The Speaker noted that with Council's concurrence, Council would consider the Report of the Committee on Planning and Community Services, dated November 22, 1994, to accommodate the members of the public in attendance in the gallery.

Council here proceeded to consider the order of business - "Report of the Committee on Planning and Community Services dated November 22, 1994".

REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED NOVEMBER 22, 1994

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services, dated November 22, 1994, was considered clause by clause.

Moved by Councillor O'Shaughnessy,
That the Consent Agenda, Clauses 2,3,4,5,6,7,8,9 and 10 be adopted.

Deputy Mayor Fraser requested that Clause 6 be pulled from the Consent Agenda.

Councillor Clement requested that Clause 7 be pulled from the Consent Agenda.

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

Her Worship the Mayor and Councillors:

Notice of Motion - Delivery of Services by the Health Department
File EH-1(Vol.18)

Note: This clause has been laid over by the Executive Policy Committee.

250 - 1. On November 22, 1994, the Committee on Planning and Community Services endorsed in principle the following motion and submits same to Council for adoption, namely: -

THAT the Committee on Planning and Community Services recommends that the City extend its responsibility for delivery of services by the Health Department for the entire City and enter into a discussion with the Province of Manitoba regarding financing and options for same.

AND THAT subsequent to Council's review, the Administration be directed to develop a position including financial arrangements to accomplish the above.

LAID OVER BY EXECUTIVE

POLICY COMMITTEE
- November 30, 1994

Report of the Committee on Planning and Community Services dated November 22, 1994

Creation of a Library Reserve Fund
File L-1 (Vol. 12)

251 - 2. The Committee on Planning and Community Services has been advised that Winnipeg City Council adopted 22 policies for libraries, including Policy c138, Item 16(b)(5), on November 13th, 1985 as a result of the Winnipeg Public Library's Strategic Planning Process report.

Policy c138, Item 16(b)(5) states that "upon automation fees collected on overdue materials be set up in a special reserve account for library purposes rather than being deposited into General Revenue".

On December 11, 1989, the library department submitted a report to the Commissioner of Planning and Community Services recommending that "upon implementation of automation fees collected on overdue materials be set up in a special reserve account for library purposes rather than being deposited into General Revenue. Interest from the funds are to be used for special library projects". This recommendation followed from the Council adopted policy of November 13th, 1985.

On January 11, 1990, the Board of Commissioners "agreed with the principle of fees collected on overdue materials being set up in a special account for library purposes, rather than being deposited into general revenue, once the automated system is in place. The Board also agreed, in principle, with interest from the account being used for special library projects".

The Board went on to request that "the Commissioner of Finance, by copy of this memorandum, report at a later date on guidelines and procedures to be followed in connection with this special account".

On February 13, 1990 the Finance Department submitted a report as to how the Library Reserve Fund could be managed. The report recommended that "the City Librarian be appointed as 'Fund Manager' of the new Library Purposes Reserve" and that "he will be responsible for expenditure of funds in accordance with Council's direction on each specific item or project". The report also stated that the Library Reserve Fund could not be overspent at anytime and that interest would be paid to the reserve annually based on the reserve balance throughout the year.

In 1991, the Winnipeg Public Library system became a fully automated library department with the introduction of its cataloguing and circulation modules.

It would appear to have been the intent of Council in 1985 to establish a Library Reserve Fund with "fees collected on overdue materials" once the Library Department became automated; and this revenue would be used to enhance library service.

Since the Library Department automated in 1991 the amount of money collected each year in fines has increased by $130,000 from $300,000 to approximately $430,000.

Given the City's current difficult financial situation the Library Department would ask that only this increase in revenue (from fees collected on overdue materials) due to automation be placed in a Library Reserve Fund (approx. $130,000 yearly). These funds would assist the Department in upgrading its technological base.

