REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED JANUARY 31, 1995

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services dated January 31, 1995, was considered clause by clause.

Moved by Councillor O'Shaughnessy,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7 and 8 be adopted.

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

Councillor Angus requested that Clause 5 be pulled from the Consent Agenda.

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

Her Worship the Mayor and Councillors:

North St. Boniface Market Garden Site Former Lagemodiere Land, Parish of St. Boniface File G-3.1.4 (Vol. 1)

526 - 1. The Committee on Planning and Community Services has been advised that in October 1993, the Historical Building Committee was requested by the Heritage Support Implementation Task Force to prepare a report examining the preservation of City owned land as a historic park site. It was believed that Jean-Baptiste Lagemodiere and Marie-Anne Gaboury built their homestead on the site and that Louis Riel was subsequently born here. A map showing the area, is outlined on Appendix "A".

The Committee reviewed a number of reports, including a report by K. David McLeod, "Lot 76, Parish of St. Boniface: A Land Use History With Emphasis on the Landholdings of Jean-Baptiste Lagemodiere Senior Along the Seine and Red Rivers", that point out the historical significance of this site as land that was granted to the Lagemodiere family prior to 1818. It is uncertain if Louis Riel was born in this area.

The Historical Buildings Committee corresponded with the Historic Sites and Monuments Board of Canada who have plagued the site to commemorate the Lagemodiere family. There are no restrictions imposed by the Federal Government on what can be done to this site.

The Historical Buildings Committee recommends that the City of Winnipeg declare the site historic for the following reasons:

1) That the property is associated with the Lagemodiere family who embody the early history of Western Canada;

2) That this land was granted to Jean-Baptiste Lagemodiere and Marie-Anne Gaboury by Lord Selkirk for his service as a courier during the Pemmican Wars (1815-1816);

3) That one of their daughters married a prominent member of the St. Boniface community and became the mother of Louis Riel.

Since land cannot be designated under the City's Historical Buildings By-law 1474/77 (as amended), the Heritage Resources Act (H39.1) of the Province of Manitoba must be used. The Act requires that a "Municipal Notice of Intent" be published in two newspapers and that a public hearing be held to consider objections and other representations. At that time a discussion can occur regarding the community's concern for recreational structures and/or park facilities allowed on the site.

The Committee on Planning and Community Services therefore recommends:

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I. That the Acting City Solicitor be instructed to draft a by-law under section 26 (1) of the Heritage Resources Act (H39.1), to designate the North St. Boniface Market Site, Lot 76, Parish of St. Boniface, as a heritage municipal site;

II. That pursuant to section 26 (2) of the Heritage Resources Act, that a "Municipal Notice of Intent" be served, and the Committee on Planning and Community Services be designated to hold the required public meeting declaring the intention of the municipality to designate the site as a heritage municipal site and stating a date, time and place for a hearing to be held by the municipality to receive objections and other representations with respect to the proposed by-law;

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

A copy of the report entitled "Lot 76, Parish of St. Boniface: A Land Use History With Emphasis on the Landholdings of Jean-Baptiste Lagemodiere Senior Along the Seine and Red Rivers", is on file in the office of the City Clerk.

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

Carried.

Proposed Subdivision and Rezoning - Land located East and West sides of Scotia Street, North of John Black Road - Lord Selkirk-West Kildonan Community
File DASZ 15/94

527 - 2. The Committee on Planning and Community Services has reconsidered Clause 10 of its Report, dated January 4, 1995, which was referred back to it by the Executive Policy Committee at its meeting held on January 18, 1995, which reads, in part, as follows: -

The Committee on Planning and Community Services has been advised that an application has been received from Mr. Gerald D. MacDonald, 985 Roch Street, Winnipeg, Manitoba, R2K 2R2, for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 4450/86 by rezoning the subject lands from an "AR-5" Agricultural-residential District to an "RM-L" Multiple-family District and an "R1-6" Single-family District to permit the establishment of single family dwellings and a fourteen (14) unit condominium development. (detached housing)

The subject property is rectangular in shape (Part River Lot), and is approximately 88 metres (290 feet) wide and 343 metres (1,131 feet) deep along the north property line.

Site Area: 7.5 acres

Existing Land Use: vacant

The following is the Surrounding Land Use and Zoning:

North: "RA" Single-Family District, and largely vacant

East: The Red River forms the east boundary of the site.

West: "RA" Single-Family District

South: "RA" Single-Family District, and occupied with single-family dwellings.

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A previous application, DASZ 9/88, as outlined on Plan I, proposed to rezone and subdivide the subject land to an "R1-5" category and creating twenty (20) single-family lots. Under the current plan the alignment of Scotia Street has been reconfigured and the cul-de-sac is on the river side of the aforementioned right-of-way, as outlined on Schedule "A". Similar to the conceptual plan, there is provision for a temporary access through to Main Street. That access is to be maintained until such time as an alternate public access is provided to the north as part of an eventual overall development of that area.

The Planning Department has reviewed the subject proposal and endorses it in its entirety. Initially, there was some concern that a rezoning to the multiple-family category meant a substantial increase in density relative to what was approved under the original application. However, the site plans for the condominiums suggest a maximum of fourteen (14) detached single-family housing units which, combined with the "R1-6" lots on the river, total twenty-one (21) dwelling units, only one more than was approved under the original plan (DASZ 9/88). It will be stipulated as a condition of approval within the zoning agreement that a number of dwelling units within the area identified for "RM-L" zoning be restricted to a maximum of fourteen (14) units. Any increase in the density suggested would require a zoning agreement amendment which requires the applicant to enter once again into the same approval process as that which is required for this current subdivision and rezoning application.

The report of the Administrative Co-ordinating Group dated September 21, 1994, outlined how the subject properties are to be serviced via John Black and Scotia Street. In order to accommodate the recommendations of a previous geotechnical report, the river lots east of Scotia Street provide an adequate depth in order to meet safe setback standards for housing, as determined by the Rivers and Streams Authority.

Public meetings were held before the Lord Selkirk-West Kildonan Community Committee on October 11, November 8, and December 6, 1994.

One person appeared in support of the application.

Two persons appeared in opposition of the application.

One person appeared for information purposes.

The Lord Selkirk-West Kildonan Community Committee recommended that:

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

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

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

On January 31, 1995, the Committee on Planning and Community Services further considered the subdivision application under File No. DASZ 15/94, with the following amendment:

- That Condition I. B. 1) as outlined in the report of the Lord Selkirk-West Kildonan Community Committee, deleting item 2 (c) of the Administrative Coordinating Group report, dated September 21, 1994, be reinstated as follows;

  "2.(c) The Developer shall pay a land drainage trunk capacity charge as determined by the Commissioner of Works and Operations."

  and that condition I. B. 2) be renumbered as I. B. 1).

The Committee on Planning and Community Services therefore recommends:

I. That the plan of subdivision proposed under File DASZ 15/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A" for File DASZ 15/94, and dated December 20, 1994, for registration in the Winnipeg Land Titles Office subject to the following:

   A. That the plan be amended to provide:

      1. A 2.743 m (9.0 ft.) widening to the Main Street right-of-way along the proposed subdivision frontage.

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2. A right-of-way being established for the proposed cul-de-sac turnaround is to have dimensions as per Streets and Transportation Department Drawing No. ST-90 (revised).

B. 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 September 21, 1994, as outlined on Schedule "B" and dated December 20, 1994, with the following amendments thereto:

1) that Item 2. under the "Firstly" portion of the recommendation be amended to read as follows:

"2. Right-of-way being established for the proposed cul-de-sac turnaround is to have dimensions to the satisfaction of the Commissioner of Works and Operations."

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 The Zoning By-law No. 4450/86 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 15/94 and dated December 20, 1994, to an "RML" Multiple-Family District, and a "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 591 (1) of The City of Winnipeg Act to apply to the "RM-L" lands to provide for the following:

i) that the maximum number of dwelling units in the area defined for "RM-L" housing be restricted to fourteen (14) units;

ii) that the housing within the defined "RM-L" zoned area be limited to detached condominium housing units;

iii) that final site plans outlining approaches, fencing, landscaping, building location, etc., for the defined "RM-L" Multiple-Family housing area be submitted for approval by the Commissioner of Planning and Community Services and the Lord Selkirk-West Kildonan Community Committee.

iv) that no building or structures shall be constructed on that portion of the land (proposed Lots 3-6) which portion has been designated floodway area as defined in Part 15 of the City of Winnipeg Act.

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

V. That the subdivision section of the by-law shall come into force and effect upon 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 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. 535 for attachments)

Report of the Committee on Planning and Community Services dated January 31, 1995

Proposed Subdivision and Rezoning - Land located on the west side of Loudoun Road and east side of Liberty Street; south of Howe Avenue - Assiniboia Community
File DASZ 14A/92

528 - 3. The Committee on Planning and Community Services has reconsidered Clause 8 of its Report, dated January 4, 1995, which was referred back to it by Council at its reconvened meeting held on January 26, 1995, which reads, in part, as follows: -

The Committee on Planning and Community Services has been advised that an application has been received from Doug Henne Planning Services, 917 Simpson Avenue, Winnipeg, Manitoba, R2K 1S5, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 1800 by rezoning the subject lands from "A" General Agricultural District to an "RR-2" Rural Residential District to permit the establishment of up to 37 single family building sites.

Site Area: *approximately 36 hectares/90 acres*

Existing Land Use: *vacant land zoned "A" General Agricultural District*

The following is the Surrounding Land Use and Zoning:

Development in the area consists of farm enterprise and rural residential development on agriculturally zoned lands permitting either 40 acre or 5 acre development. Some properties zoned "M1" Limited Industrial District remain on Liberty and Loudoun north of Howe.

The application area consists of a portion of a obsolete 5 acre subdivision plan running between Howe Avenue on the north and Four Mile Road on the south. The applicant proposes to subdivide the existing frontage into 2.47 acre lots. The subdivision would result in the creation of 37 lots; four lots fronting Liberty Street south of Howe Avenue, and 33 lots fronting Loudoun Road south of Howe. Most of the proposed lots have frontages in the order of 190 feet.

A future street allowance has been reserved running west from Loudoun midway between Howe and Four Mile Road. This street allowance, plus a southerly extension of Liberty Street, will eventually permit the development of the applicant's remaining lands. It is requested that this street allowance be widened to 24 metres to permit construction of a rural roadway with ditch drainage.

The requested "RR-2" zoning requires a minimum lot area of 2 acres. The proposal therefore complies with the requested zoning. The Wilkes South Secondary Plan permits 2.5 acre subdivision on improved public right-of-way in designated areas of the Wilkes South neighbourhood. Lots less than 130 feet in width and 2.5 acres in area will require pump-out tanks for sewage disposal. The Planning Department recommended that the proposed plan be amended to provide a minimum lot size of 2.5 acres.

The report of the Administrative Co-ordinating Group is supportive of the application with conditions related to road widening, drainage, lot servicing and development charges.

A public meeting was held before the Assiniboia Community Committee on November 8, 1994.

One person appeared in support of the application.

Three persons appeared in opposition to this application.

Four persons appeared for information purposes.

At the meeting, Mr. D. Paetkau advised the Assiniboia Community Committee that, "There is already a problem with flooding and that if the residential property is built up it would create even more of a problem." Subsequent to the public hearing the Administrative Co-ordinating Group (A.C.G.) discussed the drainage problem of the area and concluded that the situation would not be worsened if the new lots are graded in accordance with a grading plan prepared by a municipal engineer and approved by the District Engineer or as already recommended in the A.C.G.'s report. However to assist in ensuring that the lots are graded correctly A.C. G. recommended that the

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appropriate caveats be filed against the titles of the new lots to put prospective owners on notice of the grading requirements.

The Assiniboia Community Committee recommended that:

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

A) The recommendation complies with the Wilkes South Secondary Plan and does not require any changes.

On January 31, 1995, the Committee on Planning and Community Services further considered the subdivision application under File No. DASZ 14A/92 and incorporated the following amendment in its recommendation, namely: -

- That Condition No. I. B) be amended to read at the end thereof, "that the Assiniboia Community's portion of all funds from the 10% in lieu of the requirement for land for open space, park and recreational use, for the Wilkes South Area, be dedicated towards Marj Edey Park"

The Committee on Planning and Community Services therefore recommends:

I. That the plan of subdivision proposed under File DASZ 14A/92 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 14A/92, attached hereto, and dated December 21, 1994, 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 Co-ordinating Group dated October 18, 1994, as outlined on Schedule "B" dated December 21, 1994;

B) That the Developer be required to pay to the City 10% cash dedication in lieu of land dedication to be calculated on the basis of the final number of additional building lots created and, that the Assiniboia Community's portion of all funds from the 10% in lieu of the requirement for land for open space, park and recreational use, for the Wilkes South Area, be dedicated towards Marj Edey Park;

C) That the Developer be required to amend the plan to increase the width of the proposed future street right-of-way, between Lots 21 and 22, to 24.0 metres in width;

D) That the Developer be required to amend the plan so that the minimum lot size shall be no less than 2.5 acres.

II. 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 1800 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 14A/92, dated December 21, 1994, from an "A" General Agricultural District to an "RR-2" Rural Residential District, subject to the Developer entering into a zoning agreement with the City to provide for the following:

a) that the minimum lot size shall be 2.5 acres.

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

V. That the subdivision section of the by-law shall come into force and effect upon 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 when the plan of subdivision has been registered in the Winnipeg Land Titles Office and the Development Agreement has been executed, except that the rezoning of the lands shall not come into force and effect until the zoning agreement has been filed by caveat as a first charge against the lands at the Winnipeg Land Titles Office.

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

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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 in accordance with the terms of The City of Winnipeg Act.

Adopted by consent.

(See Minute No. 536 for attachments)

Proposed Amendment to Servicing Agreement AG 265/88 - Finance Department No. 7762 - Cooperative Chalet St. Norbert Ltee - East side of rue St. Pierre, between avenue Ste. Therese and avenue de L'Eglise - Riel Community
File DAZ 265/88

529 - 4. The Committee on Planning and Community Services has been advised that on December 7, 1988, the City entered into a Servicing Agreement with the Cooperative Chalet St. Norbert Ltee., pursuant to the approval of DAZ 265/88, being an application to rezone land located on the East side of rue St. Pierre, between avenue Ste. Therese and avenue de L'Eglise.

The Developer has requested that the referenced Servicing Agreement AG 265/88, be amended to delete "Sidewalk".

The original proposal was to install a sidewalk fronting this development with connections to the existing sidewalks on rue St. Pierre and Avenue Ste. Therese, with the latter requiring a cross walk at the intersection. The drawing is outlined on Appendix "A".

The South West Operation Department advised that they have no objections to the proposed deletion of the sidewalk. The Land Development Department has also indicated that they have no objections to the request.

On January 16, 1995, the Riel Community Committee considered and concurred in the recommendation, contained in the memorandum dated January 4, 1995 from the Land Development Department.

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

I. That Schedule "B", Clause I., of Servicing Agreement AG 265/88 be deleted, namely;

> "The Developer shall construct a portland cement concrete sidewalk on the east side of rue St. Pierre abutting the Planned Area and a cross walk at the intersection of Avenue Ste. Therese";

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

A copy of attachments referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

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Proposed Rezoning - 995 - 999 Corydon Avenue - City Centre Community

File DAZ 226/94

530 - 5. The Committee on Planning and Community Services has been advised that an application has been received from Mr. Gerry Parent, 1 - 995 Corydon Avenue, Winnipeg, Manitoba, R3L 0X1, to amend By-law No. 1800 by rezoning the land at 995 - 999 Corydon Avenue from an "RM-1" Multiple-family District to a "C1" Local Commercial District to allow for limited commercial development.

Related Files: DAV 1046/94D -

1) conversion of a single family dwelling to an office, having an accessory building requiring a rear yard variance; and

2) maintenance of an office building previously approved by DAV 576/85 - requiring side and rear yard variances - Rejected.

The applicant has indicated that at this time he proposes to maintain the existing buildings on site. The insurance business is to remain at 995 Corydon Avenue, while the proposed tenant for 999 Corydon is a retail business - florist and confectionary sales. However, the applicant is seeking approval of a broader range of "C1" District uses to provide for greater marketing flexibility.

An unrestricted "C1" Local Commercial District zoning would allow for a wide range of retail and service uses on this site. The Planning Department is concerned about commercial redevelopment of this site and the impact that this would have, particularly on adjacent properties to the west and north. Low density multiple family housing is seen as an appropriate future land use at this location.

Office uses in the existing residential structures were viewed as compatible with the residential area, and acceptable on an interim basis. This application involves a policy question about where the western boundary of the commercial development on Corydon Avenue will be. Intensifying the commercial development on this site through a change to a commercial zoning category and/or permitting the establishment of retail and services uses will change the character of this site and jeopardize future residential redevelopment.

Previous Applications:

DCU 71/88: Permitted the establishment of a business office within the existing building at 999 Corydon Avenue with conditions limiting the hours of operation and parking on site to the existing garage.

DCU 120/85: Permitted the establishment of business offices within the existing building at 995 Corydon Avenue, with conditions limiting hours of operation and permitting no more than 3 parking spaces.

DAV 676/85: No loading space

DAV 834/86: Signs

DAV 963/92: Signs and changes to hours of operation.

Proposed By-law 6400: The property will be zoned "RM-2" Multiple Family District under the new unified Zoning By-law. Redevelopment with up to 9 dwelling units is permitted. The previously approved conditional use applications will permit occupancy of the existing buildings with business office uses. Also, under these "RM" District regulations, retail sales and personal service uses listed in the "C1" Commercial District are conditional uses in conjunction with a multiple family building.

A public meeting was held before the City Centre Community Committee on November 8, 1994.

One person appeared in support of the application.

A number of persons appeared in opposition to the subject application as outlined on Pages 3 and 4 of the report of the City Centre Community Clerk, dated November 23, 1994.

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The City Centre Community Committee recommended that the proposed zoning change be not proceeded with, for the following reasons:

1) The Planning Department expressed concern about commercial redevelopment of the site and the impact that would have, particularly on adjacent properties to the west and north.

2) Low density multiple family housing is seen as an appropriate future land use at this location.

3) The subject application involves a policy question about where the western boundary of the commercial development on Corydon Avenue will be as intensifying the commercial development on this site through a change to a commercial zoning category and/or permitting the establishment of retail and services uses will change the character of the site and jeopardize future residential development.

4) The neighbourhood has completely rejected the application and is totally opposed to any commercial zoning.

On January 4, 1995, the Committee on Planning and Community Services considered the report from the Acting Director of Planning dated November 28, 1994 regarding DAZ 226/94. The Committee laid over consideration of this matter and requested a report outlining conditions for approval of this application to rezone the lands to a "C1" Local Commercial District.

On January 31, 1995, the Committee on Planning and Community Services, received as information the report from the Acting Director of Planning dated January 20, 1995, which is outlined on Appendix "A".

The Committee on Planning and Community Services concurs in the recommendation of the City Centre Community Committee as follows:

I. That the proposed zoning change to amend Zoning By-law No. 1800 by rezoning land under File No. DAZ 226/94 from an "RM-1" Multiple-Family District to a "C1" Local Commercial District not be proceeded with.

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

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

Moved by Councillor Golden,
That the clause be referred back to the Executive Policy Committee.

Lost.

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

(See Minute No. 537 for attachments)

Proposed Rezoning - 916 Corydon Avenue - City Centre Community
File DAZ 235/94

531 - 6. The Committee on Planning and Community Services has been advised that an application has been received from Guy Coughlin Insurance Agency Ltd., 302 Fort Street, Winnipeg, Manitoba, R3C 1E5 to amend By-law No. 16502 by rezoning the land at 916 Corydon Avenue from an "R3" Multiple-family District to a "C1" Commercial District to allow for commercial development.

Related Files: DAV 1155/94C - 5 year temporary use variance for the establishment of a dress shop in the existing building in order that the use can be established prior to completion of the rezoning. - Granted

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The adjoining lands along Corydon Avenue frontage between Wentworth and Stafford Avenue developed with a mix of residential and commercial uses, zoned "R3", "C1" and "C2" Districts. To the south of the rear lane is a residential area zoned "R2" Two-Family District.

The applicant is proposed to convert the existing structure to accommodate a women's clothing store. The requested "C1" District zoning would allow some flexibility to accommodate other limited retail, service and office uses in the future.

A public meeting was held before the City Centre Community Committee on January 10, 1995.

One person appeared in support of the application:

No one appeared in opposition to the application.

The City Centre Community Committee recommended that:

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

1. The adjoining lands along the Corydon Avenue frontage between Wentworth and Stafford Streets are developed with a mix of residential and commercial uses, zoned "R3", "C1" and "C2" Districts.

2. The requested "C1" District zoning will allow some flexibility to accommodate other limited retail, service and office uses in the future.

3. The requested "C1" District zoning is consistent with the zoning immediately to the east of the subject site and is considered appropriate for this site.

4. The intended use of the property is the type of commercial development that should be a buffer between commercial and residential uses.

5. The intended use of the property is an infill business compatible with the nature of businesses in the area.

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

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

I. That By-law No. 16502 (proposed by By-Law No. 6400) be amended by rezoning the subject land as outlined on Schedule "A" for File No. DAZ 235/94, attached hereto and dated January 23, 1995, to a "C1" Commercial District subject to the following:

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

i) That final construction plans indicating any additions or exterior modifications to the existing building or new structure including elevations and details of exterior finishing materials, accessory parking and loading areas, fencing, landscaping and garbage enclosures be subject to the approval of the Community Committee and the Commissioner of Planning and Community Services.

ii) That all signs be subject to the approval of the Commissioner of Planning and Community Services.

iii) That the hours of operation be restricted to 8:00 a.m. to 9:00 p.m. from Monday to Sunday.

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.

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II(1) That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

IV. That the rezoning by-law district 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.

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

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.

V(2) 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. 538 for attachment)

Proposed closing of portion of public lane adjoining 235 rue La Verendrye - Riel Community File DAC 18/94

532 - 7. The Committee on Planning and Community Services has been advised that the Land Surveys and Real Estate Department initiated the above-noted lane closing shown on Misc. Plan No. RIEL 9269, at the request of the owner of 235 rue La Verendrye, as outlined on Schedule "A".

The request is for the southerly portion of the lane only, which is already physically closed. This application was previously dealt with under File No. DAC 10/92 and the then St. Boniface - St. Vital Community Committee recommended that it not be proceeded with, as their was no concurrence among the neighbours as to the disposition of the subject lands. The portion to the north of the subject lane closing would remain open as it is used for access by parties to both the east and west.

The proposed lane closure was circulated to all concerned City Departments and public agencies, with no objections having been received. On December 5, 1994, the Riel Community Committee recommended approval of the proposed closing in accordance with Misc. Plan No. RIEL 9269.

On January 31, 1995, the Committee on Planning and Community Services further considered the proposed closing of a portion of a public lane under File No. DAC 18/93 and incorporated the following amendment in its recommendation, namely: -

- That Recommendation No. I. be amended to include the words, "and that equal portions of the closed lane be offered for sale to the property owners at 227 and 235 rue La Verendrye,"

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 lane closing, and that equal portions of the closed lane be offered for sale to the property owners at 227 and 235 rue La Verendrye, in accordance with Misc. Plan No. RIEL 9269, 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. 539 for attachment)

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Proposed Street type (name) change - Springside Avenue to Springside Drive - Riel Community
File SC-3.14(35)(Vol. 1)

533 - 8. The Committee on Planning and Community Services has been advised that on November 22, 1994, the Subdivision/Codes Branch received a copy of a letter sent to the Riel Community Committee from Mr. Bill Coe, 97 Springside Avenue. Mr. Coe outlined in his letter a survey he made, which indicated 49 households out of 51 contacted, support the street type Drive. He requested that Avenue be changed to Drive.

The Subdivision/Codes Branch has no objection to the street "type" designation of Springside being changed from Avenue to Drive. It appears from the information presented that the street type Drive is still in common use; and had been signed this way since 1942, until the street signs were changed approximately three years ago, putting in question whether the designation should be Avenue or Drive. Also, it is noted that the 1994 Henderson City Directory still lists the street type as Drive.

This matter was reviewed by the Riel Community Committee on December 5, 1994, with the above comments provided as background information, in a report to the Community Committee. After due consideration by the Community Committee, it was recommended that street name be changed from Springside Avenue to Springside Drive.

The Committee on Planning and Community Services concurs with the Riel Community Committee that the currently registered name "Springside Avenue" be changed to "Springside Drive", and further recommends:

I. That the Director of Land Surveys and Real Estate be requested to provide the necessary legal description to the City Solicitor for the purpose of preparing a by-law.

II. That the City Solicitor be requested to prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that the name change become effective upon third reading.

III. That the City Solicitor, upon passage and adoption of the by-law by Council, be authorized to publish the street name change in two daily newspapers having a general circulation throughout the City of Winnipeg.

IV. That the City Clerk be requested, upon passage of the by-law to provide the relevant Community Clerk with a copy of the by-law and this report for the purpose of changing all pertinent records and notifying all persons affected by the by-law.

Adopted by consent.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

534 - On motion of Councillor O'Shaughnessy, the following By-laws were read a first, second and third time, the rule being suspended for the the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:

By-law No. 6588/95, a By-law of the City of Winnipeg to close part of Signet Bay, Plan 29585. File DAC 7/93

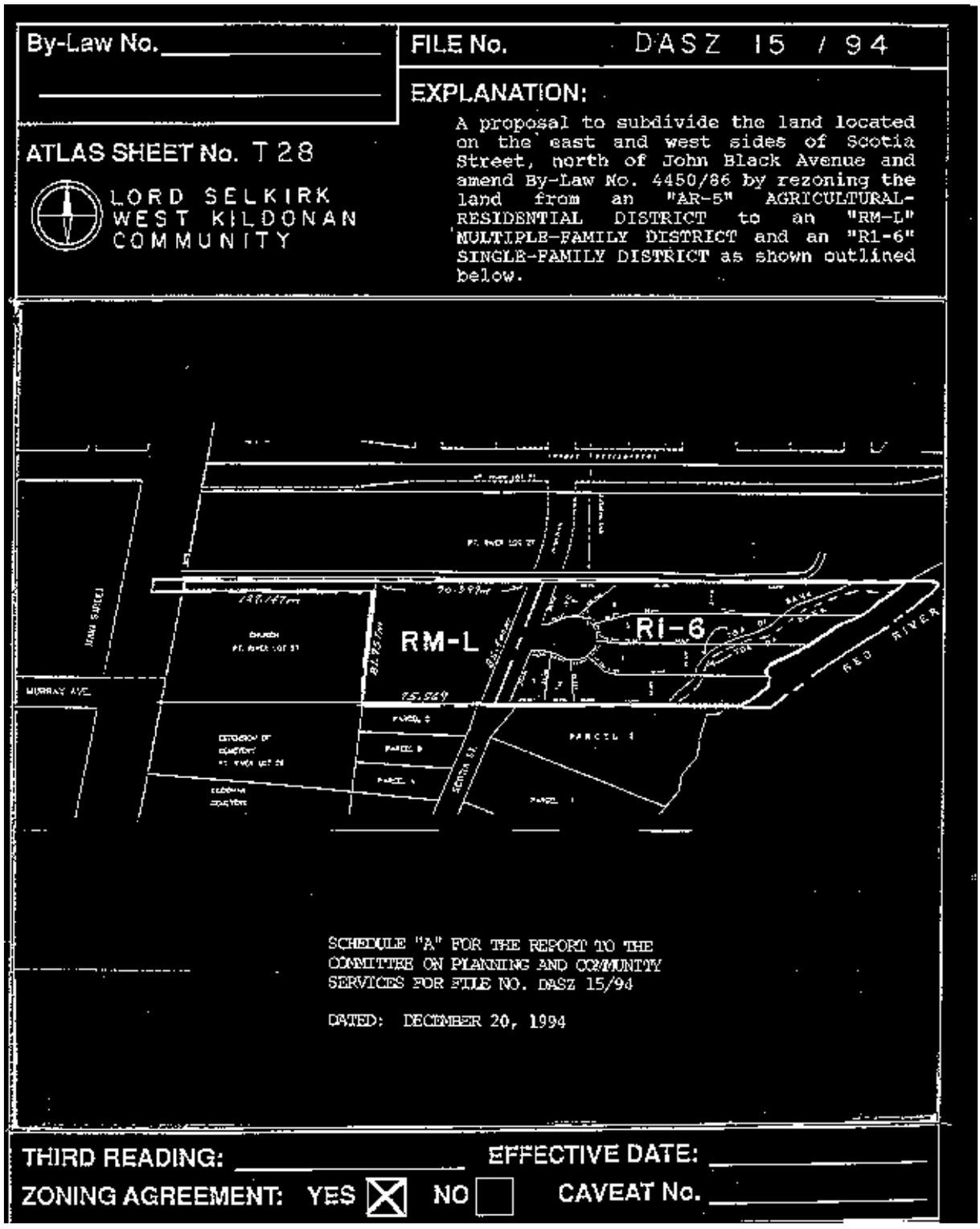
By-law No. 6589/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on Bairdmore Boulevard, Briarlynn Road, Calderwood Bay, Coldbrook Lane, Craigmohr Drive, Dalemore Drive, Keslar Road and Kinlock Lane, in the Riel Community. File DAZ 228/94

By-law No. 6590/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on the south side of Edison Avenue between Roch Street and Henderson Highway, in the East Kildonan-Transcona Community. File DAZ 232/94

By-law No. 6591/95, 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 south side of Columbus Crescent, west of Carroll Drive, in the Assiniboia Community. File DASZ 13/94

On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6592/95, 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 on the west side of Lindenwood Drive West, east of the CPR right-of-way, south of Tweedsmuir Road, in the Assiniboia Community, 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 DASZ 19/94

535 - Schedule "A" referred to in Clause 2 of the Report of the Committee on Planning and Community Services dated January 31, 1995



Schedule "B" referred to in Clause 2 of the Report of the Committee on Planning and Community Services dated January 31, 1995

SCHEDULE "B" FOR THE REPORT TO THE
COMMITTEE ON PLANNING AND COMMUNITY
SERVICES FOR FILE NO. DASZ 15/94

DATED: DECEMBER 20, 1994

September 21, 1994 AG 15/94

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

TO THE CHAIRPERSON AND MEMBERS OF THE
LORD SELKIRK/WEST KILDONAN COMMUNITY COMMITTEE

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE EAST AND WEST SIDES OF SCOTIA STREET, NORTH OF JOHN BLACK AVENUE - DASZ 15/94

An application has been submitted by Geal Investments Ltd. to subdivide and rezone land located on the east and west sides of Scotia Street, north of John Black Avenue.

It is recommended that approval of DASZ 15/94 be subject to the following conditions:

Firstly, that the Developer amend its plan as follows:

1. By providing a 2.743 m (9.0′) widening to the Main Street right-of-way along the proposed subdivision frontage.

2. Right-of-way being established for the proposed cul-de-sac turnaround is to have dimensions as per Streets & Transportation Department Drawing No. ST-90 (revised).

Secondly, the Developer shall enter into a Development Agreement containing the following:

1. The Developer shall, at no expense to the City, install wastewater sewers and watermains to serve the proposed subdivision including a secondary watermain feed from Main Street to the satisfaction of the Commissioner of Works and Operations.

2. a) The Developer shall, at no expense to the City, install land drainage sewers complete with catchbasins to serve the proposed subdivision and adjacent land including the extension of the land drainage sewer in Scotia Street and connection to the existing land drainage trunk sewer in John Black Avenue to the satisfaction of the Commissioner of Works and Operations.

   The Developer shall construct all swales, catchbasins and leads on private property, in locations where rear lot drainage has to be provided prior to the issuance of Building Permits.

Schedule "B" referred to in Clause 2 of the Report of the Committee on Planning and Community Services dated January 31, 1995 (continued)

b) The Developer shall, at no expense to the City, provide easements with respect to the installation, maintenance and replacement of catchbasins and leads in private property for lot drainage upon registration of the approved subdivision mylars in the Land Titles Office.

c) The Developer shall pay a land drainage trunk capacity charge as determined by the Commissioner of Works and Operations.

3. The Developer shall, at no expense to the City, install separate water and wastewater lot line connections to serve each lot within the proposed subdivision.

4. a) The Developer shall, at no expense to the City, construct reinforced portland cement concrete pavements to a minimum width of 7.5 m and to a thickness of 150 mm in all streets within the proposed subdivision to the satisfaction of the Commissioner of Works and Operations;

b) The Developer shall provide and maintain an all-weather secondary means of vehicular access to serve the proposed subdivision prior to the occupancy of any dwelling unit located therein to the satisfaction of the Commissioner of Works and Operations.

c) The Developer shall, at no expense to the City, upgrade the road surface of Scotia Street and John Black Avenue with a Type III oiling to the satisfaction of the Commissioner of Works and Operations upon substantial completion of the dwelling units within the proposed subdivision.

5. a) The Developer shall lay sod and plant trees on the boulevards within the proposed subdivision in accordance with plans and specifications approved prior to installation by the Director of Parks and Recreation. The Developer shall be responsible for maintenance of the landscaping improvements for a period of one year in accordance with maintenance specifications of the Director of Parks and Recreation.

b) The Developer shall, at no expense to the City, pave the cul-de-sac island with interlocking paving stones in accordance with construction specifications approved by the Director of Parks and Recreation. The Developer shall be responsible for maintenance of the improvement for a period of one year in accordance with maintenance specifications of the Director of Parks and Recreation.

6. The Developer shall, at no expense to the City, provide underground electrical and telephone services to serve the proposed subdivision and shall pay the full cost of converting any existing overhead services within the proposed subdivision to underground.

Schedule "B" referred to in Clause 2 of the Report of the Committee on Planning and Community Services dated January 31, 1995 (continued)

7. The Developer shall, at no expense to the City, cause ornamental street lighting to be installed in all streets within the proposed subdivision.

8. The Developer shall, at no expense to the City, cause standard reflectorized permanent street name signs to be installed at the new street intersection.

9. The Developer shall pay to the City its share of the cost of the following improvements constructed by the City in Main Street along the full length of the subject property abutting Main Street:

   i) a 4.0 m in width portland cement concrete lane of pavement;
   ii) a 1.5 m in width by 100 mm in thickness portland cement concrete sidewalk;
   iii) landscaping in the east boulevard;
   iv) land drainage works;
   v) street lighting in the east boulevard; and
   vii) related works

   as determined by the Commissioner of Works and Operations.

10. The Developer shall provide a cash payment in lieu of parkland dedication, landscaping and services prior to the release of the approved subdivision mylars for registration in the Land Titles Office.

11. The Developer shall pay $1,150.00 per acre in lieu of the City's administrative and related costs associated with the preparation and implementation of the Development Agreement.

12. The Developer shall pay the cost of all engineering services provided by or on behalf of the City, all to the satisfaction of the Commissioner of Works and Operations.

13. a) Construction traffic access shall be directly off Main Street to the site;

    b) The Developer shall be responsible for the cleaning of the access route of all tracked-on or spilled mud emanating from the proposed subdivision to the satisfaction of the Commissioner of Works and Operations.

536 - Schedule "A" referred to in Clause 3 of the Report of the Committee on Planning and Community Services dated January 31, 1995

By-Law No. _____

_____

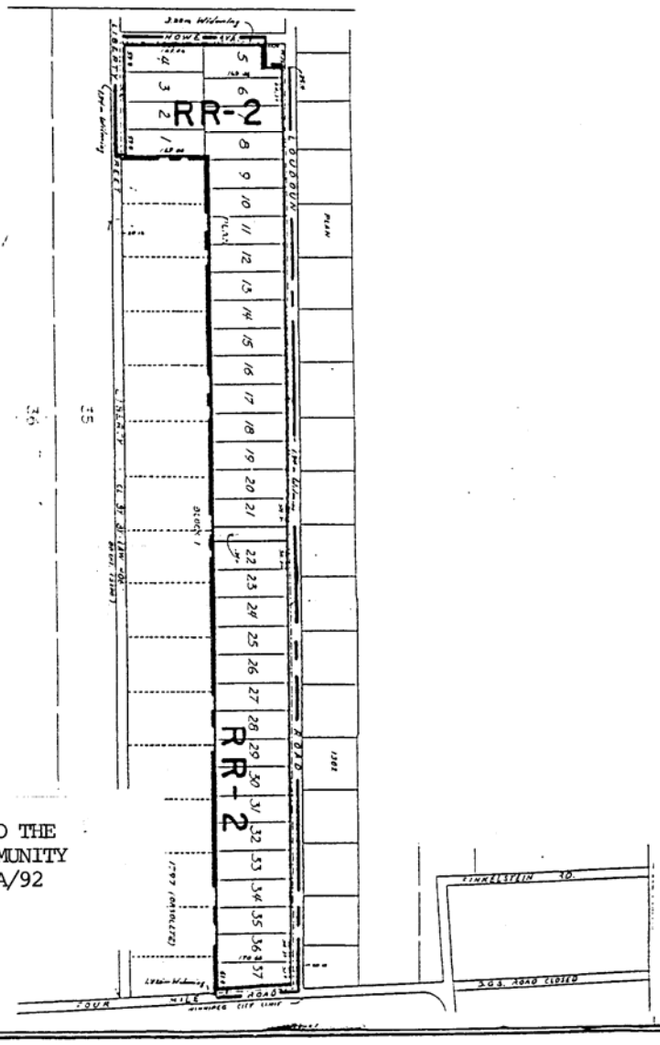
FILE No. DASZ 14 / 94

EXPLANATION:

A proposal to subdivide the land on Loudoun Road and Liberty Street, south of Howe Avenue and rezone it from an "A" GENERAL AGRICULTURAL DISTRICT to an "RR-2" RURAL RESIDENTIAL DISTRICT as shown outlined below.

ATLAS SHEET No. AG 12

ASSINIBOIA COMMUNITY



SCHEDULE "A" FOR THE REPORT TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES FOR FILE NO. DASZ 14A/92

DATED: December 21, 1994

THIRD READING:

EFFECTIVE DATE:

Schedule "B" referred to in Clause 3 of the Report of the Committee on Planning and Community Services dated January 31, 1995

SCHEDULE "B" FOR THE REPORT TO THE
COMMITTEE ON PLANNING AND COMMUNITY
SERVICES FOR FILE NO. DASZ 14A/92

DATED: December 21, 1994

October 18, 1994 AG 14/92

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

TO THE CHAIRPERSON AND MEMBERS OF THE
ASSINIBOIA COMMUNITY COMMITTEE

RE: PROPOSED SUBDIVISION AND REZONING OF LAND LOCATED ON THE WEST SIDE OF LOUDOUN ROAD AND ON THE EAST SIDE OF LIBERTY STREET BETWEEN HOWE AVENUE AND FOUR MILE ROAD - DASZ 14"A"/92

An application has been submitted by Doug Henne Planning Services on behalf of 2779928 Manitoba Ltd. to subdivide and rezone land located on the west side of Loudoun Road and on the east side of Liberty Street between Howe Avenue and Four Mile Road.

It is recommended that the applicant amend its plan as follows:

1. By providing a widening of 3.883 m (12.74') on Howe Avenue for the full length of that street abutting the proposed subdivision.

It is recommended that approval of the plan of subdivision amended as per 1. above be subject to the Developer entering into a Development Agreement containing the following:

1. The Developer shall pay $20.00 per foot for the full frontage and flankage of the proposed subdivision on Loudoun Road and Liberty Street as prepayment of its share of the cost of oiling and gravelling the abutting streets in perpetuity.

2. a) The Developer shall have a lot grading plan prepared by a municipal engineer to the District's requirements on which are indicated all required easements.

   b) The Developer provide all drainage easements as necessitated by the drainage design.

3. The City shall file appropriate caveats in the Land Titles Office to record the following covenants:

   a) All sewage disposal facilities to be installed within the proposed subdivision shall be private and in accordance with the Wilkes South Secondary Plan By-law No. 6391/94 and the City's Sewer Utility By-law No. 5058/88 and amendments thereto.

Schedule "B" referred to in Clause 3 of the Report of the Committee on Planning and Community Services dated January 31, 1995

SCHEDULE "B" FOR THE REPORT TO THE
COMMITTEE ON PLANNING AND COMMUNITY
SERVICES FOR FILE NO. DASZ 14A/92

DATED: December 21, 1994

b) All water supply facilities servicing the proposed subdivision shall be private.

c) The City shall not extend and the Developer shall not request the City to extend the City wastewater sewers or the City watermains to the proposed subdivision.

4. The Developer shall pay $525.00 to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

537 - Appendix "A " referred to in Clause 5 of the Report of the Committee on Planning and Community Services dated January 31, 1995

I. That By-law 1800 be amended by temporarily rezoning the subject lands as outlined on Schedule "A" for File DAZ 226/94, dated January 20, 1995, to a "C1" Local 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 following uses be permitted on the land:

- art/antique, sales and service *
- art/crafts, hobby instruction/supplies *
- artisan, crafting of custom products *
- barbershop/beauty salon
- bed and breakfast, accessory to a one-family dwelling *
- book sales
- care home or neighbourhood care home
- clothing, alteration, repair and sales
- day care centre
- dress maker, furrier, tailor
- dwelling units
- fabric/yarn sales
- florist
- gift store
- confectionary sales, candy and other food specialties
- group day care home
- jeweller, watch maker
- medical dental, optical, counselling or other health or therapeutic clinic (subject to conditional use approval under By-law 6400/94)
- office
- stationery sales

* subject to enactment of By-law 6400/94

2. That any commercial uses on the land be located within the existing structures and that additions to these structures be allowed only as may be required to satisfy building code requirements.

3. That parking on the lands be limited to not more than 8 parking spaces.

4. That the residential character of the existing structures be maintained.

5. That final construction plans indicating any exterior modifications to the existing structures, including elevations and details of exterior finishing materials, accessory parking, fencing, landscaping and garbage enclosures be subject to the approval of the Commissioner of Planning and Community Services.

6. That all signs be subject to the approval of the Commissioner of Planning and Community Services.

7. That the zoning shall revert to an "RM-2" Multiple Family District (as proposed under By-law 6400) upon removal, demolition or destruction of the existing buildings.

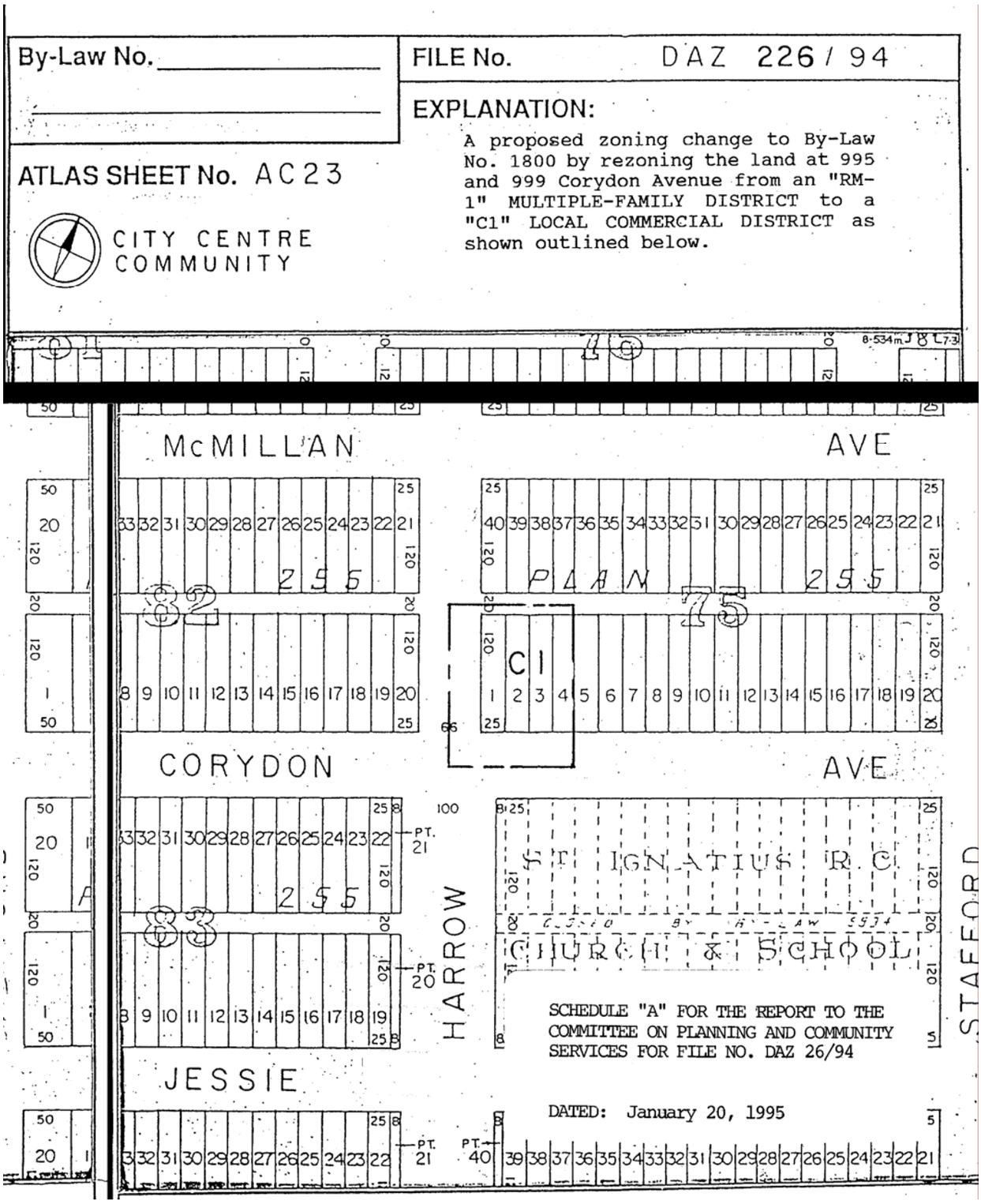
II. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 24 months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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

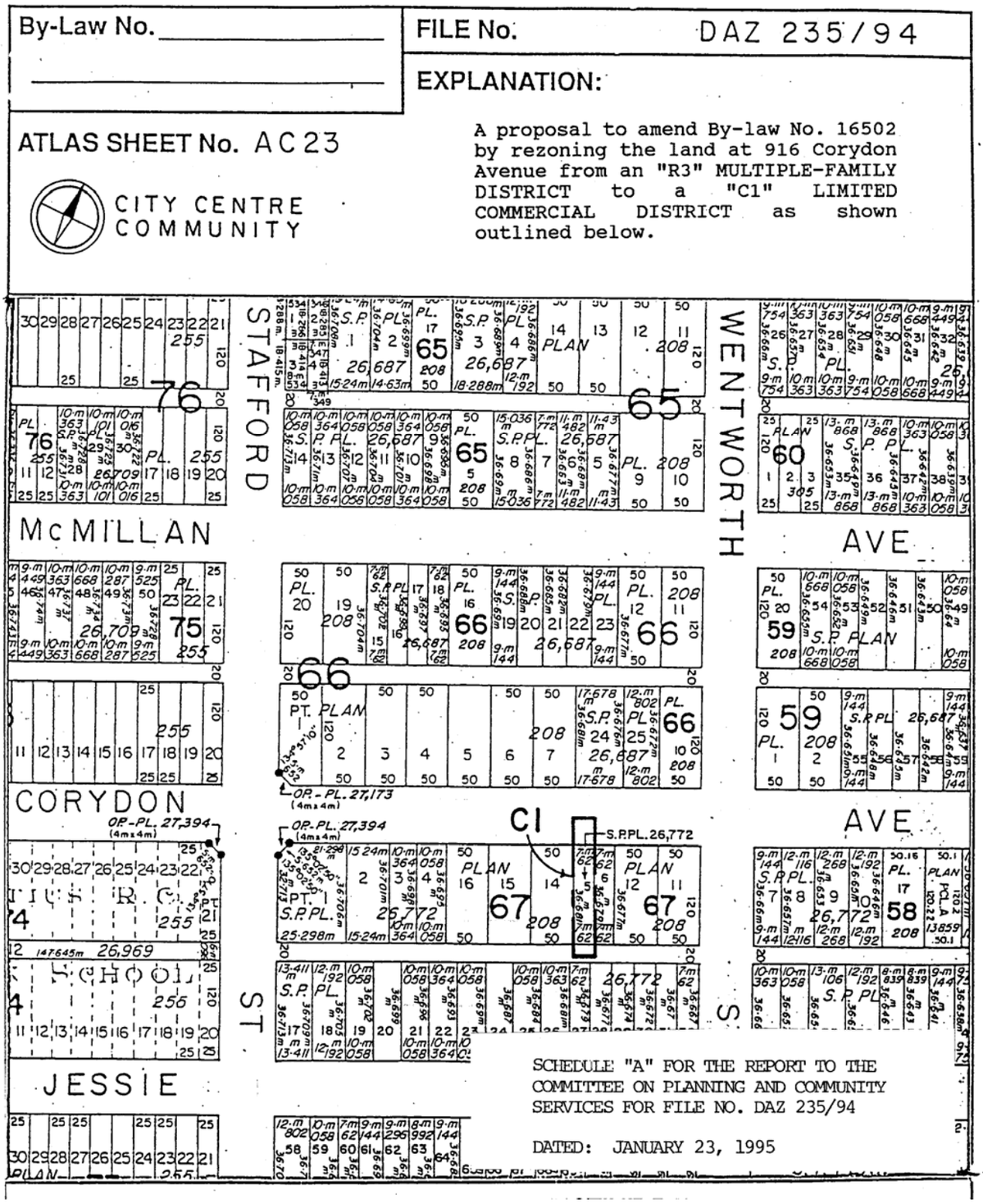
IV. That the rezoning by-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office provided that the said effective date occurs within 12 months from the date that the said rezoning by-law is adopted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

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

Schedule "A" referred to in Clause 5 of the Report of the Committee on Planning and Community Services dated January 31, 1995



538 - Schedule "A" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated January 31, 1995



539 - Schedule "A" referred to in Clause 7 of the Report of the Committee on Planning and Community Services dated January 31, 1995

