REPORT OF THE

COMMITTEE ON PROTECTION, PARKS AND CULTURE

DATED JANUARY 8, 1996

On motion of Councillor O'Shaughnessy, the Report of the Committee on Protection, Parks and Culture, dated January 8, 1996, was considered clause by clause.

Moved by Councillor O'Shaughnessy,
That the Consent Agenda, Clauses 1,2,3 and 4 be adopted.

Councillor Clement requested that Clause 1 be pulled from the Consent Agenda.

318 - Councillor Clement asked to be recorded as having voted against Clause 3, in accordance with Rule 50.7 of the Procedure By-law.

The motion to adopt the Consent Agenda, Clauses 2,3 and 4 was put and declared carried.

Her Worship the Mayor and Councillors:

Proposed Amendment to Streets By-law No. 1481/77 and to City Policy on Removal of Trees from City Streets
File PB-2 (Vol. 25)

319 - 1. On May 10, 1993, former Councillor S. Hyman submitted a copy of the City of Vancouver Tree By-law to the Committee on Protection, Parks and Culture, with the suggestion that it be examined by the Administration with the intent of producing legislation in Winnipeg for dealing with requests for tree removal.

On September 11, 1995, the Committee on Protection, Parks and Culture considered and received as information an administrative report dated August 30, 1995, summarizing key points of the two applicable City of Vancouver By-laws affecting trees, the Zoning and Development By-law, and the By-law to Regulate Trees on Boulevards within City Streets ("Street Tree By-law").

On January 8, 1996, the Committee on Protection, Parks and Culture considered an administrative report dated December 21, 1995, comparing the Vancouver Tree By-law to the current enactments in place to protect trees in the City of Winnipeg.

There are currently various by-laws which address the protection of trees in the City of Winnipeg, namely: the Streets By-law No. 1481/77 (sections 2.16 and 4.04), the Maintenance of Boulevard By-law No. 5895/92, and the Parks and Recreation By-law No. 3219/82.

The City of Winnipeg by-laws which most closely resemble the Vancouver Tree By-law are the Streets By-law and the Maintenance of Boulevards By-law. In comparing the by-laws, there is one area where the City could amend its Streets By-law. Currently, section 4.04 prohibits a person from suspending, fastening or placing a poster, etc., on various objects including a tree located in a street, except under certain conditions.

It is the opinion of the Legal Services Division that the portion of section 4.04 (a) of the Streets By-law No. 1481/77 dealing with trees be separated from the remainder of the section, and that the section be expanded to specifically prohibit the attachment to a tree of a nail, wire, rope or any other item which could endanger the tree.

Other than the above-noted provisions regarding attachment to trees, the City's by-law(s) cover all of the points addressed in the Vancouver Tree By-law.

Another by-law submitted, the Vancouver Zoning and Development By-law, provides that every applicant for a development permit shall include as part of the submission a plan showing all trees which may be affected by the development and a replacement scheme for those trees. Currently, the City's zoning by-law does not encompass this type of provision. Pursuant to The City of Winnipeg Act, there must be a public hearing for each development application and therefore, each development scheme is examined on an individual basis. Should any amendments to the City's Zoning By-law be proposed, a public hearing would be required.

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On January 8, 1996, the Committee on Protection, Parks and Culture referred to the Committee on Planning and Community Services this portion of the Vancouver Zoning and Development By-law for its assessment.

The Committee on Protection, Parks and Culture therefore recommends:

I. That the City of Winnipeg Streets By-law No. 1481/77 be amended by separating the portion of Section 4.04 (a) dealing with trees from the remainder of the section, and expanding the section to specifically prohibit the attachment to a tree of a nail, wire, rope or any other item which could endanger the tree.

II. That City Policy be amended to include that all requests for the removal/relocation of all trees on City-owned lands be made subject to the same procedure as outlined in the existing City Policy C222 on the Removal of Trees from City Streets.

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

Copies of the City of Vancouver By-laws referenced above are on file in the City Clerk's Department.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Transfer of Funds for the Development of the Transcona Cemetery Maintenance Building File PC (Vol. 4)

320 - 2. The Committee on Protection, Parks and Culture has been advised that the 1993 and 1994 Capital Budgets included funds for roadway projects at the Brookside and St. Vital Cemeteries. The projects are now considered complete, leaving surpluses in the amount of $25,202.73.

During the past few years, the residents in Transcona have voiced their concerns regarding burying the cremated remains of loved ones so close to the former chapel building which served as the maintenance centre for the Transcona Cemetery operations. The area around the building has been used for the burial of cremated remains for many years, however, the closer to the building the plots become, the area becomes less appropriate or dignified and therefore more difficult to sell.

In order to minimize the public perception and alleviate the concerns regarding the maintenance and burial operations, the Parks and Recreation Department proceeded with the relocation of the service building and yard to a more appropriate location within the Transcona Cemetery.

In July 1994, the remaining funds from a 1986 Capital Project were utilized to erect a maintenance building to replace the old chapel building. Following that, on November 16, 1994, Council authorized a transfer of funds in the amount of $6,558.56 from other completed projects at the Brookside and St. Vital Cemeteries in order to supplement this project at the Transcona Cemetery and offset the purchase costs of the replacement building.

The Parks and Recreation Department arranged for the erection of an Olympic-type building to be installed at the corner of Superior and Dugald Roads, a location that is in the far north-west corner of the property away from the main tranquil setting of the cemetery and more appropriate for maintenance operations.

Appendix "A" outlines the services recently installed in the maintenance building, namely: hydro; electrical; water via a well; and the installation of a septic field with $2,666.20 remaining in this account. This amount along with the recommended funds of $25,202.73 would be utilized for the completion of items such as interior finishing, insulation and interior cladding for the service area and supply and installation of the natural gas service, so as to make the building operational for use. Unfunded items, such as chain link fencing, crushed limestone for parking, and miscellaneous landscaping including grading, topsoil, sod, etc., would be completed in the future as funds become available.