The Library Department is increasingly using technology to provide service to its customers in a more cost effective manner. The Department needs a reliable source of revenue to continually improve its technological base. The establishment of a Library Reserve Fund would enhance the Department's ability to become more financially self-sufficient in this area of the budget.

For example, the library currently provides terminals for public use. These terminals are rapidly becoming outdated and require upgrading to provide better public service. The current budget structure does not allow for this necessary improvement. The establishment of a Library Reserve Fund would enable the Department to use its computer technology for more effective public service.

The Committee on Planning and Community Services concurs in the recommendations of the Library Department and therefore recommends:

I. That a Library Reserve Fund for fees collected on overdue library material be created.

Report of the Committee on Planning and Community Services dated November 22, 1994

II. That the Library Department only retain and deposit in a Library Reserve Fund the increase in fine revenue on overdue material that has resulted from automating the library system.

III. That the yearly interest on the fine revenue retained by the department, plus 20% of the prior year's fine revenue, be used to upgrade the library's technological base.

IV. That the Director of Libraries report annually, to the Standing Committee, Planning and Community Services on expenditures and on the status of the fund. This report is to be submitted to the Commissioner of Planning and Community Services by August 15 of each year.

V. That the terms of reference and funding levels for the Library Reserve Fund be reviewed after five years by the Director of Libraries.

VI. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the above recommendations, including the execution of documents.

Adopted by consent.

Winnipeg Development Agreement to Provide Support Services for Community Based Policing
File GF-2.5 (c/r File FR-3)

252 - 3. Council at its meeting held on July 20, 1994, ruled automatic referral of the following motion to the Committees on Planning and Community Services and Protection, Parks and Culture under Rule 16.1 of the Procedure By-law No. 5400/90, namely:

Moved by Councillor Prystanski,
Seconded by Councillor O'Shaughnessy,

WHEREAS there has been an increase of crimes in communities particularly related to youth gang violence, car thefts and armed robberies;

AND WHEREAS the Committee on Protection Parks and Culture has established an Ad Hoc Committee on Community Based Policing with an objective to providing more effective Policing in our communities;

AND WHEREAS City Council is currently engaged in developing the parameters for a 3rd Core Area Initiative through the Winnipeg Development Agreement;

THEREFORE BE IT RESOLVED that City Council, through its representatives to the Winnipeg Development Agreement, ensure that funding for the Winnipeg Development Agreement be utilized to provide support services for community based policing in high risk neighbourhoods.

The Committee on Planning and Community Services considered the motion on August 30, September 27, October 19, and November 22, 1994, and in deliberating this matter wishes to inform Council that the Committee endorses in principle the Council resolution.

Inasmuch as the Committee on Planning and Community Services has endorsed the above Council resolution, the Committee further requests that the matter be referred to the Winnipeg Development Agreement Policy Committee to pursue the appropriate programs in support of Community Based Policing and that the Winnipeg Safe City Committee strategy be reviewed in conjunction with the above matter.

Adopted by consent.

Report of the Committee on Planning and Community Services dated November 22, 1994

Proposed new Electrical By-law, Adopting the 17th Edition of the Canadian Electrical Code

File EB-2.1 (Vol. 4)

253 - 4. The Committee on Planning and Community Services has been advised that the Canadian Electrical Code, Part I is a standard Electrical Code published by the Canadian Standards Association setting forth the essential requirements and the minimum standards governing electrical installations for buildings, structures and premises throughout Canada. This Code is under constant revision primarily because of the developments of new materials and methods. The Canadian Electrical Code Committee meets twice each year to consider revisions to the Code. A new edition of the Code is published every four years to keep the Code up to date. In January, 1994 the 17th Edition of the Code was published.

Proposed By-law No. 6499/94, The Winnipeg Electrical By-law, is divided into three chapters. Chapter 1 covers the legal enactment and adoption of the 16th Edition of the Canadian Electrical Code, Part I as a by-law. Chapter 2 contains all the amendments and additions to said 16th Edition and chapter 3 of the By-law is the 16th Edition.

