REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED DECEMBER 5, 1995

On motion of Councillor Silva, the Report of the Committee on Planning and Community Services dated December 5, 1995, 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 19 be adopted.

Councillor Timm-Rudolph requested that Clause 1 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17 and 19 was put and declared carried.

Her Worship the Mayor and Councillors:

Proposed Contract between Health Canada and the City of Winnipeg Community Services to Conduct the "Laboratory Based Surveillance for Invasive Bacterial Diseases" Project

File EH-1 (Vol. 19)

173 - 1. The Committee on Planning and Community Services has been advised that the Sentinel Health Unit Surveillance System (SHUSS) operates out of the Laboratory Centre for Disease Control, Health Canada. Community Services has contracted with Health Canada to serve as one of nine Sentinel Health Sites across Canada and as such has received funding for a half-time co-ordinator to oversee the studies for the next five years. During the term of this contract, the Community Services Department is participating in a variety of studies on important diseases/issues affecting the health of Canadians. Each study the City participates in has a separate contract and a mutually acceptable budget. All costs associated with participating in the studies are borne by Health Canada.

Canadian data on the incidence of serious disease caused by group A and B streptococci, *Streptococcus pneumoniae and Listeria monocytogenes* are limited. Group B streptococcus is a major cause of newborn meningitis. The recent media attention given to "Flesh-eating disease", caused by group A strep., is likely to continue. A vaccine exists to prevent serious disease related to *Strep. pneumoniae,* however better Canadian data on all of these invasive bacterial diseases would be helpful in assessing the risk for infection and the burden of disease and for planning, prioritizing and evaluating intervention strategies aimed at preventing further related illness in the community.

The "Laboratory-based Surveillance for Invasive Bacterial Diseases" project is anticipated to begin December 1, 1995. The City of Winnipeg Community Services and Health Canada have negotiated a budget of $41,153.29 to complete Winnipeg's portion of the study. Health Canada is in the process of finalizing the contract. The contract will be forwarded to the City of Winnipeg's Legal Services for assessment imminently.

The Committee on Planning and Community Services recommends:

I. That the proposed contract between Health Canada and the City of Winnipeg establishing Community Services as an agent to conduct the "Laboratory-based Surveillance for Invasive Bacterial Diseases" Project be approved.

Report of the Committee on Planning and Community Services dated December 5, 1995

II. That the Proper Officers of the City of Winnipeg be authorized to execute all the necessary documents to implement the above recommendation.

Moved by Councillor Silva,
Adoption of the clause.

Carried.

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

Proposed Zoning Agreement Amendment - 143 Trudell Bay - East Kildonan-Transcona Community File ZAA 8/95

174 - 2. The Committee on Planning and Community Services has been advised that an application has been received from Lorne Sharfe, 235-530 Kenaston Boulevard, Winnipeg, Manitoba, R3N 1Z4, to amend the Zoning Agreement affecting the land at 143 Trudell Bay to permit the maintenance of a dwelling providing a rear yard of 68.65 feet instead of 73.8 feet as required by the Agreement.

Under the original rezoning and subdivision approval for the lands, a minimum rear yard of 73.8 feet (22.5 metres) to habitable buildings was established by By-law 5246/89, (File DASZ 53/86). The rear yard is intended to provide for reasonable separation between dwellings and the alignment of the proposed "Eastern Thoroughfare".

The application has been necessitated because a new single-family dwelling has been constructed which encroaches 5.15 feet (1.569 metres) plus bays into the required special rear yard. The reason for the error in siting the building is the developer building with a 26 foot front yard setback, instead of 20.0 feet as permitted.

The Streets and Transportation Department has expressed concern over the location of the dwelling, but advised that they have no objection to the amendment since the only other recourse is to demolish the encroaching part of the dwelling. The Community Planning Division has no objection to the proposed amendment.

A public hearing was held before the East Kildonan-Transcona Community Committee on November 21, 1995.

Two persons appeared in support of the application.

No one appeared in opposition to the application.