The aforementioned 1993 and 1994 capital projects for Brookside and St. Vital Cemeteries are complete making the surplus funds in the amount of $25,202.73 available for the continued development of this project.

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The Committee on Protection, Parks and Culture therefore recommends:

I. That the Parks and Recreation Department be authorized to transfer available funds in the total amount of $25,202.73 from the following accounts to supplement the Capital Account #03-118xxx-5493910702 for the continued development of the Maintenance Building at the Transcona Cemetery:

Brookside Cemetery	(1993)	#03-118xxx-5493910703	$ 2,000.00
Brookside Cemetery	(1993)	#03-118xxx-5493110701	963.22
St. Vital Cemetery	(1994)	#03-118xxx-5494110701	22,239.51

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

Copy of Appendix "A" is on file in the City Clerk's Department.

Adopted by consent.

Community Incentive Grant Program - Azorean Cultural Centre Inc
File PR-2.6 (34) (Vol. 3)

321 - 3. The Committee on Protection, Parks and Culture has considered an application from Azorean Cultural Centre Inc. for a Community Incentive Grant in the amount of $25,013.80, to move the rest rooms and replace the roof at 174 Isabel Street.

Under the definition of Eligible Applicants within the Community Incentive Grant Program, the application does not meet the program eligibility and selection criteria inasmuch as the Azorean Cultural Centre Inc. is not a non-profit community recreation and sport organization.

On December 12, 1995, the Lord Selkirk-West Kildonan Community Committee recommended that a Community Incentive Grant in the amount of $25,013.80 be approved for this project, and be funded from the 1995 Community Incentive Grant Program.

On January 9, 1996, the Ward Councillor, J. Prystanski, apprised the Committee on Protection, Parks and Culture of his support for the Community Incentive Grant application.

The Committee on Protection, Parks and Culture concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee, and therefore recommends:

I. That the criteria for the Community Incentive Grant Program be waived in this instance.

II. That the amount of $25,013.80 be approved to the Azorean Cultural Centre Inc. for the purpose requested, and funded from the 1995 Community Incentive Grant Program, subject to the following conditions:

(a) Confirmation of all funding sources;
(b) Approval of final plans and specifications for the project by the Director of Parks and Recreation; and
(c) The applicant entering into a formal agreement with the City of Winnipeg.

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

Adopted by consent.

(See Minute No. 318 for opposition recorded by Councillor Clement)

Report of the Committee on Protection, Parks and Culture dated January 8, 1996

1996 Interim Operating Grants to Cultural Organizations
Files FG-1.1(R)(F)(W)(M)

322 - 4. On November 7, 1984, Council established the Winnipeg Arts Advisory Council and delegated it with the responsibility for screening of applications, definition of criteria and recommendations as to appropriate grant levels for cultural organizations. The Winnipeg Arts Advisory Council transmits its recommendations to the Committee on Protection, Parks and Culture.

On January 8, 1996, the Committee on Protection, Parks and Culture considered and approved recommendations from the December 18, 1995, meeting of the Winnipeg Arts Advisory Council for interim operating grant funding to various cultural organizations.

Council Policy on Cultural Grants administered by the Committee on Protection, Parks and Culture (C302) provides that the Committee shall adjudicate all applications within the global allocation and have final authority to approve grants which qualify under this policy, to an amount of $50,000.00 per individual grant. It shall submit to Council with its recommendation for approval, all requests for grants in excess of this amount.

The Committee on Protection, Parks and Culture therefore recommends:

I. That interim operating grants be approved for payment to the following cultural organizations:

Organization	Category	Interim Grant
Royal Winnipeg Ballet	Dance	$100,000.00
Folklorama	Festivals/Specials	59,750.00
Winnipeg Art Gallery	Museums/Galleries	152,200.00
Winnipeg Symphony Orchestra	Music	65,000.00
Manitoba Theatre Centre	Theatre	70,000.00

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

Adopted by consent.

COMMITTEE ON PROTECTION, PARKS AND CULTURE

MOTIONS

Moved by Councillor Timm-Rudolph,
Seconded by Councillor O'Shaughnessy,

323 - WHEREAS the late former Councillor Helen Promislow served the citizens of the Kildonan Park Ward, the Lord Selkirk Community Committee and the City of Winnipeg from 1980 until her retirement from public life in 1989;

AND WHEREAS during these years of faithful service she participated as a member of the Committees on Works and Operations, Recreation and Social Services, Environment and Planning and Community Services;

AND WHEREAS Helen Promislow was well respected by the citizens of this city and her colleagues on City Council;

THEREFORE BE IT RESOLVED that Council instruct the Committee on Protection, Parks and Culture to name a park in the Lord Selkirk-West Kildonan Community in recognition of the late former Councillor Helen Promislow.

Carried.

COMMITTEE ON PROTECTION, PARKS AND CULTURE

CONSIDERATION OF BY-LAWS

324 - On motion of Councillor O'Shaughnessy, By-law No. 6767/96, a By-law of The City of Winnipeg to amend By-law No. 1481/77, being The City of Winnipeg Streets By-law, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File PB-2 (Vol. 25)

COMMITTEE ON PROTECTION, PARKS AND CULTURE

QUESTION PERIOD

325 - Councillor Murray referred to the possibility of consolidating services on the Corydon/Osborne/McMillan/Pembina property and questioned if the Chairperson could ensure that the report the Administration has been working on would be forthcoming within the next 30 days.

Councillor O'Shaughnessy advised he would meet with the Administration to get a report back to Council as soon as possible.