The Building Inspections Division of the Planning Department propose that the 17th Edition of the Canadian Electrical Code be adopted as a new electrical by-law for The City of Winnipeg. This 17th Edition has been reviewed by the Manitoba Provincial Advisory Committee which consists of representatives from consulting engineers, electrical manufacturers and distributors, electrical contractors, Manitoba Hydro, Winnipeg Hydro, Manitoba Telephone System and the Manitoba Department of Labour. This Committee has recommended the adoption of this proposed By-law.

Manitoba Hydro, the provincial electrical inspection authority, is in the process of adopting similar regulations, in order to provide standard electrical regulations throughout the Province of Manitoba. The intent is that both regulations come into effect on February 1, 1995.

This proposed By-law contains several hundred revisions, making it difficult to single out a few of them as being more significant than others. Primarily, the revisions recognize new methods and materials and clarify the intent of existing rules.

The Planning Department will print copies of the new Winnipeg Electrical By-law for sale to the public. The cost of printing is $1.40 per copy. Pursuant to the Fees By-law, your Committee has the authority to establish a fee for copies for the new Winnipeg Electrical By-law. The Planning Department recommends $5.00 per copy.

The Committee on Planning and Community Services submits for favorable consideration draft By-law No. 6499/94 and therefore recommends:

I. That the 17th Edition of the Canadian Electrical Code and amendments thereto be adopted as the City's new Electrical By-law and that the old Winnipeg Electrical By-law No. 5530/90 and amendments thereto be repealed.

II. That fee for printed copies of the Winnipeg Electrical By-law No. 6499/94 be set at $5.00 per copy.

III. That the City Solicitor do all things necessary for implementation in accordance with The City of Winnipeg Act.

Adopted by consent.

Proposed Rezoning - 1381 Henderson Highway, North-east corner of Henderson Highway and Springfield Road - East Kildonan-Transcona Community

File No. DAZ 229/94

254 - 5. The Committee on Planning and Community Services has been advised that an application has been received from Wayne Management Ltd., 200 - 2727 Portage Avenue, Winnipeg, Manitoba, R3J 0R2, to amend By-law No.

Report of the Committee on Planning and Community Services dated November 22, 1994

4440/86 by rezoning the land at 1381 Henderson Highway from an "R1-5" Single-family District to a "C2-S" Suburban Commercial District to allow for the establishment of an accessory parking area.

The subject lands are held in common ownership and title with contiguous lands at the north-east corner of Springfield Road and Henderson Highway. This contiguous site contains a vacant commercial building, which it is proposed to demolish, and a new bank building will be constructed. The developer is proposing to use the subject lands as accessory parking for the new bank.

In the year 1974, under File DCU 4/74, Ruttan Development Corporation was granted approval to establish a parking lot, accessory to a restaurant, on the subject land. The approved parking area was, at that time, located east of the north/south public lane extending between Sutton and Springfield Roads. Subsequently, opening of a new public lane to the east of the subject site and closing and sale of the old existing lane enabled the consolidation of the subject land with land at the north-east corner of Springfield Road and Henderson Highway. The subject land has been used for accessory parking purposes under approval of DCU 4/74 since that time.

The proposed rezoning application has been reviewed by the Administrative Co-ordinating Group. No objections were noted. However, the Streets and Transportation Department pointed out that the public lane to the east is only 4.8 metres (16.0 feet) in width. The Streets and Transportation Department has previously received complaints regarding vehicles using this lane as a traffic route from Sutton Avenue in order to access the signalized intersection at Springfield Road and Henderson Highway. The Streets and Transportation Department recommends that access to the subject lands from the public lane not be allowed. Prohibition of access to the public lane is also consistent with the Henderson Highway Corridor Action area plan, Policy 3.2 which states:

> "Access to commercial sites should be prohibited from rear lanes and occur only from the fronting arterial streets."