The East Kildonan-Transcona Community Committee recommended that:

1. The proposed zoning agreement amendment be approved for the following reasons:

    1) That even though an error was made the Developer and Builder went through and applied for all of the necessary permits and have admitted an error was committed.

    2) This is the last house in the area to be built therefore the problem will not be duplicated.

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

I. That Zoning Agreement DASZ 55/86 dated July 27, 1988, be amended as follows:

    1) To permit the maintenance of a single-family dwelling on Lot 8, Block 2, Plan 25,241 to provide a rear yard of 20.45 metres (67.1 feet).

II. That the City Solicitor be requested to prepare the necessary amending agreement to Zoning Agreement DASZ 55/86 dated July 27, 1995, as approved in aforesaid Clause I.

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

Report of the Committee on Planning and Community Services dated December 5, 1995

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 Amendment to Development Agreement AG 37/84 - Rivergrove Subdivision - Draco Development - Lord Selkirk-West Kildonan Community Committee
File DASZ 11/95 (c/r AG 37/84)

175 - 3. On September 27, 1995, Council adopted Clause 9 of the Report of the Committee on Planning and Community Services, dated September 5, 1995 with respect to land located on the South side of Red River Boulevard between Rivergrove Drive and the Red River under File DASZ 11/95.

The Committee on Planning and Community Services has been advised that on November 21, 1995, the Lord Selkirk-West Kildonan Community Committee considered a communication from Lombard North Group (1984) Ltd., dated November 10, 1995, with respect to the proposed amendment to Development Agreement, AG 37/84.

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

I. That Clause 3 b) as outlined in A.C.G. report dated July 4, 1995 be amended to reduce the open space dedication payment from $46,000 per acre to $23,500 per acre.

II. That Clause 4 as outlined in A.C.G. report dated July 4, 1995 be amended to read:

". . and shall pay, to the City, a share of the cost of the concrete pavement previously installed by the City in Red River Boulevard between the west and east limits of McBeth Street calculated by multiplying the local improvement rate for concrete pavement at the time of payment, by 30 feet."

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.

Proposed Subdivision and Rezoning - Land located at 118 Orchard Hill Road - Riel Community File DASZ 18/95

176 - 4. The Committee on Planning and Community Services has been advised that an application has been received from UMA Engineering Ltd., 1479 Buffalo Place, Winnipeg, Manitoba, R3T 1L7, 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 "R1-5" Single-family District to a "PR1" Parks And Recreation District to reflect the existing land use.

The following is the Surrounding Land Use and Zoning:

North: Lands immediately north of Bishop Grandin are sparsely developed, zoned "R1-20" Residential and "A-5" Agricultural

East: Developed residential lots zoned "R1-5"

West: Immediately adjacent lands along the Seine River are zoned "PR1" West at the Seine, there is a mix of "RM-L" Multiple-Family and "R1-5" Single-Family lots.

South: Properties to the south are developed "R1-5" Single-Family lots.

Report of the Committee on Planning and Community Services dated December 5, 1995

The primary reason for this application is to increase the size of the Public Reserve Area at this very critical juncture of the Seine River walkway system with Bishop Grandin Boulevard. The owners of land in question have agreed to reduce the size of Lot 9 by severing off a small portion at the north west corner of the lot. That small triangular piece is to be consolidated with existing "PR1" land abutting the Seine River. The change proposed will not adversely effect the subdivision, but will greatly benefit and assist in the continued development of the Seine River System.

A public hearing was held before the Riel Community Committee on November 20, 1995.

One person appeared in support of the application.

No one appeared in opposition to the application.

The Riel Community Committee recommended that:

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

    1) The changes proposed with this application will not adversely effect the subdivision, but will greatly benefit and assist in the continued development of the Seine River System.

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 recommendation of the Riel Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 18/95 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 18/95, dated November 27, 1995, 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 18/95, dated November 27, 1995, to a "PR1" 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 Proper Officers of the City be authorized to execute all necessary agreements.

VI. That in the event this application is not proceeded with expeditiously and the 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.

VII. 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. 219 for attachment)

Report of the Committee on Planning and Community Services dated December 5, 1995

Rezoning - Extension of Time - 1650 Waverley Street, East side of Waverley Street between Chevrier and Bishop Grandin Boulevard - Assiniboia Community File DAZ 227/91

177 - 5. The Committee on Planning and Community Services has been advised that on December 18, 1991, Council adopted Clause 3 of the Report of the Committee on Planning and Community Services dated December 2, 1991, which clause recommended approval of the subject rezoning to an "M2" Industrial District as outlined on Schedule "A" and dated November 2, 1995.

Recommendation V. in the referenced report stipulates:

> "V. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 18 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."

The By-law has not been enacted and the 18 month time limit expired on June 18, 1993.

Manitoba Hydro has requested a one year extension of time to complete the zoning. Hydro has indicated that completion of the zoning change was not pursued due to the fact that a prospective purchaser of the lands withdrew prior to finalization of the agreement. Now that there is a new purchaser for the lands Manitoba Hydro would like to complete the rezoning process as expeditiously as possible.

The Administration has reviewed this request and is of the opinion that approval for an extension of time would be acceptable in view of the fact that the City's interests remain secured, and circumstances leading to the original approval largely remain unchanged. However, it should be pointed out that since the original approval in principle by Council on December 18, 1991, the City has passed the new unified Zoning By-law No. 6400/94, which standardized zoning categories uniformly across the City. As such, the list of prohibited uses originally outlined in the subject zoning agreement will now have to be changed to reflect the terminology used in By-law No. 6400/94.

The Committee on Planning and Community Services recommends:

I. That Clause 3 of the Report of the Committee on Planning and Community Services dated December 2, 1991, which was adopted by Council on December 18, 1991, be amended as follows:

A) Item I. A be substituted with the following:

"That the applicant 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 following land uses be prohibited:

(a) farm implement rentals, sales and service;
(b) storage compound for boats, mobile homes, recreational vehicles, trailers, trucks and buses;
(c) cement manufacturing;
(d) concrete batching plant;
(e) terminal for haulage; motor freight station;
(f) battery manufacture;
(g) brick manufacture;
(h) contractor's establishment;
(i) foundries;
(j) metal products manufacturing;
(k) poultry, slaughtering; packing.

II. That an extension of time be granted to December 20, 1996, to provide for the enactment of the necessary rezoning by-law under File DAZ 227/91.

Report of the Committee on Planning and Community Services dated December 5, 1995

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.

Proposed closing of road allowance South of rue des Trappistes, east of Waverley Street - Riel Community File DAC 13/94 (c/r DASZ 10/95 & DAV 393/95D)

178 - 6. The Committee on Planning and Community Services has been advised that on September 12, 1994, the Riel Community Committee considered the report of the Development Services Officer dated August 22, 1994, as outlined on Schedule "C" relative to the above mentioned closing. The Community Committee did not concur in the recommendation contained therein and recommended that the proposed closing of the road allowance south of rue des Trappistes, east of Waverley Street as outlined on Misc. Plan No. RIEL 9021/8, Schedule "A", be proceeded with subject to the land being consolidated with abutting City property, and subject to the Land and Development Services Department consulting with the owners of the neighbouring properties who would be affected by the proposed closing.

On September 27, 1994, the Committee on Planning and Community Services concurred with the recommendation of the Riel Community Committee and referred the matter back to the Director of Land and Development Services. In the interim, the procedure for Street Openings and Closings was revised and the by-law for the above mentioned closing was not prepared and the lands were never posted for a public hearing. This application is now being brought forward as a result of the proposed plan of subdivision under File DASZ 10/95, as outlined on Schedule "B", which incorporates a portion of the lands of the subject street closing into the proposed plan of subdivision.

The subject street closing was circulated to all applicable City Departments and public utilities for information and comments, as outlined on Schedule "C", dated August 22, 1994. No further objections or easements were identified by the respondents.

On September 18, 1995, the Riel Community Committee held a public hearing with respect to the referenced matter and considered the report from the Subdivision Officer, dated July 14, 1995**.**

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

I. That the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the street closing in accordance with Misc. Plan RIEL 9021/8, as outlined on Schedule "A", subject to the land being consolidated with abutting City property.

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. 220 for attachments)

Report of the Committee on Planning and Community Services dated December 5, 1995

Proposed street closing of a portion of Dubuc Street, between the Seine River and Seine Street - Riel Community
File DAC 12/95

179 - 7. The Committee on Planning and Community Services has been advised that the South East District Operations requested the subject partial street closing, to allow for the relocation of the Seine River, and the subsequent reconstruction of Evans Street located on the east side of the Seine River. The adjoining lands required for the river relocation have all been acquired.

The subject street closing was circulated to all the applicable City Departments and public utilities with no objections having been received in response to the closing.

No easements were identified by the circulation. Manitoba Hydro and M.T.S. noted the City would be responsible for the cost to remove any of their facilities.

On July 4, 1994 and September 18, 1995, the Riel Community Committee held public hearings with respect to the referenced matter and considered the report from the Acting Subdivision/Codes Administrator, dated June 14, 1995.

Three persons appeared in opposition to the proposed street closing.

The Riel Community Committee concurred in the report of the Acting Subdivision/Codes Administrator and further recommended:

- that the proposed relocation of the Seine River Channel be considered separately from this application and be subject to the following:

    a) public consultation,

    b) approval by the Rivers and Streams Authority, the Seine River Task Force, the Save Our Seine River Environment Inc.,

    c) review and recommendation from the Riel Community Committee.

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

I. That the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the street closing in accordance with Misc. Plan No. RIEL 6432/8, as outlined on Schedule "A".

II. That the proposed relocation of the Seine River Channel be considered separately from this application and be subject to the following:

    a) public consultation,

    b) approval by the Rivers and Streams Authority, the Seine River Task Force, the Save Our Seine River Environment Inc.,

    c) review and recommendation from the Riel Community Committee.

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. 221 for attachment)

Report of the Committee on Planning and Community Services dated December 5, 1995

Proposed partial street closing of the Drive between Kings Drive and Parkwood Place - Riel Community File DAC 15/95

180 - 8. The Committee on Planning and Community Services has been advised that the Real Estate Division on May 16, 1995, initiated the above-captioned closing in accordance with Misc. Plan RIEL 9333/1, as outlined on Schedule "A", at the request of adjoining property owners. It is the intention of the owners to consolidate portion of the closed right-of-way with their existing titles, as outlined on Schedule "A".

The proposal was circulated to all concerned public agencies and civic departments with no objections having been received.

The Riel Community Committee held a public hearing with respect to the referenced matter on November 20, 1995 and considered the report from the Subdivision Officer dated September 21, 1995.

No representation was made before the Riel Community Committee in this matter.

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

I. 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. 9333/1, 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. 222 for attachment)

Proposed partial closing of lane south of Hartford Avenue, East of Montcalm Crescent - Lord Selkirk-West Kildonan Community File DAC 21/95

181 - 9. The Committee on Planning and Community Services has been advised that the Real Estate Division in response to a request from the adjoining property owners, have initiated the proposed lane closing in accordance with Misc. Plan No. LSWK 9499/1, outlined as Parcels A and B. The adjoining owners propose to acquire the subject lane lands in order to construct a garage.

The proposed closing was circulated to all concerned City and public agencies, with no objections having been received.

District Operations have requested an easement for a land drainage sewer.

A corner cut has been retained at the request of the Streets and Transportation Department in order to assist vehicle turning movements off of Hartford Avenue.

The Lord Selkirk-West Kildonan Community Committee held a public hearing with respect to the referenced matter on November 21, 1995 and considered the report from the Subdivision Officer dated November 2, 1995.

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

I. 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 LSWK 9499/1, as outlined on Schedule "A".

Report of the Committee on Planning and Community Services dated December 5, 1995

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

Adopted by consent.

(See Minute No. 223 for attachment)

Proposed partial closing of Municipal Road at the Grade Crossing of C.N.R. - River Subdivision Railway Right-of-way (Mile 9.51) - Assiniboia Community
File DAC 22/95

182 - 10. The Committee on Planning and Community Services has been advised that the subject partial closing was initiated by Mr. J. Thomson, Director of the Streets and Transportation Department, in accordance with Misc. Plan No. ASBA 9491, as outlined Schedule "A". The Streets and Transportation Department is expediting a 1995 Capital Project which will involve the improvement of railway grade crossings at Community Row, Harstone Road and Fairmont Road, as well as the closure of Municipal Road.

The CN Rail is prepared to approve and participate in cost-sharing of proposed crossing safety improvements at Community Row, Harstone Road and Fairmont Road only on the basis of "permanent closure" of Municipal Road, thereby necessitating the subject application. Placement of barricades north and south of the tracks to effect the street closure would be done as soon as the closure is approved.

The subject street closing was circulated to all applicable City Departments and public utilities.

In responding to the circulation letter, both Manitoba Hydro and the Manitoba Telephone System identified the need for a 3.0 metre easement along the west property line of Municipal Road to accommodate existing facilities and any future installation.

The Traffic Services Section of the Streets and Transportation Department have indicated that they will arrange to place appropriate barricades and advance warning signage as required to complement this closing request.

The Assiniboia Community Committee held a public hearing with respect to the referenced matter on November 21, 1995 and considered the report from the Subdivision Officer dated September 22, 1995.

No one appeared in support or in opposition to the proposed closing.

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

I. That the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the street closing in accordance with Misc. Plan No. ASBA 9491, 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. 224 for attachment)

Report of the Committee on Planning and Community Services dated December 5, 1995

Proposed closing of part of Young Street and public lane South of Broadway - City Centre Community File DAC 23/95

183 - 11. The Committee on Planning and Community Services has been advised that a request was initiated by the Neighbourhood Programs Branch, which was authorized by Council on October 20, 1995. The closing of that part of the subject lane was previously referenced as DAC 4/93 and is outlined on Misc. Plan No. CC 8782/2, Schedule "B". The preparation of the closing plan and corresponding by-law, was held in abeyance pending the acquisition of the lands immediately north of and adjoining the referenced lane. Said lands have now been acquired and have been incorporated with the Broadway Optimist Community Centre to be utilized for a variety of purposes, i.e. improvement of vehicular and pedestrian access to the building and site, and for additional on-site parking.

The Parks and Recreation Department has now initiated an additional closing comprised of the entire public lane and part of Young Street, as outlined on Misc. Plan No. CC 8846/3, Schedule “A”. Subsequent to the closing, the lane and the street will also be consolidated with the Community Centre.

West Central District Operations had no objections to the proposal, but notes the following:

- There is an existing 150 mm watermain 4.27 m west of the east property line and a 380 mm sewer in the center of the right-of-way which must be protected with easements. The easements must be 5 m wide centered on each utility.

- An existing hydrant in the section of Young Street to be closed must be relocated north of the section to remain open. The cost to relocate this hydrant is estimated at approximately $10,000.00. This cost shall be the responsibility of the applicant.

- Any costs to remove existing pavement in the Street and lane together with costs to construct new curbs/boulevards and sidewalks shall be the responsibility of the applicant. Costs for any roadwork construction on the portion of Street to be closed will depend on what the applicant ultimately does with the land. To simply construct a curb and boulevard on the south end of Young Street at the new property line is estimated to cost approximately $2,000.00.

- An Auto-Refuse Bin in the section of lane to be closed will require relocation at no cost to the applicant.

On November 14, 1995, City Centre Community Committee held a public hearing with respect to the referenced matter and considered the report from the Subdivision Officer, dated October 11, 1995.

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

I. 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 CC 8846/3, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 225 for attachments)

Report of the Committee on Planning and Community Services dated December 5, 1995

Proposed closing of street stub North side of Fleetwood Road between Cloverwood Road and C.P.R. Right-of-way - Assiniboia Community
File DAC 24/95 (c/r DASZ 16/95)

184 - 12. The Committee on Planning and Community Services has been advised that the Commissioner of Planning and Community Services has initiated the above-captioned closing in accordance with Misc. Plan No. ASBA 9372/7, in conjunction with a subdivision/rezoning application under File DASZ 16/95.

The street stub is not physically improved. The proposed lands to be closed form part of a community centre proposal, recommended for approval at the September 19, 1995 meeting of the Assiniboia Community Committee.

The proposed closing was circulated to all concerned City and public agencies, with no objections having been received. The Manitoba Telephone System has, however, requested an easement across the subject lands.

The Assiniboia Community Committee held a public hearing with respect to the referenced matter on November 21, 1995 and considered the report from the Subdivision Officer dated September 25, 1995.

No one appeared in support or in opposition to the proposed closing.

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

I. 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 ASBA 9372/7, 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. 226 for attachment)

Proposed partial closing of Finkelstein Road at McGillivray Boulevard - Assiniboia Community File DAC 25/95

185 - 13. The Committee on Planning and Community Services has been advised that the subject partial street closing, identified as a proposed leave and license, was initiated by the solicitors acting on behalf of Steve and Mary Kozak, the registered owners of 2585 McGillivray Boulevard.

The proposed closing is to facilitate the purchase of the road allowance on Finkelstein Road, in order to legalize the encroachment of part of the residence in order to build a garage and sheds. An inspection of the subject site indicates that this portion of Finkelstein Road does not physically exist, as the above mentioned structures now occupy that portion of the roadway proposed to be closed.

The proposed street closing was circulated to all applicable City Departments and public utilities with no objections being received.

In responding to the circulation letter, Manitoba Hydro indicated that they maintain overhead and underground distribution in that portion of the street to be closed. It is required as a condition of approval that the Developer enter into an Easement Agreement with Manitoba Hydro covering the area where Hydro facilities are located. A plan of right-of-way for easement purposes is also required.

The Assiniboia Community Committee held a public hearing with respect to the referenced matter on November 21, 1995 and considered the report from the Subdivision Officer dated November 9, 1995.

Report of the Committee on Planning and Community Services dated December 5, 1995

Two persons appeared in support of the proposed closing.

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

I. That the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the street closing in accordance with MISC. Plan No. ASBA 9506/2, 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. 227 for attachment)

Proposed street openings (widenings) to the East and West sides of St. Anne's Road between Bishop Grandin Boulevard and Compark Road - Riel Community
File DAO 7/95

186 - 14. The Committee on Planning and Community Services has been advised that the subject St. Anne's Road widenings were identified by the 1994 Capital Works Program. The property owners concerned have been compensated for the land required for the widenings in question. The construction of the widenings has been completed. This application addresses the question of legally opening these street widenings as outlined on Misc. Plan RIEL 9000/6, Schedule "A".

No objections or major concerns were received in response to the circulation for the subject widenings.

Any removal and/or relocation of Manitoba Hydro and Manitoba Telephone System facilities would be at the expense of the City.

On September 18, the Riel Community Committee held a public hearing with respect to the referenced matter and considered the report from the Acting Subdivisions/Codes Administrator, dated September 6, 1995.

No representation was made before the Riel Community Committee in this matter.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the openings in accordance with Misc. Plan RIEL 9000/6, 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. 228 for attachment)

Report of the Committee on Planning and Community Services dated December 5, 1995

Proposed opening (street corner cuts) at the north east and south east corners of rue Plinquet and rue Archibald - Riel Community File DAO 9/95

187 - 15. The Committee on Planning and Community Services has been advised that the subject street corner cuts were identified in the 1987 Capital Works Program. The properties have since been acquired and the street construction has been completed however the lands have never been legally dedicated as a public street.

This application was originally circulated under File DAO 28/88. At that time it was identified that an overhead sign at the south east corner of Plinquet and Archibald encroached 1.62 metres into the corner cut. The sign does not encroach into traffic and the Streets and Transportation Department previously indicated no objection to its location. The Zoning Administrator advised in 1988 that the encroachment did not comply with the Encroachment By-law and that the encroachment would have to be approved by the Committee on Planning and Community Services (CPCS) once the street has been legally opened.

No objections or concerns were received in response to the circulation for this opening (corner cuts). Consequently, the following recommendation is being put forward.

On September 18, 1995, the Riel Community Committee held a public hearing with respect to the referenced matter and considered the report from the Subdivision Officer dated August 17, 1995.

No representation was made before the Riel Community Committee in this matter.

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

I. That the City Solicitor be instructed to prepare the necessary By-law for submission to Council to effect the street opening (corner cuts) in accordance with Misc Plan No. RIEL 6907/3, 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.

Adopted by consent.

(See Minute No. 229 for attachment)

Proposed widening of the south side of Provencher Boulevard West of rue Archibald - Riel Community File DAO 10/95

188 - 16. The Committee on Planning and Community Services has been advised that the subject widening was identified in the 1987 Capital Works Program. The land has since been acquired and the widening to the street has been completed, but the land was never legally dedicated as a public street.

No objections or concerns were received in response to the circulation for this opening (widening). Consequently the following recommendation is being put forward.

On September 18, 1995, the Riel Community Committee held a public hearing with respect to the referenced matter and considered the report from the Subdivision Officer dated August 17, 1995.

No representation was made before the Riel Community Committee in this matter.

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

Report of the Committee on Planning and Community Services dated December 5, 1995

I. That the City Solicitor be instructed to prepare the necessary By-Law for submission to Council to effect the street opening (widening) in accordance with Misc Plan No. SBSV 6854/2, 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. 230 for attachment)

Proposed opening to accommodate a turnaround within the block bounded by Charles and Aikins Streets; Pritchard and Selkirk Avenues - Lord Selkirk-West Kildonan Community File DAO 11/95

189 - 17. The Committee on Planning and Community Services has been advised that the Lord Selkirk-West Kildonan Community Committee at their regular meeting of July 25, 1995, approved a lane closing as outlined on Misc. Plan LSWK 7513/5. As part of the approval, the recommendation also addressed the issue of the provision of a turn-around.

The proposed turnaround identified on the attached Misc. Plan LSWK 7513/5, is being submitted under the present opening application DAO 11/95.

The proposed lane turnaround was circulated to all concerned City Departments and public agencies, with no objections having been received. However, the following comments are relevant to the proposal.

North West District Operations have estimated the cost associated with this opening for concrete pavement at $6,600.00.

The Lord Selkirk-West Kildonan Community Committee held a public hearing with respect to the referenced matter on November 21, 1995 and considered the report from the Subdivision Officer dated October 2, 1995.

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

I. 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 LSWK 7513/5, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 231 for attachment)

Proposed opening of Lot 9, Block 2 Plan 14191, Mayfield Crescent - Assiniboia Community File DAO 12/95

190 - 18. The Committee on Planning and Community Services has been advised that in 1977, Mardak Investments Ltd. entered into Development Agreement No. AG 3/77 (Plan 14191) with the City. One of the conditions of that agreement was the transfer to Lot 9, Block 2, Plan 14191 in accordance with Misc. Plan No. ASBA 9508 to the City to be dedicated as a street when the adjacent land was developed. In 1983, DASZ 33/83 an

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application to subdivide the lands adjoining DASZ 3/77 (AG 3/77) was submitted and Mardak was requested to transfer Lot 9 to the City for inclusion in the subdivision. At that time Mardak was involved in a dispute with the City and refused to transfer the land. The subdivision (Plan 18338) was allowed to proceed without Lot 9 being included. Mardak stopped paying taxes on Lot 9 in 1983.

In 1986, the City received title to the land in Tax sale. Lot 9 is paved and has been physically part of the Mayfield Crescent right-of-way since the development of DASZ 33/83. It is necessary to have the land legally opened as a public street.

The subject street opening was circulated to all applicable City Departments and public utilities with no objections having been received in response to the subject opening. Consequently the following recommendation is being put forth.

The Assiniboia Community Committee considered a communication from the Subdivision Officer dated October 6, 1995, with respect to the proposed opening.

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

I. That the City Solicitor be instructed to prepare the necessary By-Law for submission to Council to effect the street opening in accordance with Misc. Plan No. ASBA 9508, 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 Deputy Mayor Eadie,
Adoption of the clause.

Carried.

(See Minute No. 232 for attachment)

Proposed widening of lane (corner cut) East of Main Street between Forrest and Royal Avenues - Lord Selkirk-West Kildonan Community File DAO 13/95

191 - 19. The Committee on Planning and Community Services has been advised that North-West District Operations has requested the corner cut as outlined on Misc. Plan No. LSWK 9434/1. The corner cut is deemed necessary to facilitate traffic flow in the lane. The owners of the property have agreed to the terms and conditions of its sale to the City.

The proposed opening was circulated to all concerned City and public agencies, with no objections having been received.

The Lord Selkirk-West Kildonan Community Committee held a public hearing with respect to the referenced matter on November 21, 1995 and considered the report from the Subdivision Officer dated October 12, 1995.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to council to effect the opening in accordance with Misc. Plan LSWK 9434/1, 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 affect the intent of the foregoing.

Adopted by consent.

(See Minute No. 233 for attachment)

The Deputy Speaker called Councillor Timm-Rudolph to the Chair in order to participate in the debate.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Prystanski,
Seconded by Councillor Silva,

192 - WHEREAS the citizens of Winnipeg want library services that are efficient, reliable and offer a variety of material;

AND WHEREAS the City of Winnipeg is currently undertaking a review of its library operation with a view to providing better services;

AND WHEREAS there exists two library services within the City of Winnipeg, namely the public library and the school division library;

AND WHEREAS there may exist an opportunity to combine services where possible and create a financial savings to the taxpayer and improve services;

AND WHEREAS it is Council's intention to close two library services when the northwest library is built;

AND WHEREAS the opportunity to combine services municipal and school library services has not been fully explored;

THEREFORE BE IT RESOLVED the City library service in conjunction with the Planning and Community Services Committee investigate the opportunity of a jointly operated service;

AND BE IT FURTHER RESOLVED that no libraries be closed until a combined library service have been investigated.

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

Moved by Councillor Murray,

That the rule be suspended to allow consideration of the motion at this time.

The motion to suspend the rule was put.

The Acting Speaker called for the yeas and nays, which were as follows:-

Committee on Planning and Community Services - Motions (continued)

Yea: Councillors Prystanski, Clement, Phillips, Silva, Steek, Deputy Mayor Eadie, Her Worship Mayor Thompson, Councillors Angus and Timm-Rudolph. 9

Nay: Councillors Golden, Lazarenko, Lubosch, Murray, Thomas and Vandal. 6

and the motion to suspend the rule was declared lost, not having received the required two-thirds vote of the members present in accordance with Rule 3 of the Procedure By-law.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

193 - 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. 6728/95, a By-law of the City of Winnipeg to amend By-law No. 6655/95, being The Development Fees By-law for development applications, permits and related matters File EP-1 (Vol. 17)

By-law No. 6730/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 343 Wardlaw Avenue in the City Centre Community File DAZ 220/95

By-law No. 6737/95, 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 intersection of Sterling Lyon Parkway and Victor Lewis Drive in the Assiniboia Community File DASZ 26/94

By-law No. 6738/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located south side Flora Avenue between Salter and Aikins Streets in the Lord Selkirk-West Kildonan Community File DAZ 201/95

By-law No. 6739/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 395 Beaverhill Boulevard in the Riel Community File DAZ 221/95

By-law No. 6740/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the East side of Gull Lake Road in the Riel Community File DAZ 225/95

By-law No. 6741/95, 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 118 Orchard Hill Road in the Riel Community File DASZ 18/95

On motion of Councillor Silva, the rule was suspended and By-law No. 6742/95, a By-law of the City of Winnipeg to open avenue de la Digue between Pembina Highway and rue Landry 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 DAO 1/95

The Speaker here resumed the Chair.