase of Amber Trails, are not out of character with recently approved components in Amber Trails or with existing subdivision areas south of Leila Avenue.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on April 16, 1996.

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

The Lord Selkirk-West Kildonan Community Committee recommended that:

1. This is considered to be an adequate and appropriate development for the site.

2. The proposed rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

On May 28, 1996, the Committee on Planning and Community Services considered the proposed subdivision and rezoning application under File DASZ 3/96 and an additional communication from the Land Development Engineer, dated May 7, 1996, as outlined on Schedule “C” and approved the following amendment which has affected the recommendations as set out below:

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- That Recommendation I. A. ii) proposed by the Lord Selkirk-West Kildonan Community Committee, which included the words "and new land drainage outfall", be deleted in its entirety and the remaining recommendations be renumbered.

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

I. That the plan of subdivision proposed under File DASZ 3/96 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 3/96, dated April 9, 1996, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into a Development Agreement with the City containing therein all the conditions as outlined on Schedule “B” in the report of the Administrative Co-ordinating Group dated March 25, 1996, be amended as follows:

i) That Clause 1. be deleted, namely “The Westerly extension of Amber Trail to the northerly extension of Mandalay Drive is to be established with a 22.0 m in width right-of-way.”

ii) That 6.b) be deleted.

iii) That 6.c) be amended to read as follows:

“The Developer’s share of the cost of improvements as determined in a) above shall be off-set against the cost of services previously constructed.”

iv) That Clause 22 be amended by deleting the words “asphalt surface” in the first line and the words “Lord Selkirk-West Kildonan Community Committee” be added in line four after the words “Director of Parks and Recreation”.

v) That Clause 23 be amended by changing the words “interlocking paving stones” in the second line to “finishing treatment”.

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 3/96, dated April 9, 1996, to a "R1-4" Single-Family District and a "PR-1" Parks and Recreation District.

IV. That the City Solicitor 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 Development 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 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. 844 for attachments)

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Proposed Rezoning - land located at the Southeast corner of Garton Avenue and King Edward Street - Lord Selkirk-West Kildonan Community File DAZ 231/94

823 - 5. The Committee on Planning and Community Services has been advised that an application has been received from 74400 Manitoba Ltd., 800 Airlies Street, Winnipeg, to rezone the land from an "A-5" Agricultural District to a "R2" Two-Family District to allow for the construction of a two-family dwelling.

The following is the Surrounding Land Use and Zoning:

North: Undeveloped and zoned "A" Agricultural

East: Lots to the rear along Belton Street are developed single-family lots - zoned "R1-5" Residential

West: Undeveloped and zoned "A" Agricultural. Also designated "Rural" under Plan Winnipeg - minimum subdivision, 40 acres

South: Undeveloped and zoned "A" Agricultural

The Community Planning Division has received the subject application and endorses the proposal. The land along the east side of King Edward Street is serviceable but currently undeveloped. It is designated as an "Urban" Neighbourhood Development area under Plan Winnipeg. Although suitable for residential development, the land abutting the east side of King Edward Street is viewed as being more appropriate for two-family housing (duplexes) and in some cases possibly low density multiple family housing (side by sides). Single family housing fronting onto King Edward Street would prove difficult to market given that in the not to distant future that aforementioned street will become a major collector street servicing proposed and existing residential areas to the north-east and eventually the north-west.

While there is provision for a lane right-of-way to the rear of the property, it is not actually physically in place. Therefore, as condition of approval of the subject rezoning and in accordance with the wishes of the Administrative Co-ordinating Group, the Planning Branch will suggest that no building permits be issued until such time as the 75 foot of rear lane right-of-way flanking the subject property is paved by the City as a Local Improvement.

Public Hearings were held before the Lord Selkirk-West Kildonan Community Committee on December 6, 1994, January 17, 1995, May 9, 1995, November 21, 1995, December 12, 1995, January 16, 1996, March 19, 1996 and April 16, 1996.

One person appeared in support of the application.

One person appeared in opposition to the proposed application.

The Lord Selkirk-West Kildonan Community Committee recommended that:

1. This is considered to be an adequate and appropriate development for the site.

2. The proposed rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

On May 28, 1996, the Committee on Planning and Community Services considered the proposed rezoning application under File DAZ 231/94 and an additional letter from the Land Development Administrator, dated May 17, 1996 and approved the following amendment which has also been incorporated in the recommendation as set out below:

- That the following recommendation be added as Recommendation III., and the remaining recommendations be renumbered, namely:-

  "That the rezoning by-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office provided that the said effective date occurs within 12 months from the date that the said rezoning by-law is adopted by Council."

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

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 231/94, dated November 28, 1994, to a "R2" Two-Family District subject to the following:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 591(1) of the City of Winnipeg Act to provide that a building permit for the subsection property not be issued until such time as the 75' portion of the lane right-of-way abutting the subject property has been successfully advertised as a Local Improvement.

B. That the Developer be required to enter into a Development Agreement with the City subject to the conditions outlined in the report of the Administrative Coordinating Group dated November 22, 1994, as outlined on Schedule “B” and amended by a supplementary Administrative Coordinating Group report dated April 9, 1996, as outlined on Schedule “C”.

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

III. That the rezoning by-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office provided that the said effective date occurs within 12 months from the date that the said rezoning by-law is adopted by Council.

IV. That the City Solicitor be authorized to prepare the necessary rezoning by-law and forward same to Council for all three readings.

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

VI. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 845 for attachments)

Proposed Rezoning - land located at the Northeast Corner of Inkster Boulevard and Brookside Boulevard to Jefferson Avenue - Lord Selkirk-West Kildonan Community File DAZ 224/95 (c/r DASZ 56/85)

824 - 6. The Committee on Planning and Community Services has been advised that an application has been received from Klaus Roessler of 2 Waterhouse Bay to amend By-law No. 6400/94 by rezoning the land shown below from an "A-5" Agricultural and "A" Agricultural District, and a "C3-1" and "C3-2" Commercial Districts to a "M2" Industrial District to permit the establishment of an Industrial Development area.

Related Files: DASZ 56/85

The following is the present Site Description:

Site Area: 205 acres

Existing Land Use and Zoning: Currently vacant. Majority of land zoned "A-5" and "A" Agricultural; a portion is zoned "C3-1" and "C3-2" Commercial.

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The following is the Surrounding Land Use and Zoning:

West: R.M. of Rosser - Extensively developed Highway Commercial Area

East: Vacant - Zoned "A-5" Agricultural

North: Undeveloped "A" Agricultural

South: Developed "R1-4" Single-Family Subdivision Area

Development Description: To rezone the subject 205 acres to a "M2" Industrial Zoning Designation

Previous applications have been made but never completed in efforts to rezone the subject lands in their entirety to a "C3-1" and "C3-2" Commercial District. The current proposal is to rezone the same lands, most of which are still zoned "A-5" Agricultural to a "M2" Industrial District. The area in question totals approximately 205 acres and extends from Inkster Boulevard north to Jefferson Avenue. Most of land fronting onto Brookside Boulevard is currently zoned "C3-1" Highway Commercial or "M1" Industrial. The Community Planning Division does not oppose the zoning change to "M2" Industrial, however it recommended that certain "M2" uses be listed as prohibited uses in the accompanying zoning agreement. The reason for placing restrictions on use and recommending setback restrictions along the east boundary is due to the fact that eventually the lands abutting to the east may be developed for residential purposes. Those lands are currently designated as "Rural" under Plan Winnipeg but at one time they were designated for future "neighbourhood" development. The subject lands are designated for industrial development under Plan Winnipeg - the subject application is therefore in compliance.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on April 16, 1996.

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

The Lord Selkirk-West Kildonan Community Committee recommended that:

1. This is considered to be an adequate and appropriate development for the site.

2. The proposed rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

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

I. That By-law No. 6400/94 be amended by rezoning the subject land, as outlined on Schedule "A", for File DAZ 224/95, dated April 9, 1996, to a "M2" Industrial District, subject to the following:

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

      1. That all uses permitted under the "M2" Industrial District shall be permitted on the lands with the following exceptions:

         - animal pound, animal training, kennel
         - auction yard
         - explosives, manufacture, storage
         - poultry or rabbits, slaughtering - packing
         - rubber products, manufacture from finished rubber
         - towing service, including vehicle compound.

      2. No building or structure shall be permitted within the easterly 50 feet of the subject lands.

      3. All production operations shall be conducted entirely within enclosed building.

II. That a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land, if applicable.

Report of the Committee on Planning and Community Services dated May 28, 1996

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

IV. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twelve (12) months from the date that the said rezoning by-law is adopted by Council.

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

VII. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 846 for attachment)

Proposed Rezoning - 236 Good Street - City Centre Community
File DAZ 231/95 (c/r DAV 1018/95D & DAZ 206/74)

825 - 7. The Committee on Planning and Community Services has been advised that an application has been received from Aikins, MacAulay and Thorvaldson, (Nigel Thompson) 30th Floor, 360 Main Street, Winnipeg, R3C 4G1, to amend By-law No. 6400/94 by rezoning the land shown below from a “R2-T” Two-Family Transitional District to a “C2" Commercial District to permit the establishment of a non-accessory parking area.

Related Files: DAZ 206/74

The following is the present Site Description:

Dimensions: 99 feet of Good Street frontage, 90 feet of depth

Site Area: 8,910 square feet

Existing
Land Use: parking for about 21 vehicles

The following is the Surrounding Land Use and Zoning:

north: vacant lot zoned “R2-T”

east: apartment development fronting Colony Street (through lots) zoned “RM-6" and “C1.5"

west: residential zoned “R2-T”

south: vacant lot zoned “R2-T” (note: A single storey house at 230 Good Street is to remain on the south side of the subject parking lot on a lot within the application area.)

The property contains an occupied single-family dwelling at 230 Good Street and a paved parking lot for about 21 vehicles. Access to the parking lot is from a single approach off Good Street. An existing fence prevents access to the public lane at the rear of the property. The parking lot is not landscaped in accordance with current zoning standards.

Report of the Committee on Planning and Community Services dated May 28, 1996

In 1974, the property was rezoned to “C1" Commercial District to allow for the establishment of a non-accessory parking lot to serve the Mall Medical Building at the northwest corner of St. Mary Avenue and Memorial Boulevard across from The Bay parkade. The zoning was to revert to residential (currently “R2-T”) in the event that the parking lot was removed or the Mall Medical Building was used for other than medical purposes. The current application was triggered by the renovation of the building for studio space in conjunction with the Winnipeg Art Gallery. A 5-year variance application under File No. DAV 1018/95D accompanies the current rezoning application to facilitate a pending real estate transaction. Parts of the variance also deal the maintenance of zoning deficiencies in connection with the parking lot.

The transitional character of Good Street is clearly evident. Fully 50% of the west side block face between Broadway and St. Mary is presently developed as parking lot. The largest of the lots is zoned “C2” and used by National Leasing for automobile display/storage. A further 25% of the block face consists of vacant lots and a condemned, three-unit row house (216-220 Good). The remaining 25% of the block face is residential, consisting of 2 original houses at 252 and 230 Good (subject site), and a 5 storey, 37 unit apartment building at 200 Good Street.

On the east side of Good Street are through-lots fronting Colony Street, containing mid-rise apartment buildings. In effect, Good Street acts as a back lane for properties on the west side of Colony. This situation lessens the prospect that Good Street will be redeveloped with lower density, “R2-T” type of development.

The Branch deliberated at length over this application before reaching the consensus that it was perhaps premature to undertake a mid-block, spot rezoning to commercial land use in this location. At issue was the “reality” of Good Street versus a desire that residential redevelopment be encouraged in the general area over the long term. A permanent “C2" rezoning, even with a zoning agreement, might send the wrong message in this regard.

The Branch has supported the related 5-year variance application. If approved the Branch will use the opportunity to look more closely at the neighbourhood, its conditions, and its future prospects. Perhaps the street could be developed with a mixed-use, commercial/residential zoning. In this light, adequate off-street parking would be a necessary component of any redevelopment scheme. However, it would be preferable if the parking was available for homes and businesses on the street, rather than for the exclusive use of tenants of The Mall Medical building.

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

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

The City Centre Community Committee recommended that:

1. It is premature to undertake a mid-block spot rezoning to commercial land use in this location given the desire that residential redevelopment is encouraged in the general area over the long term and a permanent rezoning, even with a zoning agreement, might send the wrong message in this regard.

2. Approval of a use variance for a specified period of time will provide an opportunity to look more closely at the neighbourhood, its conditions and future prospects, including development of the street with a mixed use, commercial/residential zoning which would require adequate off-street parking as a necessary component of any redevelopment scheme to be available for homes and businesses on the street.

3. The subject property is located in an area where there has been some new residential construction, some private and some government, including seniors and, while parking when it is accessory to residential development is acceptable, a “C2" zoning in the middle of residential properties is commonly known as block busting without a development plan. Spot zoning without any intention of building structures devalues properties and is contrary to Plan Winnipeg.

4. The Ward Councillor is prepared to extend the existing use, even as a non-accessory parking lot, for two years and work with the property owner for development of the site to find something that would be viable but is not prepared to support the demolition of buildings.

Report of the Committee on Planning and Community Services dated May 28, 1996

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

That the proposed zoning change to amend Zoning By-law No. 6400/94 by rezoning land under File DAZ 231/95 from a “R2-T” Two-Family Transitional District to a “C2" Commercial District Be Not Proceeded With.

Adopted by consent.

Proposed Rezoning - 120 St. Anne's Road - Riel Community
File DAZ 208/96 (c/r DAV 131/96D)

826 - 8. The Committee on Planning and Community Services has been advised that an application has been received from Les Frovich to amend By-law No. 6400/94 by rezoning the land shown below from a "RM-2" Multiple-Family District to a "C1" Commercial District to permit the establishment of professional offices in the existing structure.

Related Files: DAV 131/96D

The following is the present Site Description:

Site Area: 16 metres (width) by 36 metres (depth)

Existing Land Use and Zoning: Currently zoned "RM-2" Multiple-Family ; occupied with a dwelling

The following is the Surrounding Land Use and Zoning:

South: Properties adjacent zoned "RM-2" and "C2" Commercial

West: Developed "R1-5" Residential west of the rear lane

North: Zoned "RM-2" Multiple-Apartment complexes

East: East of St. Anne's Road the properties are a mix of "C2" Commercial and "RM-2" Multiple-Family Development

The applicants propose to convert the subject structure into an office facility for an engineering firm. There will be two (2) drafting areas and a small library and reception area on the main floor. The second floor will have three (3) small offices. Parking is to be provided off the lane.

The proposed conversion in the view of the Community Planning Division, is not only an appropriate use of the site but is also consistent with developments of a similar nature along both St. Mary's Road and St. Anne's Road. There has been a trend in recent years to convert homes along major thoroughfares for office use. This Department supports most conversions of that type because in most cases existing buildings are then maintained and up-graded instead of being demolished and replaced by small linear commercial malls.

A Public Hearing was held before the Riel Community Committee on May 13, 1996.

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

The Riel Community Committee recommended that:

1. There is no opposition to this application.

2. Approval of this rezoning is considered to be compatible with the surrounding area.

3. The proposed rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

Report of the Committee on Planning and Community Services dated May 28, 1996

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

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 208/96, dated May 6, 1996, to a "C1" Commercial District, subject to the following:

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

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

2) that the use of the site be restricted to offices (business / professional); and,

3) that no new buildings or structures be erected or located on the land except in accordance with plans approved by the Commissioner of Planning and Community Services and the Community Committee.

II. That a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

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

IV. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twelve (12) months from the date that the said rezoning by-law is adopted by Council.

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

VII. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 847 for attachment)

Proposed Rezoning - West side of St. Anne's Road between Beliveau Road and Bishop Grandin Boulevard - Riel Community
File DAZ 209/96 (c/r DAOC 1/96)

827 - 9. The Committee on Planning and Community Services has been advised that an application has been received from Shindico Realty to amend By-law No. 6400/94 by rezoning the land shown below from a "R1-5" Single-Family, "RM-1" and "RM-2" Multiple-Family and "C2" Commercial District to a "C2" Commercial District to permit a building materials sales store.

The following is the present Site Description:

Site Area: 11.27 acres

Report of the Committee on Planning and Community Services dated May 28, 1996

Existing Land Use and Zoning: The subject site is a combination of residential and commercial zonings. Most of the land is zoned "RM-2" Multiple-Family, a multiple-family complex currently occupies the area to the cast of Behnke Road and a landscaping business abuts Bishop Grandin.

The following is the Surrounding Land Use and Zoning:

North: The properties are zoned "RM-L" Multiple-Family District and "RM-2" Multiple-Family District but primarily occupied with single-family homes.

East: East of St. Anne's Road, there is a mix of "C2" Commercial and Residential zoning categories.

West: There are a number of multiple-family complexes zoned "RM-2".

South: Bishop Grandin Boulevard

The applicant proposes to construct a building material sales centre on the western periphery of the 11 acre site. The remainder of the site is to be set aside primarily as a parking area.

Shindico Realty Inc, on behalf of the owners listed as part of this application, propose to rezone the subject property in its entirety to a "C2" Commercial category to facilitate development of a building materials sales store (Home Depot). In recent months Home Depot of Canada has assembled 11.27 acres of land north of Bishop Grandin Boulevard and west of St. Anne's Road. A portion of the property is to be leased from Manitoba Hydro while the remainder has been negotiated for and purchased from a number of independent property owners - including the City of Winnipeg. The proposed building itself which has a proposed floor area of approximately 117,000 square feet is to be sited in the northwest corner of the subject land with primary access to and from the site via St. Anne's Road, opposite the intersection of Lavalee Road. Behnke Road and Rose Avenue which currently connect St. Anne's Road with Beliveau Road are expected to be closed and incorporated into the overall site. There will not, according to the plans, be vehicular access to the site via Beliveau Road.

Existing housing within the perimeter of the site and the existing landscaping operation abutting Bishop Grandin will be removed and replaced to a large extent by a customer parking area. 592 parking stalls are proposed which exceeds the by-law requirement. Home Depot will also have a seasonal outdoor garden centre component on the south side of the proposed building. A 20 - 25 foot separation space (buffer area) separates the north wall of the proposed building from the rear property line of existing residences along Beliveau Road. That area is to be heavily landscaped and/or fenced in accordance with plans to be submitted by a landscaping consulting firm commissioned by Home Depot. According to the applicant there are apparent constraints which limit how far south the building can be sited. The most obvious constraint would appear to be the existing location of the Hydro-Line under which a major building cannot be constructed.

The Community Planning Division is generally of the view that the proposed location is an appropriate location for a specialized retail use such as that which is proposed by the applicant. However, out of consideration for neighbouring residential areas lying adjacent to the north, certain fundamental conditions should be attached to the accompanying Zoning Agreement.

Those conditions relate specifically to:

1) restrictions on usage of the site;

2) orientation of ingress/egress to the site;

3) hours of operation; and,

4) adequate fencing and landscaping both along the north side of the subject property and along St. Anne's Road.

A Public Hearing was held before the Riel Community Committee on May 13, 1996.

The names of persons appearing in support, in opposition and for information to the application are listed on Pages 4 and 5 of the report from the Community Clerk dated May 22, 1996.

Report of the Committee on Planning and Community Services dated May 28, 1996

The Riel Community Committee recommended that:

1. The Community Committee believes that the property can be rezoned for this type of use as long as the planning of the use takes into consideration the impact the use will have on the neighbourhood and takes the necessary measures to address those effects during the plan approval process.

2. Councillor Golden is of the view that the Superstore experience has taught him how to deal with the concerns of the residents in a manner which meets their needs, and it is felt that the plan approval process in this instance will allow the same thing to be done with this application.

3. The proposed rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

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

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 209/96, dated May 6, 1996, to a "C2" Commercial District, subject to the following:

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

      1) That use of the site be restricted to the following uses:

         a) building materials, hardware, home improvement supplies or equipment sales;

         b) landscape/garden supplies: sales including outside display limited to packaged supplies, plants or trees;

         c) that the hours of operation be as follows:

Monday to Friday	7:00 a.m. - 10:00 p.m.
Saturday	7:00 a.m. - 8:00 p.m.
Sunday	in accordance with the hours of operation permitted under the local legislation.

         d) that final construction and site plans indicating the design and location of the proposed building including elevation and details or exterior finishing materials, accessory parking and loading areas, fencing, landscaping, exterior lighting, garbage enclosures and access to the property be subject to the approval of the Commissioner of Planning and Community Services and the Community Committee prior to the issuance of a building permit.

         e) that there be no outdoor storage of building materials or unpackaged soil.

   B. That the applicant enter into a Servicing Agreement with the City containing therein all the conditions as outlined in Schedule “B” and numbered 1 to 13 (The No. 6 was inadvertently missed) in the Report of the Administrative Coordinating Group for File DAZ 209/96 and dated May 6, 1996.

II. That a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

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

IV. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

Report of the Committee on Planning and Community Services dated May 28, 1996

V. That the rezoning by-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

VII. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 848 for attachments)

Proposed Zoning Agreement Amendment - 28 Dearsley Place - Assiniboia Community File ZAA 1/96 (c/r DAV 140/96D and DASZ 16/88)

828 - 10. The Committee on Planning and Community Services has been advised that an application has been received from Mr. Art Gross, Daytona Developments, 206 Girton Boulevard, Winnipeg, Manitoba, R3P 0A7, to amend the Zoning Agreement affecting the property described below by adding to Section 6, a Clause (a) to read as follows:

"Lot 7, Block 7 shall have a minimum rear yard of 11.27 metres (37 feet) to principal building."

The applicant is proposing to amend the existing zoning agreement to provide a smaller rear yard than required by the agreement to permit the establishment of a principal dwelling unit that would extend to within 11.27 m (37 feet) of the rear property line. The setback required in the rear yard for this cul-de-sac in South Tuxedo was established to accommodate appropriate noise attenuation along Shaftesbury Boulevard in the event that it is developed to regional street standards. The yard of the subject property was established with a minimum depth to allow for the minimum rear yard of 17.5 m (57.4 feet) to the principal building providing a 10 m (32.8 feet) separation between the roadway and the outdoor recreational area of a typical 30.5 m (100 feet) lot.

The Streets and Transportation Department has objected to any reduction in the minimum rear yard as it would likely lead to increased traffic noise being experienced by the residents of the house, and to potential complaints regarding excessive traffic noise. An additional rear yard setback has been designed into the subdivision layout as one means of alleviating traffic noise and reducing potential complaints. Another means of alleviating the noise situation may be to request additional acoustic noise insulation or glazing to reduce the level of noise potentially intruding into the dwelling structure.

Other commenting agencies had no concerns with the proposed application.

The Community Planning Division supports the comments of the Streets and Transportation Department with respect to reserving additional lands in the rear yards of the properties abutting Shaftesbury Boulevard for future noise attenuation purposes. Approval of this application would also set a precedent for the setback of structures in future subdivisions south along Shaftesbury. As such, the Division recommends that the application Not Be Approved.

A Public Hearing was held before the Assiniboia Community Committee on May 14, 1996.

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

The Assiniboia Community Committee recommended that:

1. The applicant is fully aware of the effect the regional street may have on the subject property.
2. The proposed zoning agreement amendment be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

Report of the Committee on Planning and Community Services dated May 28, 1996

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

I. That Zoning Agreement DASZ 16/88 dated October 5, 1988 (By-law No. 5095/89) affecting Lot 7, Block 7, Plan 24261, be amended to permit a rear yard of 37 feet (11.27 metres) to the principal building.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DASZ 16/88, as approved in Clause I above.

III. That the Proper Officers of the City be authorized to execute said amendment.

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

Adopted by consent.

Proposed closing of part of Behnke Road and Part of Rose Avenue, and proposed opening and closing of part of the Public Lane West of St. Anne's Road and south of Beliveau Road - Riel Community
File DAOC 1/96 (c/r DAZ 209/96)

829 - 11. The Committee on Planning and Community Services has been advised that a street and lane opening and closing are required to facilitate File DAZ 209/96, an application to rezone the lands in accordance with Misc. Plan No. RIEL 9611/4, as outlined on Schedule "A".

The proposal was circulated to all concerned City departments and public utilities.

The Streets and Transportation Department considers the proposal to be premature at this time until a traffic impact study for the proposed development has been carried out and access plans developed. The Department also noted that there is an approach on the west side of St. Anne's Road between Beliveau Road and Rose Avenue which serves as access over City owned lands to the Manitoba Hydro substation. Access to the substation would have to be negotiated with Manitoba Hydro.

The Water and Waste Department has advised that easements will be required for existing facilities in both of the streets proposed to be closed.

The Local Improvement and Miscellaneous Revenue Branch advised that the closing of Rose Avenue would result in a decrease of Local Improvement Levies for 1996 of $24,232.10. The cost of commuting the balance of the Local Improvement Levies is $78,730.27.

MTS Netcom Inc. has advised that it maintains a major communication route along the south side of Rose Avenue, for which an easement will be required. Relocation costs for their plant are estimated to be in the $75,000.00 to $100,000.00 range.

Manitoba Hydro has advised that it will require easements for existing facilities in the portions of the roads to be closed.

Shaw Cable has advised that it shares the MTS Netcom communication route and estimates its relocation costs at $10,000.00.

A public hearing was held by the Riel Community Committee on May 13, 1996.

Two persons appeared in support of the proposed application. One person appeared in opposition to the proposed application and one person appeared for information purposes.

Report of the Committee on Planning and Community Services dated May 28, 1996

The Committee on Planning and Community Services recommends:

I. That, subject to the approval of Rezoning Application DAZ 209/96, the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the opening and closing in accordance with Misc. Plan No. RIEL 9611/4, 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.

Carried.

(See Minute No. 849 for attachment)

Proposed closing of Part of Pembina Highway and Arbuthnot Street at Carter Avenue - City Centre Community Committee File DAC 2/96

830 - 12. The Committee on Planning and Community Services has been advised that an application has been received from UMA Engineering on behalf of Cantel Canada's Communications Stores to acquire the portion of Pembina Highway and Arbuthnot Street shown as "Proposed Street Closing" in accordance with Misc. Plan No. CC 9593, as outlined on Schedule "A". Cantel wishes to use the property to expand its parking area.

The proposed closing will necessitate re-routing of the traffic that uses the area for access to southbound Pembina Highway. In order to facilitate this, UMA has submitted a proposed reconfiguration of the medians at Pembina Highway and Carter Avenue as outlined on Schedule "B".

This proposal has been circulated to all concerned City departments and public utilities with no objections having been received. Comments received are as follows:

Streets and Transportation Department:

- The proposed closing will result in a reduced storage area for snow clearing and the City could incur additional costs in snow hauling.

- The two 5 metre wide median openings at Pembina Highway and Carter Avenue as outlined on Schedule "B", should be 8 metres wide as outlined on Schedule "C". The costs involved in altering the median openings are to be paid by the applicant.

- New private approaches and/or modifications to existing private approaches will be dealt with once an application for private approach approval has been received by that Department.

The Community Planner, Community Services Department, Community Planning Division is satisfied that the proposal will not result in traffic exiting the Grant Motor Inn being directed onto the residential streets in the neighborhood.

The Subdivision Officer, Land Development Branch advised that title to the lands to be closed and sold be consolidated with Cantel's existing Certificate of Title.

The Land Surveys Branch advises that the cost of the By-law, and all other related costs, including the preparation and registration at the Winnipeg Land Titles Office of the required street closing plan, are to be borne by the applicant.

Report of the Committee on Planning and Community Services dated May 28, 1996

Winnipeg Hydro:

- Since the median at the Carter and Pembina intersection will be opened to permit northbound left turns from Pembina onto Carter, traffic densities at this intersection will increase. Therefore, the lightning levels at this intersection must be increased. This will be accomplished by the installation of one 45 foot street lighting pole at the southwest corner of the Pembina and Carter intersection. The existing 30 foot street lighting pole will be removed.

- The proposed approach location (abutting Pembina) conflicts with an existing street lighting pole location. To facilitate the installation of the approach, Winnipeg Hydro must relocate the existing street lighting pole.

- Winnipeg Hydro currently utilizes an underground street lighting circuit that is located approximately two feet back (west) from Arbuthnot's west curb. If parking expansion at 655 Pembina Highway proceeds, Winnipeg Hydro will abandon this circuit and install a new underground street lighting circuit from the Pembina and Carter intersection to the South side of the lane south of Carter.

- The estimated cost to perform the works detailed above is $6,500.00 plus applicable taxes. However, this cost is based upon the contractor performing all excavations and surface restoration.

The City Centre Community Committee held public hearings on April 16 and May 14, 1996.

On April 16, 1996, the City Centre Community Committee heard three persons in support of the proposed application and six persons in opposition to the proposed application.

On May 14, 1996, the City Centre Community Committee heard five persons in support of the proposed application and no one in opposition to the proposed application.

The Committee on Planning and Community Services recommends:

I. That final plans illustrating landscaping details be subject to the approval of the Commissioner of Planning and Community Services in consultation with the Ward Councillor.

II. That the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the closing in accordance with Misc. Plan No. CC 9593, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 850 for attachments)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Murray,
Seconded by Councillor Silva,
831 - WHEREAS the City of Winnipeg has committed to a partnership with the Hotel Fort Garry;

AND WHEREAS the timing of construction of the project requires work to start within the next thirty days;

THEREFORE BE IT RESOLVED that City Council authorize the Planning and Community Services Committee and the Executive Policy Committee to approve up to $475,000.00 under Winnipeg Development Agreement programs 13A and/or 14 and apply for funding under program 13B from the Federal Government.

Carried.

Moved by Councillor Vandal,
Seconded by Councillor Thomas,
832 - WHEREAS the Province of Manitoba has recently sold 20 units of family size (2-3 bedroom) low-income social housing in the St. Vital Ward;

AND WHEREAS the dispersal of these properties have resulted in a low-cost housing need not being met in neighbourhoods outside the downtown area;

THEREFORE BE IT RESOLVED that City Council urge the Province of Manitoba to construct the same number of low-income social housing units in St. Vital as was recently sold.

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

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

833 - 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. 6848/96, 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) (Vol. 1)

By-law No. 6849/96, a By-law of The City of Winnipeg to widen the northeast and southeast corners of Kenaston Boulevard at its point of intersection with Lowson Crescent. File DAO 4/95 A & B

By-law No. 6850/96, a By-law of The City of Winnipeg to change the names of certain highways in The City of Winnipeg. File SC-3.14 (35) (Vol. 1)

By-law No. 6851/96, a By-law of The City of Winnipeg to close parts of Behnke Road, Rose Avenue and Public Lane west of St. Anne's Road, south of Beliveau Road. File DAOC 1/96

By-law No. 6852/96, a Zoning By-law of The City of Winnipeg for the enactment of zoning text changes to By-law No. 6418/94. File DAZ 205/96

By-law No. 6853/96, a By-law of The City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change for land at 2116 Pembina Highway in the Riel Community. File DAZ 201/96