The Planning Department recommends approval of the rezoning application, subject to a zoning agreement being required which prohibits access to the above-noted public lane. Additionally, the Department recommends that all new development on the subject lands and contiguous lands in the same ownership, be subject to plan approval under Schedule "A" to the zoning agreement. This recommendation is consistent with recommendations on previous rezoning applications on Henderson Highway. The Parks and Recreation Department recommends that a cash dedication in lieu of land for parks and recreation and open space requirements be collected.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on November 8th, 1994.

Two persons appeared in support of the application.

No one appeared in opposition to the application.

The East Kildonan-Transcona Community Committee recommended that:

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

    1) There is no opposition to the application.

    2) The rezoning will not adversely affect the adjoining properties.

    3) The proposed development will be an improvement to what presently exists on the site.

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

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

I. That By-law No. 4440/86 be amended by rezoning the subject land as outlined on Schedule "A" for File No. DAZ 229/94, attached hereto and dated November 14, 1994, to a "C2-S" Suburban Commercial District subject to the following:

Report of the Committee on Planning and Community Services dated November 22, 1994

A. That the applicant enter into a Zoning Agreement with the City pursuant to Subsection 591(1) of The City of Winnipeg Act to affect the subject land and contiguous lands within the same ownership and to provide for the following:

1) That there shall be no vehicular access to or from the public lane abutting the east property line of the subject lands.

2) That no building, structures or works shall be erected or located on the land and no building permit issued for construction on the land unless and until plans showing the location and design of the proposed building, the type and colour of all exterior materials, the location and design of accessory parking areas (including drainage), loading areas, private approaches, driveways, fencing, garbage enclosures, and landscaping are submitted to and approved by the East Kildonan-Transcona Community Committee, and thereafter identified by the signature of the Commissioner of Planning and Community Services under the designations as Schedule "A" to Zoning Agreement DAZ 229/94, and no buildings, structures or works shall be constructed or placed on the land except in accordance with Schedule "A" to the Agreement;

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 for open space, parks and recreational use 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 zoning by-law is not enacted within 12 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. 262 for attachment)

Proposed Rezoning - North East corner of Portage Avenue and School Road - Assiniboia Community
File No. DAZ 230/94

255 - 6. The Committee on Planning and Community Services has been advised that an application has been received from 2514141 Manitoba Ltd., 2A - 2020 Portage Avenue, Winnipeg, Manitoba, R3J 0K4 to amend By-law 1558 by rezoning the land at the northeast corner of Portage Avenue and School Road from a "PR" Park And Recreational District to a "C2" General Commercial District to allow for commercial development including a food store and a gas kiosk subject to Conditional Use Approval.

Related Files: DCU 201/94D permission to construct a gas bar - Rejected
DAV 939/94D reduction in loading spaces - Rejected

Report of the Committee on Planning and Community Services dated November 22, 1994

The 6.5 acre site contains 2 schools abandoned by the St. James-Assiniboia School Division; Kirkfield Park School built in 1953 and Arthur Oliver School built in 1967. An older administration building is also located on the site.

To the north across a public lane and to the west across School Road is single family housing; zoned "R1-5.5." To the east, at the northeast corner of the site, is multi-family development zoned "RM-1". The Portage Avenue frontage is zoned "C2", and consists of strip commercial development to the west of the site, a car dealership east of the site, and a mixture of multi-family and strip commercial on the south side of Portage.

The applicant intends to demolish the schools and construct a 119,000 square foot Superstore supermarket on 6.5 acres. A related Conditional Use application (DCU 201/94D) requesting permission to also construct a gas bar on the site was rejected by the Community Committee. A related zoning variance application (DAV 939/94D) requesting a reduction in the number of loading zones from the required 5 to 3, was also rejected.

The proposed site plan has been amended since the application was first made. The following changes were made both at the request of the Planning Department and as a result of public consultation conducted by the applicant:

- vehicular access to the public lane on the north has been eliminated and the building setback increased from 5 feet to 25 feet;

- parking along the entire west side of the building has been eliminated;

- a 10 foot, landscaped east side yard has been provided along the property line shared with the adjacent apartment building;

- a sound wall is proposed to shield the loading docks and the garbage compacters located at the southeast corner of the building;

- the sub-surface parking ramp has been shifted to the east to directly align with the main approach off Portage Avenue;

- the proposed gas bar has been shifted to the east, further away from School Road residences.

The revised site plan shifts the building to the west and south to provide for complying yards on the east (10 feet) and on the north (25 feet). The 416 foot west wall of the store jogs, providing a minimum side yard of 25 feet for the front 252 feet of building wall, increasing to 45 feet over the rear 164 feet.

The amount of parking would depend upon the selected site access and circulation scheme. During the project review stage, the least amount of parking provided by any of the schemes was about 550 vehicles. This amounts to a ratio of about 1 stall per 220 square feet of gross floor area (G.F.A.) compared with the by-law requirement of 1 stall per 250 square feet G.F.A.

Underground parking is provided for 368 vehicles, accessed by a ramp directly aligned with the Portage Avenue site entrance. A total of 44 staff stalls are located along the east wall of the building, accessed through the loading area. Roughly 75% of customer parking would be protected from the elements. The store's unique design reduces by half the amount of surface pavement needed for parking, a real, if unintended, benefit to the neighbourhood and the Portage Avenue image.

Four different traffic/access options were considered over the course of the project review in varying degrees of detail, as outlined below:

1. - School Road: Signal stays, right-in/right-out access to site
   - Portage Avenue: Uncontrolled all-turns intersection at Banting/store entrance
   - Ness/School Intersection: Determine if controls are warranted

2. - School Road: Signal moved to Banting/store entrance, no access to site
   - Portage Avenue: Signalized intersection at Banting, median extended across School Road (optional).
   - Ness/School Intersection: Determine if controls are warranted

3. - School Road: Signal stays, right-in only to site
   - Portage Avenue: Signal installed at Banting
   - Ness/School Intersection: Determine if traffic signals are warranted

Report of the Committee on Planning and Community Services dated November 22, 1994

4. - School Road: Close at Wharton Boulevard, creating bay street off Ness; provide for emergency vehicle access through landscaped barrier.
- Portage Avenue: left-in, right-out only from site

Options 1 and 2 were reviewed in a traffic study. Options 3 and 4 came out of the public meetings. Option 3 was examined further by the consultant and the Streets and Transportation Department and provides the basis for the Administrative Co-ordinating Group dated November 8, 1994 attached and identified as Schedule "B". Options 1, 2 and 3 were deemed workable by the administration. Option 3 emerged as the preferred option. Option 4, requiring the closure of School Road at Portage Avenue, was the least scrutinized option, although several residents indicated that a guarantee of this option was, in their minds, an essential starting point for any consideration of the development.

The store would be directly overlooked by the three storey apartment building on the east (south facing apartments), the rear yards of houses fronting Amarynth Crescent on the north (9 immediately adjacent), and several houses on School Road (10 immediately adjacent including 9 fronting and 1 flanking). The residents of the directly effected housing have, over many years, grown accustomed to viewing a school yard.

In order to reduce the visual impact of the development, the applicant proposes to install dense landscaping around the building and parking area. In addition, berms will augment vegetation screening along the west (6 feet in height) and north (3 feet in height) walls of the building. A two-tone paint scheme (green lower, white upper) on the exterior walls of the store is also being employed to perceptually reduce building height.

Three loading zones and 2 garbage compacters are located at the southeast corner of the store.

The Planning Department was in support of the variance application reducing the number of loading zones from 5 to 3, but this variance request was rejected.

Transport access to the loading zone, in terms of turning radii, is acceptable. However, there is concern over the idling of refrigerator trucks either at the docks or waiting to manoeuvre in place. In response, the loading dock and garbage compacters were shown screened by a sound attenuating masonry wall designed to buffer the adjacent apartment building to the east.

The applicant held two public information meetings in the community. Attendance at the first was in the order of 230 people, decreasing to less than 100 at the second, a substantial turnout for both evenings. The applicant used comments from the first meeting to modify the site plan. The second meeting provided an opportunity to review the revised site plan, outline landscaping details, and present the findings of a traffic study including the access options.

Two main issues debated were traffic impact and development scale.

Traffic Impact:

In terms of traffic volumes, the study of Options 1 and 2 predicted an increase in all-day (Saturday) traffic on School Road of about 27% under Option 1 (from 3010 to 3830 vehicles), and about 19% under Option 2 (from 3010 to 3600 vehicles). These figures are within the guideline for collector streets of about 4000 vehicles per day, and the traffic study concluded that the street and intersection system could handle either option with recommended modifications. It was pointed out by the consultant that the predicted volumes are close to historic counts undertaken in the late 1980's when the schools were still open.

The residents' position is that School Road is a local street which is serving as a collector due its strategic location midway between Sturgeon Road and Cavalier Drive and its signalized intersection with Portage Avenue. Moreover, all homes on School Road have front approaches which are difficult and dangerous to enter and exit in heavy traffic.

In terms of development access, the residents favoured limiting or preventing access to School Road and retaining the traffic signal at School Road and Portage Avenue.

Other traffic concerns of residents were volumes (too high, dangerous for children), access to their front approaches (reversing into traffic), and the operation of the School Road/Ness Avenue intersection (turning movements in peak periods). Westfair (Superstore) representatives indicated their willingness to consider any and all options for the safe, efficient handling of traffic from the proposed development as recommended by their consultants or directed by the City.

Report of the Committee on Planning and Community Services dated November 22, 1994

Development Scale:

The issues of development scale and intensity are of greatest concern. The scale of the proposed development is inconsistent with that of the low density housing to the north and west. And while the agreed to site amendments would help to mitigate the impacts of this project, the building bulk and activity would still have adverse effects on the adjoining residential neighbourhood.

It is acknowledged that Portage Avenue is a very intensive commercial corridor. At the same time, the Planning Department has been consistent in its concern for the extent to which commercial development along such corridors is allowed to encroach into the adjoining residential neighbourhoods. In early communication with the St. James-Assiniboia School Division, the Planning Department recommended commercial development on the Kirkfield site and residential development on the Arthur Oliver site. The Department still regards this combination as a reasonable compromise for recycling the school sites.

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

A number of persons appeared in support of the subject application as outlined on Pages 2 and 3 of the report of the Assiniboia Community Clerk dated November 16th, 1994.

A substantial number of persons appeared in opposition to this application as listed on pages 3 and 4 of the Clerk's report.

A number of persons appeared for information only.

The Assiniboia Community Committee recommended that the proposed zoning change Be Not Proceeded With, for the following reasons:

1) The area residents are in opposition to the application;

2) There is a lack of political support for this proposal;

3) The District Planner has submitted a report recommending against the development.

Schedules "A" and "B" have been attached to this report for reference purposes. Schedule "A" illustrates the area which was being considered for rezoning. Schedule "B" is a copy of the Administrative Co-ordinating Group report submitted for consideration of the Community Committee.

The Committee on Planning and Community Services, due to a tie vote, submits the rezoning application under File No. DAZ 230/94 to Council without recommendation.

A motion by the Executive Policy Committee recommended the rezoning application be approved, but due to a tie vote, the rezoning application under File No. DAZ 230/94 is submitted to Council without recommendation.

Moved by Councillor O'Shaughnessy,

That the recommendation of the Assiniboia Community Committee be adopted.

The Speaker called Councillor Silva to the Chair and left the Chamber.

The Speaker returned to the Chamber and resumed the Chair.

The motion for the adoption of the recommendation of the Assiniboia Community Committee was put.

Her Worship Mayor Thompson called for the yeas and nays, which were as follows:-

Report of the Committee on Planning and Community Services dated November 22, 1994

Yea: Councillors Boychuk, Duguid, Eadie, Hyman, Murray, Thomas and Her Worship Mayor Thompson. 7

Nay: Councillors Reese, Clement, Golden, Lazarenko, O'Shaughnessy, Prystanski, Silva, Fraser and Angus. 9

and the motion for the adoption of the Assiniboia Community Committee recommendation was declared lost.

Moved by Deputy Mayor Fraser,
Seconded by Councillor Golden,
256 - BE IT RESOLVED:

I. THAT By-law No. 1558 be amended by rezoning the subject lands outlined on Schedule "A" for File No. DAZ 230/94, attached hereto and dated November 18, 1994, to a "C2" General Commercial District subject to the following:

a) That the applicant enter into a Zoning Agreement with the City pursuant to subsection 591 of *The City of Winnipeg Act* to affect the subject lands, and to provide for the following in accordance with the District Planners report, dated November 1, 1994, as outlined on Appendix "A";

(1) that the use of the land be restricted to the following:

(a) grocery store (supermarket);
(b) department store;
(c) accessory uses;
(d) conditional uses except a gas bar;

(2) that parking spaces be provided and maintained on the land at a minimum ratio of 1 space for each 200 square feet of floor area established on the land;

(3) that the development be limited to a maximum floor area ratio of 0.43;

(4) that no access be permitted to the Public Lane at the north limit of the site or School Road;

(5) that no building or structure, parking area, fencing, landscaping or sign be erected or located on the land and that no exterior alterations or additions be made to existing buildings on the land except in accordance with plans approved by the Assiniboia Community Committee;

(6) that a noise attenuation barrier designed by a qualified engineer be provided and maintained around the loading docks and refuse container area to the satisfaction of the Commissioner of Planning.

(7) that landscaped setbacks and design details be established in general accordance with Schedule "B", of the District Planners report, dated November 1, 1994, attached, except where modifications are required in relation to approved traffic access.

(8) 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 for open space, park and recreational use, based on the increase in the market value of the land.

II. That a study by a qualified engineer be undertaken to demonstrate that Provincial Department of Environment night-time noise guidelines will not be exceeded due to store operations such as unloading, garbage removal, snow clearance, etc., prior to 3rd reading of the rezoning by-law.

III. That the applicant be required to enter into a Development Agreement with the City containing all of the requirements as outlined in the report of the Administrative Co-ordinating Group, dated November 18, 1994 as outlined in Schedule "B", including recommendations outlined as (a), (b) and (c) on pages 2 and 3 of the said report.

Report of the Committee on Planning and Community Services dated November 22, 1994

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

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

VI. That the Proper Officers of the City are hereby authorized to execute said Zoning and Development Agreements.

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;

BE IT FURTHER RESOLVED THAT recommendation I. a) (8) be amended by adding the words "subject to the Assiniboia Community portion of the land dedication being dedicated to the Sturgeon Creek Parkway Project" at the end of the said parargraph.

With the concurrence of the seconder, Councillor Golden, and with the permission of Council, Deputy Mayor Fraser amended the motion by changing the number "200" to "250" in Recommendation No. Ia) (2) and adding the words "and the Commissioner of Planning and Community Services" at the end of Recommendation No. Ia) (5).

Moved by Councillor Eadie,

That Rule 6.1 of the Procedure By-law be suspended to permit Council to continue in session to complete consideration of the current matter.

Carried.

The motion proposed by Councillors Fraser and Golden was put.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Clement, Golden, Lazarenko, O'Shaughnessy, