REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED FEBRUARY 28, 1995

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services, dated February 28, 1995, was considered clause by clause.

Moved by Councillor O'Shaughnessy,

That the Consent Agenda, Clauses 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12 be adopted.

Councillor O'Shaughnessy requested that Clause 5 be pulled from the Consent Agenda.

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

The motion to adopt the Consent Agenda, Clauses 1,2,3,4,7,8,9,10 and 11 was put and declared carried.

Her Worship the Mayor and Councillors:

Contract with Health Canada to Act As A Surveillance Public Health Unit
File EH-1 (Vol. 18)

574 - 1. The City of Winnipeg has a contract with Health Canada to act as a surveillance public health unit. During the term of that contract, the City of Winnipeg Health Department is carrying out a study of infectious hepatitis cases in the City. Within the contract, it is mentioned that the term of the contract may need to be extended to complete the study. All costs of the study are borne by Health Canada. The contract was assessed by the City of Winnipeg Law Department prior to signing.

The duration of the above contract was to be one year. However, since there was a delay in beginning the study, Health Canada is requesting that the contract be extended to the end of May, 1995. All costs are recovered from Health Canada, and the study is providing valuable information to the Health Department. For these reasons, it is recommended that the contract be extended as requested by Health Canada, to complete the study.

The Committee on Planning and Community Services therefore recommends:

I. That the contract between Health Canada and the City of Winnipeg establishing the Health Department as a surveillance public health unit be extended to May 31, 1995;

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.

Extension of time for a Rezoning Subdivision East side of Pipeline Road between Leila and Court Avenues - Lord Selkirk-West Kildonan Community
File DASZ 20/90

575 - 2. The Committee on Planning and Community Services has been advised that on October 16, 1991, Council adopted Clause 10 of the Report of the Committee on Planning and Community Services dated September 30, 1991, which clause recommended approval of the plan of subdivision and associated rezoning, dated August 28, 1991, as outlined on Schedule "A".

As a condition of approval the By-law was to be enacted within twenty-four (24) months (until October 16, 1993), after Council approval in principle was given unless Council extends that time.

Report of the Committee on Planning and Community Services dated February 28, 1995

Mr. Earl I. Essers of Meltzer, Essers, Duboff, Schachter, Solicitor acting on behalf of the owners, has requested that the deadline for the enactment of the subdivision/rezoning by-law be extended to November 24, 1996.

The Administration has reviewed the request and advises that approval for a two year extension of time would be acceptable in view of the fact that the City's interests remain secured and the circumstances leading to the original approval are unchanged.

On February 14, 1995, the Lord Selkirk-West Kildonan Community Committee considered the communication, dated January 6, 1995, from the Acting Subdivision/Codes Administrator and concurred in the recommendation.

The Committee on Planning and Community Services therefore recommends:

I. That a two year extension be granted to the time within which the plan of subdivision/rezoning approval under File DASZ 20/90 may be enacted by the City By-law and thence a plan of subdivision may be registered in the Winnipeg Land Titles Office, said extension to commence upon date of Council.

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.

Proposed Subdivision and Rezoning - Land located on the West Side of Elmhurst Road between Mayfield Crescent and Grant Avenue - Assiniboia Community
File DASZ 23/94

576 - 3. The Committee on Planning and Community Services has been advised that an application has been received from Mr. J. Klassen and Mr. P. Couture for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 6400 by rezoning the subject lands from an "R1-20" Single-Family District to an "R1-6" Single-Family District and "RM-L" Multiple-Family District to permit the establishment of a thirteen (13) unit condominium and three (3) single-family sites.

Application Area: approximately 1.6 acres (0.65 hectares).

Existing Land Use: vacant portions of existing lots zoned "R1-20" Single-Family Residential District.

The following is the Surrounding Land Use and Zoning:

North: Lions' Place Senior Citizens' building zoned "RM-3" and an MTS switching station zoned "R1-20".

East: Single-Family housing fronting Elmhurst zoned "R1-20"

West: 14 unit, 2.5 storey townhouse development zoned "RM-1".

South: Single-Family housing zoned "R1-5.5".

The site plan indicates a condominium development consisting of five 2-unit and one 3-unit buildings clustered around a private roadway and visitor parking area. Elevations submitted with the application show single-storey units ranging in floor area from about 1,500 to 1,800 square feet including attached, two-car garages.

Zoning variances have been approved under File DAV 1171/94D to reduce the required separation space between Buildings 2 and 3 and 5 and 6 from 31 feet to 16 feet; and to reduce the north rear yard of Building 1 and the west side yard of Building 6 from 25 feet to 15 feet (adjacent to Lions' Place). The variances were supported by the Planning Department.

Report of the Committee on Planning and Community Services dated February 28, 1995

The multiple-family development site is being created by subdividing and consolidating the backlands of 3 properties (lots) fronting Elmhurst Road. It is proposed that these lots be left with a depth of 165 feet, and rezoned to "R1-6" Single-Family Residential District.

The proposal complies with Plan Winnipeg, is compatible with existing development in the immediate area, and makes efficient use of lands which might otherwise remain vacant and unproductive.

The development is situated to act as a buffer between the higher density multiple-family housing on the north and west, and the single-family development on the east and south. This provides what is known as a "density gradient", an urban design technique employed where it is desirable to establish a transition between distinctly different housing types.

It is noted that at 8 dwelling units per acre, the proposed development results in the same density as that of "R1-5.5" single-family housing.

A public hearing was held before the Assiniboia Community Committee on January 17, 1995.

Seven persons appeared in support of the application.

Three persons appeared in opposition to this application.

One person appeared for information.

The Assiniboia Community Committee recommended that:

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

    A) The proposal complies with Plan Winnipeg, is compatible with existing development in the immediate area, and makes efficient use of lands.

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 concurs in the recommendation of the Assiniboia Community Committee as follows:

I. That the plan of subdivision proposed under File DASZ 23/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 23/94 and dated February 14, 1995 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 outlined in the report of the Administrative Coordinating Group dated December 22, 1994, with the following amendments thereto:

    B. That the Developer be required to pay to the City 10% cash dedication in lieu of land dedication for the creation of the "RM-L" site.

    C. That the cash dedication in B) above, be contributed to the Marj Edey park site.

II. That the Director of Planning and the Director of Land Surveys and Real Estate be authorized to certify any documents in connection therewith.

III. That Zoning By-law No. 6400 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 23/94, and dated February 14, 1995, to an "RM-L" Multiple-Family District, and an "R1-6" Single-Family District subject to the following:

    a) That the Developer be required to enter into a Zoning Agreement with the City pursuant to Section 605 (1) of The City of Winnipeg Act to apply to the subject "RM-L" lands to provide for the following:

Report of the Committee on Planning and Community Services dated February 28, 1995

A) that no building or structures be erected or located on the land except in accordance with plans approved by the Commissioner of Planning and Community Services prior to the issuance of any building permits, said plans to indicate the design and location of buildings or structures, exterior elevations, building materials, site access, accessory parking areas, and garbage enclosures.

B) that the fencing and landscaping plans be submitted to the Assiniboia Community Committee for approval.

C) that development be restricted to 13 single-storey, attached condominium bungalow-style units.

D) that the development provide a south (front) yard of 25 feet.

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

V. That the plan of subdivision section of the by-law shall come into force and effect upon the 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 as follows:

A) The "R1-6" District when the plan of subdivision has been registered in the Winnipeg Land Titles Office; and

B) The "RM-L" District 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 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. 589 for attachment)

Proposed Rezoning - 754, 770, 772, 776, 778, 784, 796, 802 and 804 McDermot Avenue - Lord Selkirk-West Kildonan Community File DAZ 241/94

577 - 4. The Committee on Planning and Community Services has been advised that an application has been received from The University of Manitoba, 202 Central Administration Building, Winnipeg, Manitoba, R3T 2N2 to amend By-law No. 6400/94 by rezoning the land at 754, 770, 772, 776, 778, 784, 796, 802 and 804 McDermot Avenue from an "R2" Two-Family District to a "C2" Commercial District to allow for the following: 1) the establishment of offices, business or professional; and 2) future medical facilities.

All of the subject properties are currently zoned "R2" Two-Family Residential and occupied with older dwellings. On one of the sites the dwelling is in the process of being demolished for purposes of establishing a small temporary park facility.

Most of the land to the north and east is already zoned "C2" Commercial and occupied by Hospital Facilities and/or associated uses. Lands to the south and west are still predominantly residential areas, zoned "R2" Two-Family Residential.

Report of the Committee on Planning and Community Services dated February 28, 1995

The subject properties are within the boundaries of the Health Sciences Centre precinct bounded by Notre Dame Avenue, Tecumseh Street, the north side of William Avenue and Sherbrook Street. Within this area, the Planning Department considers development of lands for hospital and university expansion purposes acceptable so long as it is done in an orderly and contiguous fashion and in such a manner as to minimize any adverse impact on remaining residential lands within this precinct. It is customary for the HSC or the University of Manitoba to assemble a number of properties; as with the subject application and then rezone all respective properties as part of one application - to the appropriate commercial category. Actual development of any consequence is unlikely to proceed until all remaining residential properties in a specific block of land have been acquired and rezoned commercial. It should be noted that approximately 7 to 8 residential properties still remain under private ownership on the south side of McDermot Avenue, east of Tecumseh Street. The interests of the remaining property owners has been carefully considered as part of this ongoing process and that is hopefully reflected in the conditions recommended as part of the final Zoning Agreement that the applicant will be asked to enter into.

A public hearing was held before the Lord Selkirk-West Kildonan Community Committee on February 14, 1995.

Two persons appeared in support of the application.

One person appeared in opposition to the application.

The Lord Selkirk-West Kildonan Community Committee recommended that:

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

    A) This is considered to be an adequate and appropriate development for the area.

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 concurs in the recommendation of the Lord Selkirk-West Kildonan Community Committee as follows:

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 241/94, dated February 21, 1995, 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 the use of the land be restricted to the following uses:

            i) hospitals, medical or dental clinics and laboratories;

            ii) institutions of an educational and philanthropic nature, except those of a correctional nature;

            iii) kindergartens or day nurseries;

            iv) multiple-dwellings, subject to the "RM-L" Multiple-Family District regulations of By-law No. 6400;

            v) university, college or school, not conducted as a business enterprise;

            vi) accessory uses when located on the same lot;

            vii) accessory off-street parking and loading areas or structures;

            viii) any of the following incidental businesses, conducted as a service, provided that there is no entrance to such place of business except from the interior of the building and that no sign advertising such business shall be erected on the exterior of the building:

Report of the Committee on Planning and Community Services dated February 28, 1995

- bank;
- barber shop or beauty salon;
- book or stationery store;
- confectionery store;
- drug store;
- florist or gift shop;
- laundry, clothes cleaning or pressing establishment;
- newsstand;
- offices, business or professional;
- optician;
- postal sub-station of the government of Canada;
- restaurant, without dancing or entertainment.

2. That final construction plans indicating the design and location of any proposed buildings or structures, accessory parking areas, fencing and landscaping be subject to the approval of the Commissioner of Planning and Community Services prior to the issuance of a building permit.

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 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 authorized 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 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. 590 for attachment)

Proposed amendment to the revised procedure for the opening and closing of streets, lanes and walkways (DAO, DAC and DAOC applications
File SC-3.13 (Vol. 13)

578 - 5. On January 31, 1995, the Committee on Planning and Community Services passed a motion that the process for street openings and closings be modified as follows:

"i) that public representation shall be made before Community Committees, and not Committee on Planning and Community Services, and that public notification shall reflect this;

ii) that any DAO, DAOC or DAC that is related to a development application (e.g. DAZ, DAS, DASZ) shall proceed concurrently with that application(s); and;

That further review of the DAO, DAOC and DAC processes shall be undertaken by the Administration as part of a larger review of development approval processes."

Report of the Committee on Planning and Community Services dated February 28, 1995

The Land and Development Services Department concurs with the position that public representations for the types of applications in question are more appropriately dealt with by the respective Community Committee, because in the vast majority of cases these applications deal with local, neighbourhood issues. This, modification, however, is a major change in the procedures adopted and approved by Council on September 21, 1994. The original mandate from Council to the Administration instructed that the said process be reviewed in order to reduce the length of time required to gain an approval for these type of applications. By holding public representations at the respective Community Committee's, approximately four (4) to six (6) weeks would be added to the front end of the process. However, it is estimated that a minimum of two (2) weeks could be recovered in the reporting to Committee on Planning and Community Services, because the posting time would be eliminated. Also, regarding controversial applications, which normally get referred back to a Community Committee, between four (4) to eight (8) weeks could be saved (because of the time separation between the Committee on Planning and Community Services meeting dates and the time required for a second review by the Community Committee).

The original revisions to the processing period reduced time because Community Committee's were made part of the general circulation of an application. The disadvantages of this method of soliciting a recommendation from a Community Committee are two fold.

1. The Community Committee does not have the benefit of the circulation responses, thereby making it difficult to make an informed recommendation, and;

2. The Community Committee does not have any input from area residents, as to their position on a closing application. This Department considers this a critical factor in making an appropriate recommendation, and consequently supports your Committee's position on representations being held before Community Committee's.

It has always been the practice of the former Planning Department to have related development applications proceed concurrently with related DAO, DAOC or DAC applications. However, if a related development application was not submitted by the applicant when a closing application is being made, it is not possible to have the two run concurrently.

Also, with regard to modifying the process, the Department requires a transition time period to amend its procedures, circulation letters, related documentation and posters.

On February 28, 1995, the Committee on Planning and Community Services further considered the proposed amendment to the revised procedure for the opening and closing of streets, lanes and walkways (DAO, DAC and DAOC applications) and incorporated the following amendment in its recommendation, namely: -

- That Recommendation No. III. be amended to include the words, "or other appropriate hearing body" immediately following the words "Community Committee".

The Committee on Planning and Community Services therefore recommends:

I. That all DAC and DAOC applications received after February 28, 1995, receive public representation before the respective Community Committee, not the Committee on Planning and Community Services;

II. That all DAC and DAOC applications filed before February 28, 1995, that have been reviewed by the respective Community Committee, receive public representation before the Committee on Planning and Community Services;

III. That any DAO, DAOC or DAC applications that are related to another development application (eg. DAZ, DAS, DASZ, DASSF) shall proceed concurrently with that application; and to the same public hearing before the Community Committee or other appropriate hearing body (if a hearing is required under the Act).

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

Report of the Committee on Planning and Community Services dated February 28, 1995

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate.

Council recessed at 11:59 a.m., and reconvened at 1:34 p.m., same members present, Councillor Reese in the Chair.

Councillor Thomas entered the meeting after Council had reconvened.

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

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

Proposed closing of Paulin Street, between Pacific and Ross Avenues - Lord Selkirk-West Kildonan Community
File DAC 19/93

579 - 6. The Committee on Planning and Community Services has been advised that the Land Surveys and Real Estate Department, at the request of Monk, Goodwin, Solicitors on behalf of their client, 3068499 Manitoba Ltd., initiated the subject street closing. Monk, Goodwin, Solicitors have advised that their client recently acquired the property commonly known as 311 Ross Avenue, legally described as Lots 41 to 44 and part Lot 45, Plan 24, stipulated and identified as applicant's property as outlined on Schedule "A" (Misc. Plan No. CC 8307/1). The solicitors' client has expressed an interest in acquiring or leasing the land comprising Paulin Street, as illustrated on said attached plan, to allow for the establishment of a parking lot, once closed.

The Committee on Planning and Community Services at its meeting held on March 1, 1994, approved the subject proposal on Schedule "A" (Misc. Plan No. CC 8307/1) as to planning details. However, since this prior approval it has been determined by the Land Surveys and Real Estate Department that if the land comprising the proposed street closing were to be consolidated with the City owned lands immediately to the west (identified as adjoining owner on the attached plan) a more viable and marketable site would be achieved. Consequently, there are two options available respecting the future disposal of the subject land, once the street is closed.

The circulation and responses from all interested City Departments and public agencies are found in the report to the Lord Selkirk-West Kildonan Community Committee dated January 19, 1994, as outlined on Schedule "B" and dated January 18, 1995.

On February 28, 1995, the Committee on Planning and Community Services further considered the proposed street closing under File DAC 19/93 and incorporated the following recommendation, namely: -

- II. That the subject land comprising the proposed street closing be offered for lease or sale to the applicant (3068499 Manitoba Ltd.).

The Committee on Planning and Community Services therefore 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 CC 8307/1, as outlined on Schedule "A".

II. That the subject land comprising the proposed street closing be offered for lease or sale to the applicant (3068499 Manitoba Ltd.).

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

The Executive Policy Committee advises for the information of Council, that the Civic Buildings Department had previously provided information regarding this proposal that was not included in the report to the Committee on Planning and Community Services. The department does not object to the proposed closing in principle; however, it has requested that certain conditions be addressed prior to this agreement being executed.

Report of the Committee on Planning and Community Services dated February 28, 1995

The Civic Buildings Department, through the Winnipeg Parking Authority, operates a City-owned parking facility on the City lands immediately to the west of Paulin Street. Presently, this parking lot contains both a vehicle access and a break in the chain link fence that allows pedestrian access to Paulin Street. In order to operate this parking lot effectively, The Winnipeg Parking Authority requires these access points be relocated to Ross Avenue and the expenses be borne by the applicant, should the street be closed.

In the event that these conditions are not met, the City will bear the costs (approximately $7,000) to relocate these access points to Ross Avenue in order to continue to operate the City's own parking facility. This parking facility is an important component of the City's infrastructure especially as the Campus Concept, New Directions and the Police Services reorganization proceeds.

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

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

Carried.

(See Minute No. 591 for attachment)

Proposed closing of part of the Disraeli Freeway (including street and lane pavements) at the south-east corner of Main Street and Disraeli Freeway - City Centre Community File DAC 2/95

580 - 7. The Committee on Planning and Community Services has been advised that the Land Surveys and Real Estate Department initiated the above proposed closing as shown on Misc. Plan No. CC 9363, at the request of the solicitor Mr. A. Ogaranko, acting on behalf of the Ukrainian Cultural and Educational Centre, as outlined on Schedule "A".

The right-of-way to be closed is to be utilized for the expansion of the existing Ukrainian Cultural and Educational Centre, commonly addressed as 184 Alexander Avenue. The solicitor for the Centre has indicated that financial support is to be forthcoming from both Provincial and Federal grant programs. The solicitor has further advised that the Centre is facing an extremely tight deadline in order to qualify for funding and has requested that the application be dealt with as expeditiously as possible.

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

However, the comments from West Central District Operations and Waterworks, Waste and Disposal Department warrant consideration.

The West Central District Operations, on January 27, 1995, submitted the following comments;

Watermains

There is an existing 100 mm watermain 10.8 m north of the south line of the former Alexander Avenue right-of-way and a 250 mm watermain 5.8 m north of the south line. It would be possible to abandon the 100 mm watermain and re-route the 250 mm main down Martha Street and the Disraeli to Main Street. Some additional interconnections to existing watermains would also be required at Martha and Main Streets. The existing watermain network in the immediate area is extremely old, however, and a detailed engineering design of the above-noted work may reveal additional work that would be required to accomplish the re-routing of watermains. Without the benefit of a detailed engineering design, a cautious estimate of the required watermain work would be approximately $90,000.00.

Report of the Committee on Planning and Community Services dated February 28, 1995

Sewers

There is a 300 mm sewer in the centre of the former Alexander R.O.W. This sewer only serves the area between Martha and Main Streets, and if it is not required by the Centre, it may be abandoned. If the Centre requires the sewer, it would become a private sewer connection with the Centre responsible for all maintenance costs. The cost to abandon the sewer would be approximately $10,000.00.

Pavements

The existing former Alexander Avenue pavement and the lane pavement to Pacific Avenue would become private roadways, and the approaches to Martha Street and Pacific Avenue would become private approaches subject to all conditions of the Private Approach By-law, if the Centre wishes to maintain them. Should the Centre not require the approaches, they would be responsible for the cost to remove them and restore the sidewalks and curb. The cost of this work would be approximately $10,000.00.

All costs associated with watermains, sewers, pavements, engineering design and supervision of work would be the responsibility of the Centre.

After further discussion with District Operations, the following subsequent comments were received February 8, 1995.

Should the former Alexander Avenue section of the Disraeli be closed, and no structures built on the land it would be acceptable to maintain the 250 mm watermain in its existing location, protected by an easement. The easement would be required to be a minimum of 5 m wide centred on the watermain. The previously mentioned 100 mm watermain would still be required to be abandoned and the associated costs to do this would be approximately $15,000.

The Waterworks, Waste and Disposal Department, submitted the following comments;

In regard to the above proposed closing this Department currently maintains an existing 600 mm secondary interceptor sewer within the existing right-of-way. In the event that this sewer will have to be relocated as part of any redevelopment of the subject property, this Department would have no objection to the closing. On the other hand, if it is decided that the existing sewer will not be relocated, and in fact left in place, then this Department will require an easement be established for maintenance purposes of no less than a 18 metres, centred along the sewer.

The Centra Gas Company has noted that easements for their mains and service are required.

On February 7, 1995, the City Centre Community Committee recommended approval of the proposed closing.

On February 28, 1995, the Committee on Planning and Community Services was in receipt of a communication from Winnipeg Hydro, dated February 23, 1995, as outlined on Schedule "B".

The Committee on Planning and Community Services has approved the proposal 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 9363, 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. 592 for attachment)

Report of the Committee on Planning and Community Services dated February 28, 1995

Proposed lane opening (widening) of the lane North of William Newton Avenue between Allan and Stadacona Streets - East Kildonan-Transcona Community
File DAO 33/92

581 - 8. The Committee on Planning and Community Services has been advised that the subject land for the lane widening has been held for this purpose for 61 years. In actual fact, the land has been functioning as part of the present lane right-of-way. Back in 1929 and 1931, there were some objections to opening the lane widening because of costs associated with lane improvements at that time. These concerns are no longer valid.

No objections were received in response to the circulation of this lane widening, circulated in the latter part of October 1992.

This matter was recommended for approval by the East Kildonan-Transcona Community Committee on November 17, 1992, and subsequently approved as to planning details by your Committee on November 30, 1992. The widening was never approved by Council. The Administration now wishes to complete this application but because of the new opening and closing procedure, the lane widening requires a new approval from your Committee.

The Committee on Planning and Community Services approves the proposal and recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the opening (widening) in accordance with Misc. Plan EKT 8658/1, 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. 593 for attachment)

Proposed street opening (widening) of the west side of rue Thibault between Notre Dame and rue Dumoulin - Riel Community
File DAO 10/93

582 - 9. The Committee on Planning and Community Services has been advised that the subject widening is required for the future south east transit corridor and will allow for the sale of surplus City land to the owner of the adjacent property to the west, in accordance with Misc. Plan No. SBSV 8455/1, as outlined on Schedule "A".

No objections were received in response to the circulation sent out in May of 1993.

This matter was recommended for approval by the Riel Community Committee on November 10, 1993, and subsequently approved as to planning details by your Committee on November 23, 1993. The widening and land sale were never concluded by Council. The Administration now wishes to complete this application but because of the new opening and closing procedures, a new approval is required from your Committee.

The Committee on Planning and Community Services approves the proposal and recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the opening (widening) in accordance with Misc. Plan SBSV 8455/1, as outlined on Schedule "A".

Report of the Committee on Planning and Community Services dated February 28, 1995

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. 594 for attachment)

Proposed street opening (corner cut) for the lane between Harbison and Martin Avenue East at the intersection of Molson Street - East Kildonan-Transcona Community File DAO 26/93

583 - 10. The Committee on Planning and Community Services has been advised that the subject corner cut is required to facilitate better traffic movements where the lane intersects with Molson Street, in accordance with Misc. Plan No. EKT 8735/2, as outlined on Schedule "A".

No objections were received in response to the circulation for this corner cut.

This matter was recommended for approval by the East Kildonan-Transcona Community Committee on January 18, 1994, and subsequently approved as to planning details by your Committee on February 1, 1994. The opening (corner cut) was never approved by Council. The Administration now wishes to complete this application, but because of the new opening and closing procedures, a new approval for this opening is required from your Committee.

The Committee on Planning and Community Services approves the proposal and recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the opening (corner cut) in accordance with Misc. Plan EKT 8735/2, 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. 595 for attachment)

By-law Regulating Activities on Frozen Surface of Waterways File E-5 (Vol. 18)

584 - 11. On January 4, 1995, the Committee on Planning and Community Services considered and concurred with the draft by-law to regulate activities on frozen surface of waterways and referred same to the Winnipeg Police Services for processing through the office of the Commissioner of Protection, Parks and Culture.

On February 8, 1995, the Riverbank Management Committee considered and concurred in the subject draft by-law from the Winnipeg Police Service prohibiting the use of vehicles on the frozen surface of any waterway within the City and forwarded said draft by-law to the Committee on Planning and Community Services for further consideration.

The Committee on Planning and Community Services concurs in the recommendation of the Riverbank Management Committee and therefore recommends:

I. That By-law No. 6581/95, being a By-law of The City of Winnipeg to prohibit the use of vehicles on the frozen surface of any waterway within the City, be adopted by Council.

Report of the Committee on Planning and Community Services dated February 28, 1995

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.

Future of the Capitol and Metropolitan Theatres File G-3.1.1

585 - 12. The Committee on Planning and Community Services has been advised that a request was received from Famous Players Theatre to delist the Capitol Theatre to allow for its demolition. In responding to Famous Players, and in consideration of the historic and architectural merits of this structure, the Committee has sought economically appropriate ways to preserve this building and the Metropolitan Theatre.

The Capitol Theatre was designated as a Grade II building on March 11, 1991. As such, alteration or demolition requires City Council approval. This theatre has been vacant for several years and remains unheated. Though considered structurally sound, interior surfaces are rapidly deteriorating. For this reason a decision on redevelopment is required.

In facing the economic burden of two vacant theatres which are not viable in today's first-run movie market, Famous Players Theatre is seeking Council authorization to demolish the improvements on the Capitol Theatre site. In response to this request the Committee on Planning and Community Services has advertized in local newspapers to secure proposals for the reuse of both the Capitol and the Metropolitan Theatres.

In late 1993, discussions between the Land Surveys and Real Estate Department and Famous Players Inc. indicated that Famous Players would be interested in donating the Capitol and Metropolitan Theatres to the City in exchange for a tax receipt. This followed a proposal which was considered by the Committee on Planning and Community Services to use both theatres by local arts and cultural organizations.

Several responses have been received from the newspaper proposal call for reuse of the Capitol and Metropolitan Theatres which are outlined on Appendix "A". At this juncture an alternative to the Capitol Theatre delisting and demolition appears possible. It may also be possible to reuse the Metropolitan which remains heated and has consequently suffered less interior structural damage.

An alternative to delisting is acquisition of the two theatres by The City of Winnipeg. Famous Players Inc. has indicated a willingness to support this alternative. A decision on this matter is dependent upon:

- the strength of the proposals for reuse and negotiations with proponent(s)
- negotiation with Famous Players Inc. over the value and costs associated with the exchange of property for a tax receipt under the terms of the Income Tax Act
- determination of City costs associated with the exchange.

Preliminary discussion pertaining to property exchange for a Tax Receipt has taken place with Famous Players Inc. Should the City decide to assume ownership of the Capitol and Metropolitan Theatres, it will be necessary to finance incidental costs related to realty tax adjustments and other costs of title transfer. Responsibility for costs relating to third party appraisal and structural and mechanical reports must also be determined.

Those responding to the proposal call for reuse of the Capitol and Metropolitan Theatres give hope to retaining these important structures in the landscape of downtown Winnipeg. As we focus on the downtown through Centre Plan, the Capitol and Metropolitan Theatres can become anchor points to stimulating activity in the heart of Winnipeg. This is especially important as one reflects on the significance of increased tourism.

Report of the Committee on Planning and Community Services dated February 28, 1995

The Committee on Planning and Community Services therefore recommends:

I. That the City of Winnipeg pursue acceptance of the offer made by Famous Players Theatre to donate the Capitol and Metropolitan Theatres in exchange for an Income Tax Receipt.

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 O'Shaughnessy,
Adoption of the clause.

Carried.

(See Minute No. 596 for attachment)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

Moved by Councillor Lazarenko,
586 - THAT By-law No. 6600/95, a By-law of The City of Winnipeg to amend By-law No. 3541/83, being a By-law to regulate smoking, be referred back to the Committee on Planning and Community Services.

Lost.

587 - On motion of Councillor O'Shaughnessy, 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. 6599/95, a By-law of The City of Winnipeg to widen the corner of the public lane south of St. Johns Avenue and west of McKenzie Street (at 666 St. Johns Avenue) being the south-east corner of Lot 48, Block 16, Plan 2832. File DAO 11/94

By-law No. 6600/95, a By-law of The City of Winnipeg to amend By-law No. 3541/83, being a By-law to regulate smoking. File EH-1 (Vol. 7)

By-law No. 6601/95, a By-law of The City of Winnipeg to amend Zoning By-law No. 6400/94, for the enactment of a zoning change at 916 Corydon Avenue in the City Centre Community. File DAZ 235/94.

Councillor Lazarenko asked to be recorded as having voted against all three readings of By-law No. 6600/95, in accordance with Rule 50.7 of the Procedure By-law.

On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6581/95, a By-law of The City of Winnipeg prohibiting the use of vehicles on the frozen surface of any waterway within the City, 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 E-5 (Vol. 18)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

QUESTION PERIOD

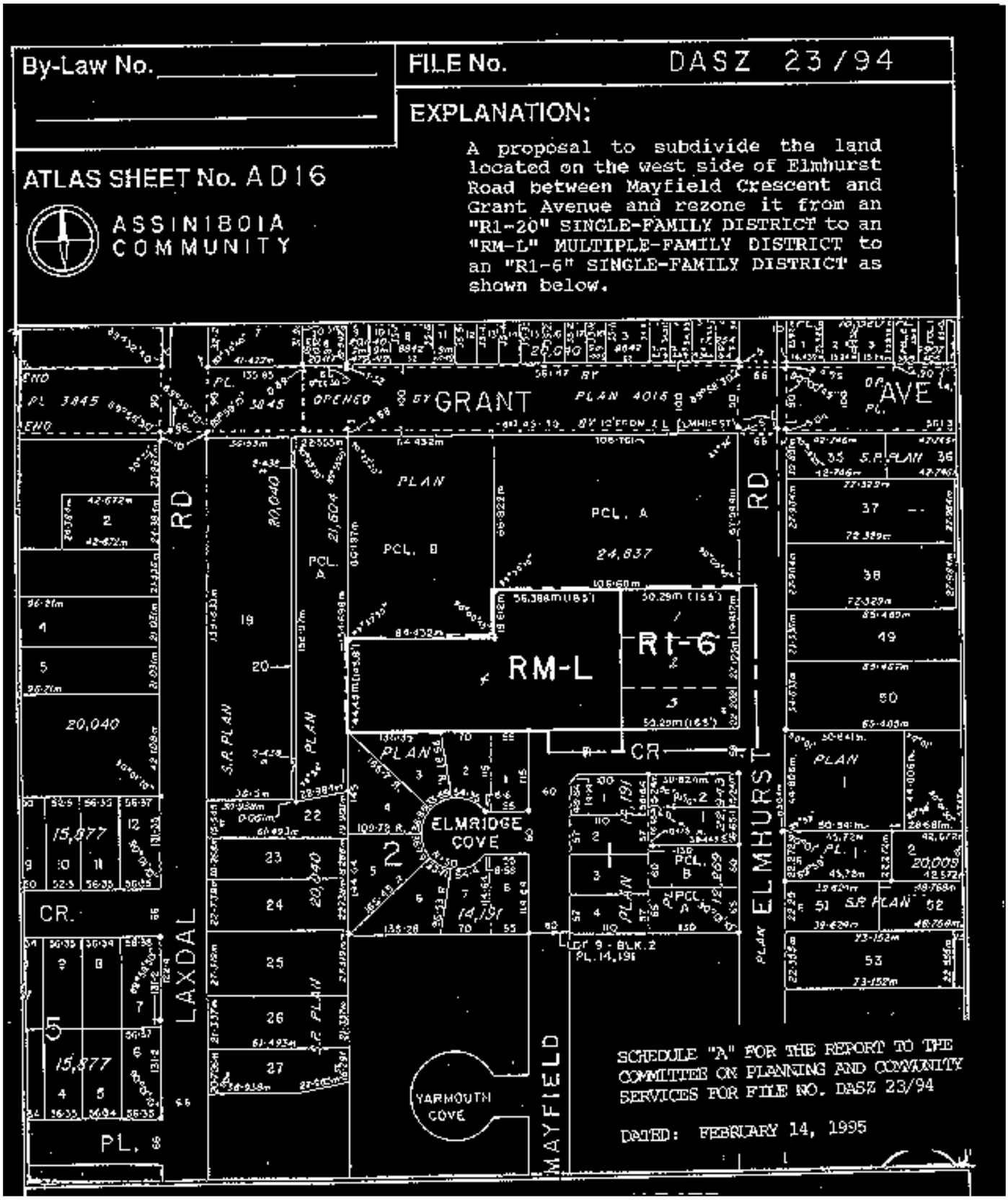
588 - Councillor Angus referred to a recent visit to the Community of Transcona and questioned what measures would be implemented to remedy the flooding problems.

Councillor O'Shaughnessy commended the efforts of Councillor Golden for his identification of an 8 foot pipe under Dugald Road emptying into the North-End Treatment plant which could be used to pump water from Transcona, alleviating its water flooding problems, but noted that the residents of Transcona could be requested to approve a local improvement to implement land drainage.

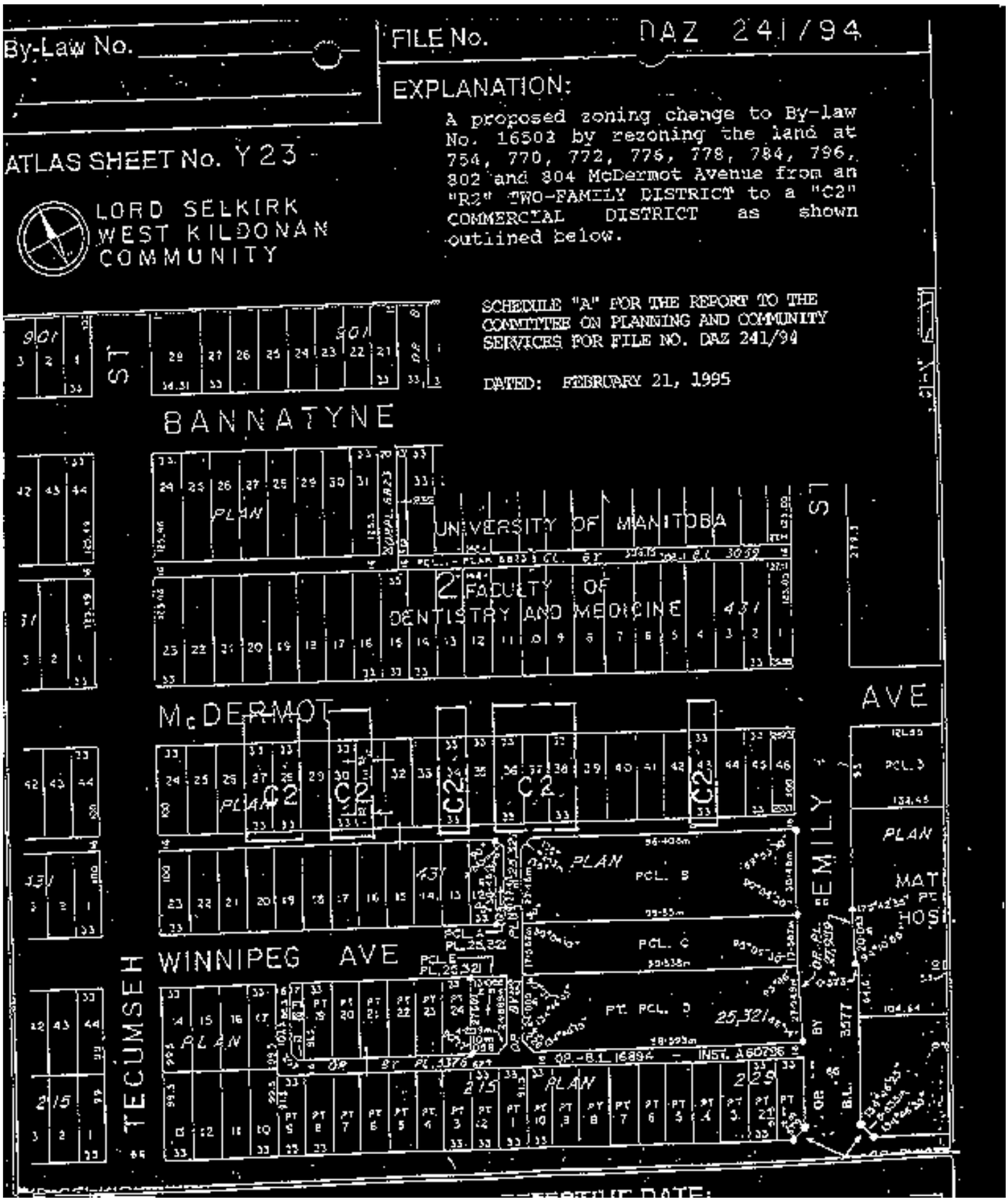
Councillor Golden referred to information that he had received that the Planning Department was applying rooming house criteria to self-contained units in multiple family dwellings, and in noting the zoning changes required questioned whether this was in fact occurring.

Councillor O'Shaughnessy stated that he would investigate the matter.

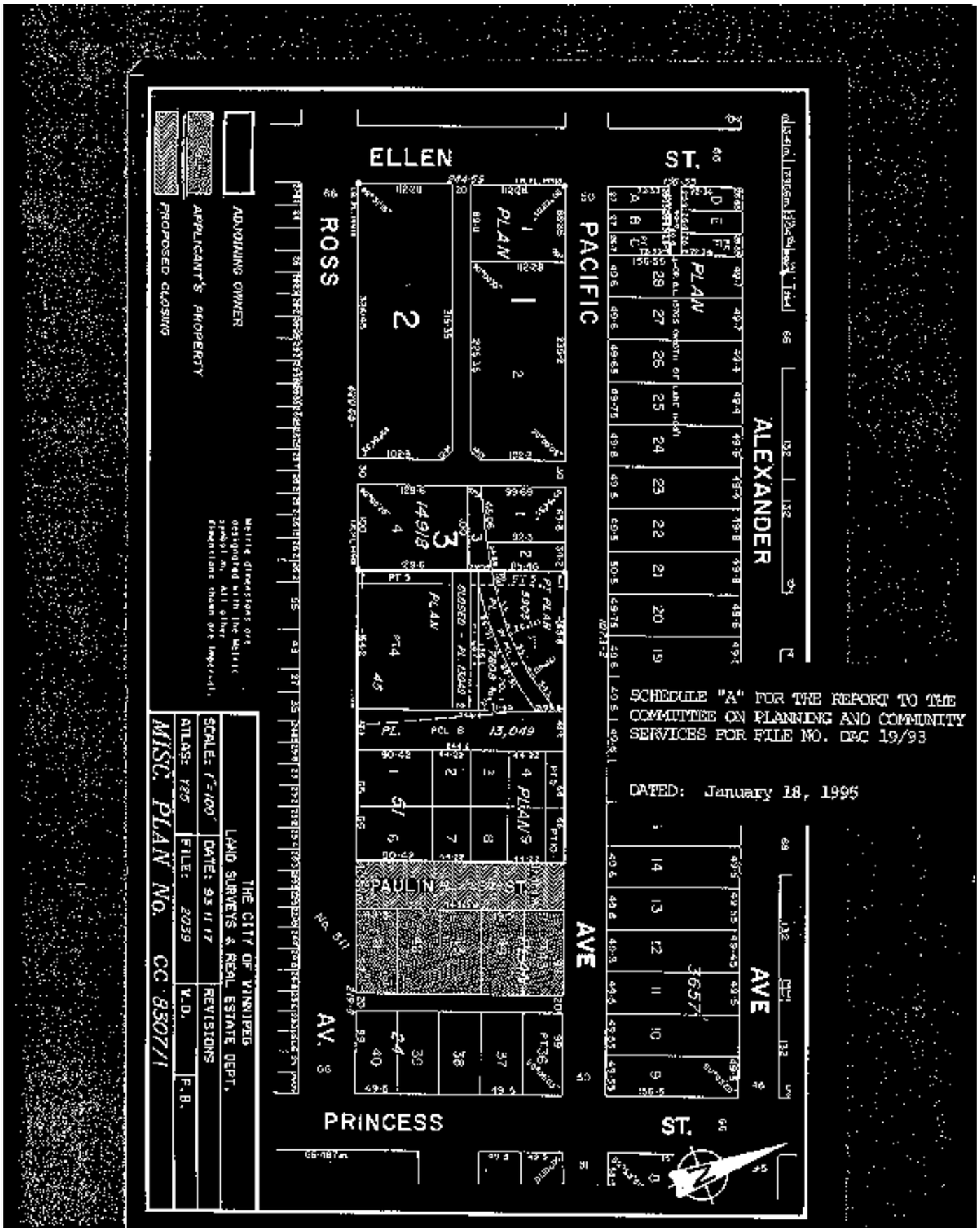
589 - Schedule "A" referred to in Clause 3 of the Report of the Committee on Planning and Community Services dated February 28, 1995



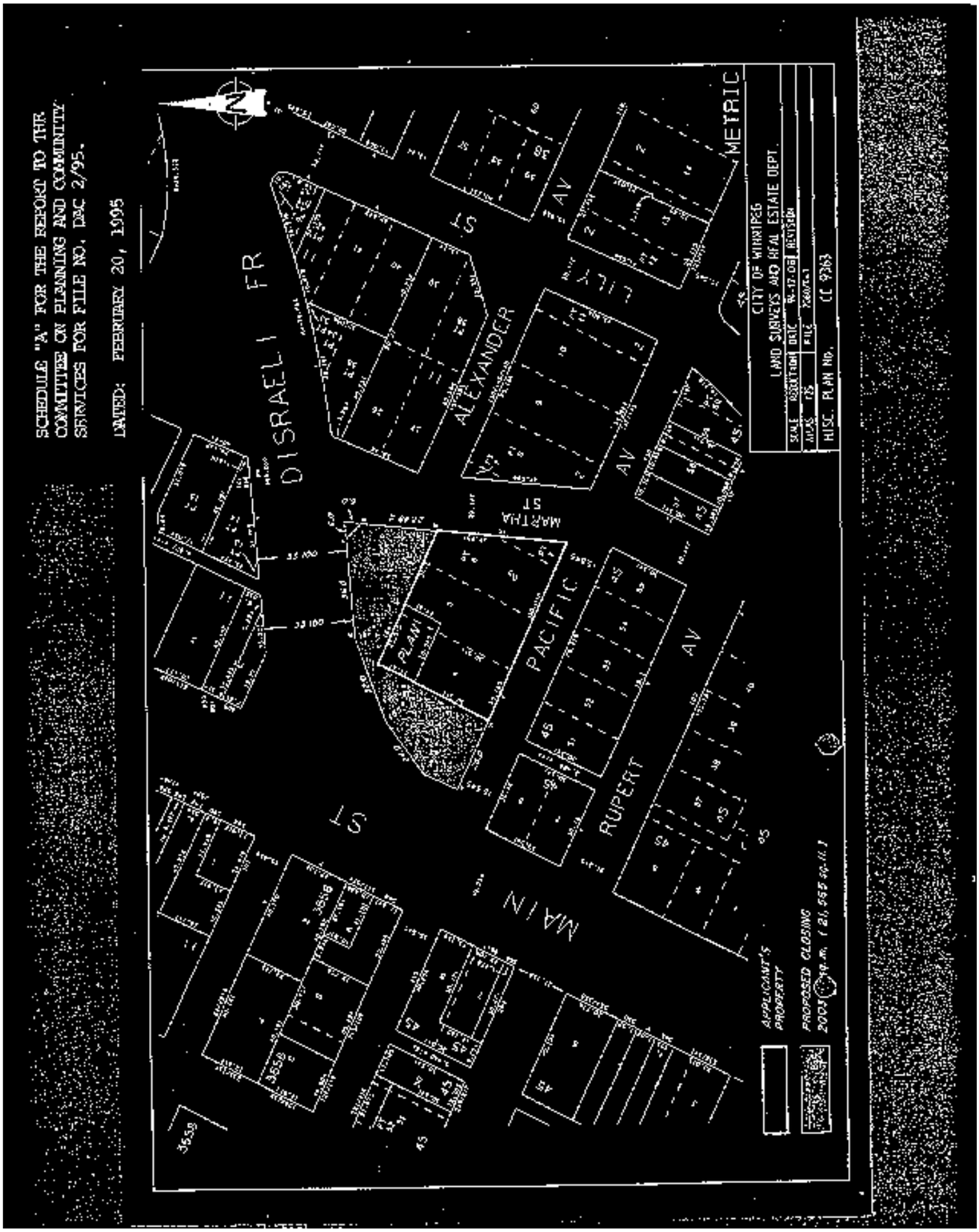
590 - Schedule "A" referred to in Clause 4 of the Report of the Committee on Planning and Community Services dated February 28, 1995



591 - Schedule "A" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated February 28, 1995



592 - Schedule "A" referred to in Clause 7 of the Report of the Committee on Planning and Community Services dated February 28, 1995



Schedule "B" referred to in Clause 7 of the Report of the Committee on Planning and Community Services dated February 28, 1995

WINNIPEG HYDRO

INTER-OFFICE MEMORANDUM

TO: C.A. Milroy
Development Services Administrator
Planning Department

FROM: Mr. F.L. Privat, P. Eng.
Director, Distribution

RE: **Proposed Closing of Parts of Public streets and lanes at the South-East corner of Main St. and Disraeli Freeway**
Your File No. DAC 2/95

DATE: February 23, 1995

FILE: 5-6-11

In reply to your letter of January 20, 1995, we have the following comments:

1. The cost for removal of Winnipeg Hydro's overhead plant from the portion of Alexander Ave. to be closed is estimated at $4 100.00. In addition, it will be necessary to re-route street lighting control conductors from Alexander Ave. To do so with overhead conductors along Pacific Ave., the cost is estimated at $1 000.00. If Pacific Ave. is closed, the conductors will be re-routed underground along Rupert Ave. at an estimated cost of $6 500.00.

2. Given the different options proposed for the new Centre, Winnipeg Hydro is proposing two underground street lighting options: one where Pacific Ave. remains open and one where a portion of Pacific Ave. will close.

   The additional cost estimates are as follows:

   Option "A" - Pacific Ave. remains open

   Installation of underground street lighting plant including 7 - 45' ornamental poles on Martha St. and Pacific Ave. and removal of 4 existing street lighting poles ---------- $ 31 000.00

   Option "B" - Pacific Ave. is closed

   Installation of underground street lighting plant including 6 - 45' ornamental poles on Martha St. and Pacific Ave. removal of 4 existing street lighting poles ---------- $ 25 000.00

   Note: This option requires re-routing of street lighting control conductors to Rupert Ave. at an additional cost of $6 500.00.

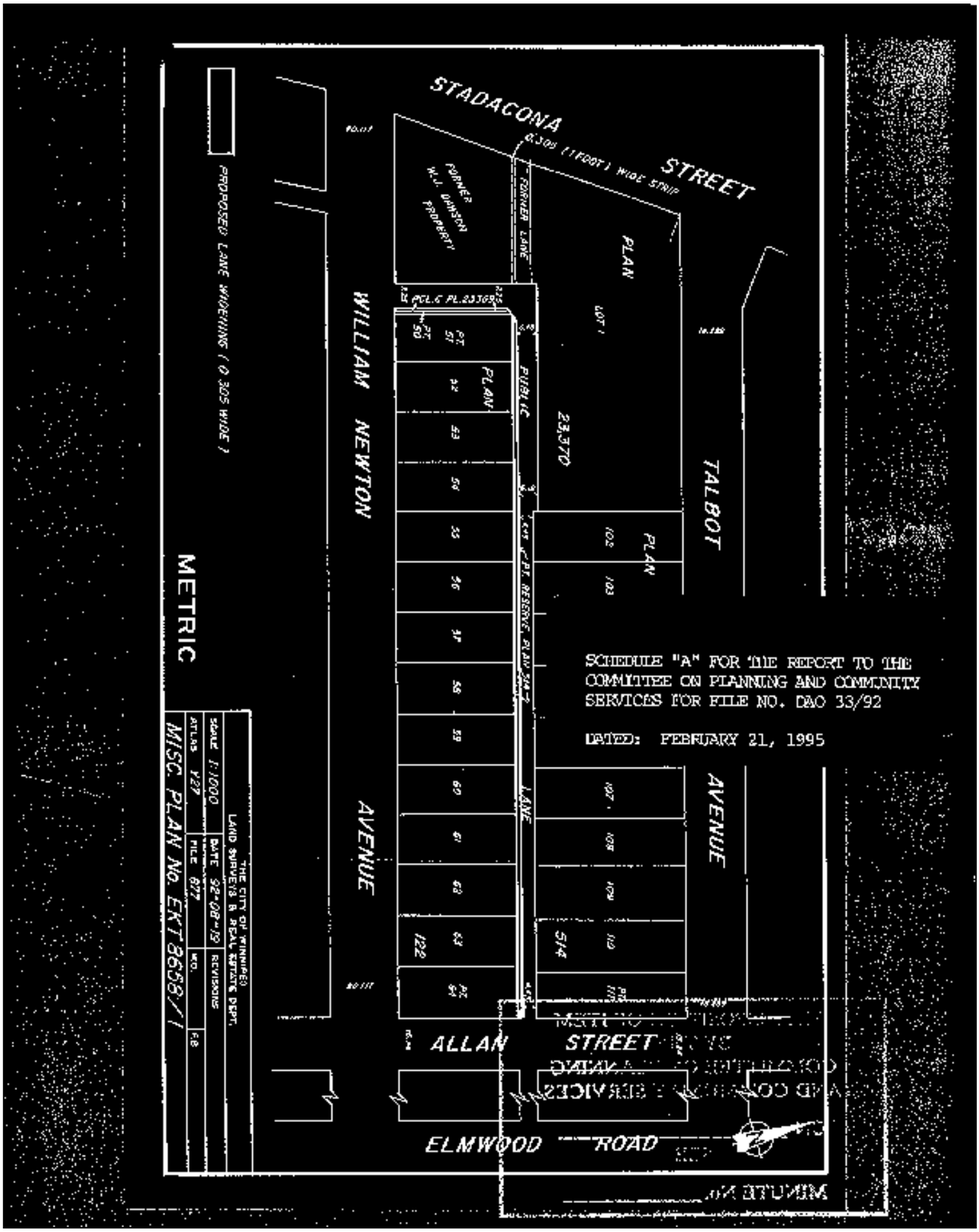
3. As the plant on Alexander Ave. presently provides electrical service to the existing building on the subject property, re-supply of this building will be required.

RB/QM

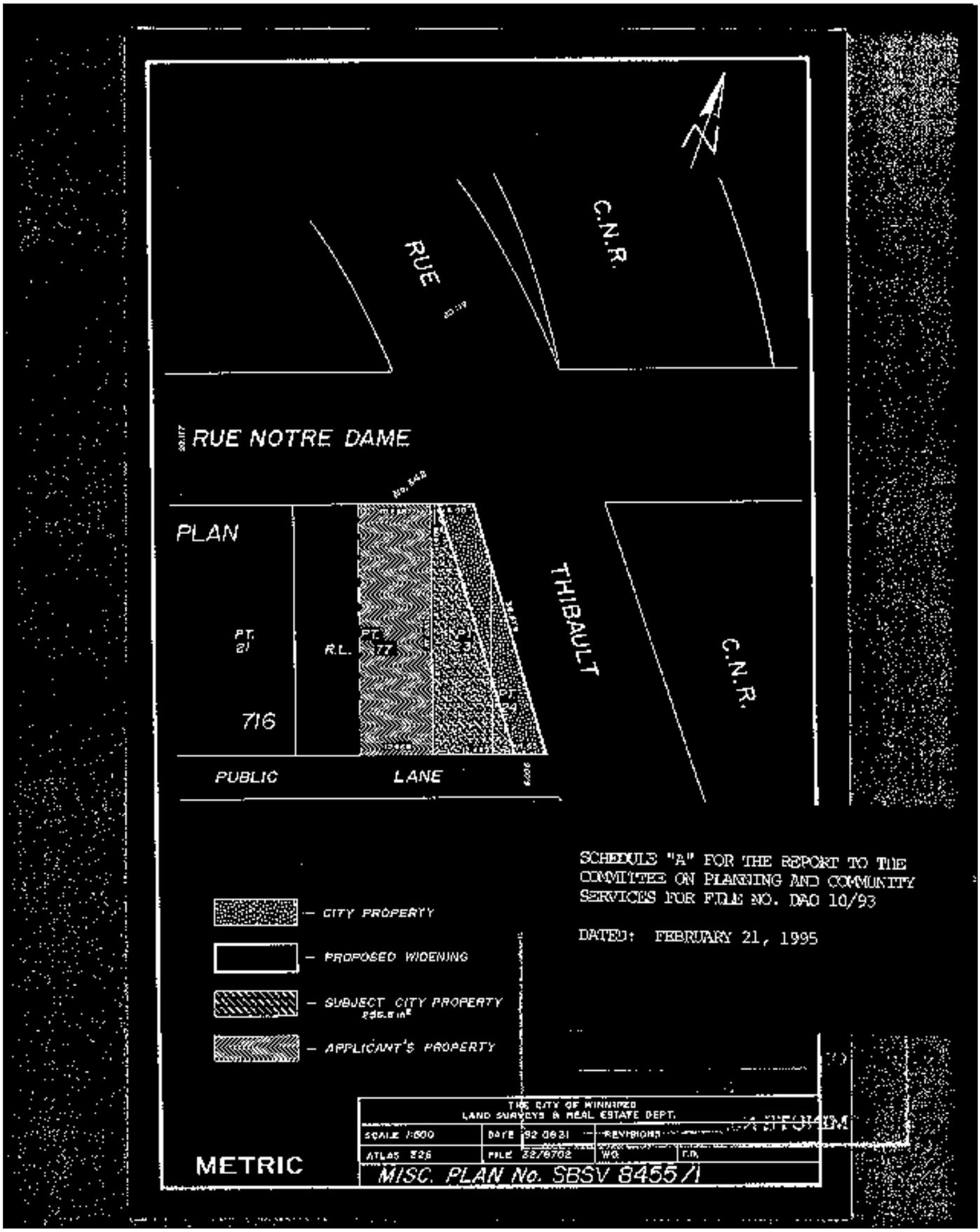
cc: Mr. R.J. Linton

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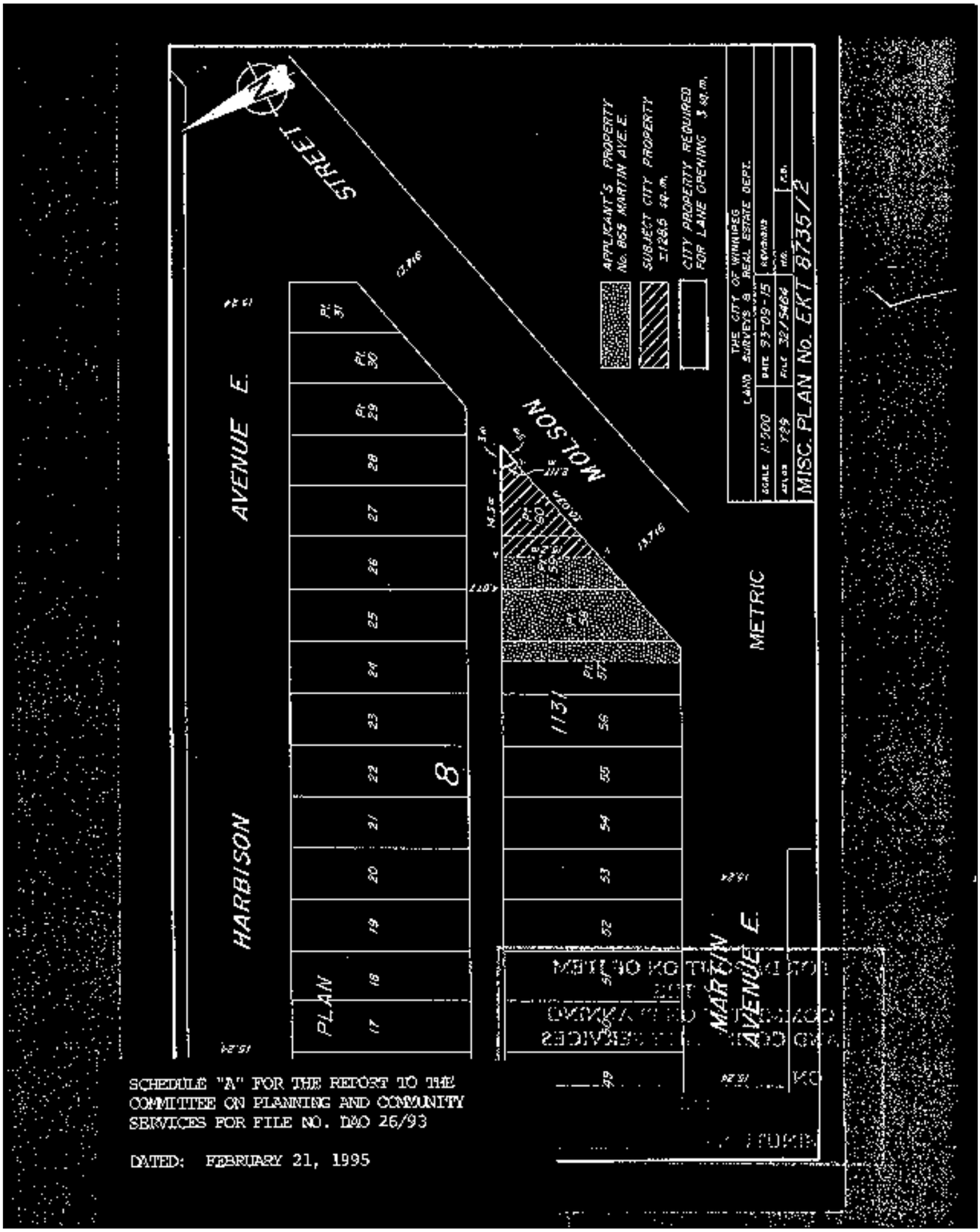
593 - Schedule "A" referred to in Clause 8 of the Report of the Committee on Planning and Community Services dated February 28, 1995



594 - Schedule "A" referred to in Clause 9 of the Report of the Committee on Planning and Community Services dated February 28, 1995



595 - Schedule "A" referred to in Clause 10 of the Report of the Committee on Planning and Community Services dated February 28, 1995



596 - Appendix "A" referred to in Clause 12 of the Report of the Committee on Planning and Community Services dated February 28, 1995

The following list is a number of proposals which were received. Some relate to reuse of both facilities, while others single out one. The following list identifies the most promising of those received:

PROPONENT	***THEATRE(S)***	***USE***
J. Collison V. Vrsnik B. Kelcey	*Capitol*	*"Cinecenter" training facility for film makers to complement the art production centre under construction on Sherbrook.*
J.D Anderson	*Capitol*	*4-CLAZ Entertainment Complex which proposes a sporting facility related to young people. Both a gym and sporting events component are visualized.*
James Duffy	*Capitol and Metropolitan*	*"Cinema _N_ Drafthouse" which combines reasonably priced dinners with movies. Operates as a national franchise in the U.S.*
Wayne Flett	*Capitol and Metropolitan*	*"Mr. Canada's Touring" proposes to use the Capitol, Metropolitan, Walker and Pantages Theatres for live entertainment relating to tourists within an 850 mile radius of Winnipeg. It is particularly noteworthy that "Mr. Canada's Touring" provides annual package tours to almost 100,000 people. For the most part these tourists add to the economic viability of places south and west of Winnipeg. With a concentration of effort and an acute understanding of the package tour industry, Winnipeg's theatres offer a great opportunity.*
M. Fogel	*Capitol and Metropolitan*	*Development of "Pachinko" Parlours which are adult-orientated pinball games popular in Japan.*
N.H. Lavery	*Capitol and Metropolitan*	*Establishment of a meeting place, school and sanctuary in the downtown, especially important for young.*
D. Spilchuk	*Capitol*	*Training facility for stage, film and T.V. production of Broadway calibre musicals.*
	Metropolitan	*"Theme" movie house comprised of regular and Las Vegas style seating with in-house food and beverage service.*
A. So	*Capitol*	*Centre of Cosmetological Sciences and arts with hair show events, a training centre and a school for hairdressers.*
P.E. Sveinson	*Metropolitan*	*Tele-theatre for video conferencing and a one stop shop with full services for concert and event planners.*

Other proposals have been conveyed in written and verbal form which call for part-time use of the two theatres. For example, the Manitoba Rhythmic Gymnastics Association is interested in utilizing space at the Metropolitan Theatre. Full written proposals are available from the Commissioner of Planning and Community Services.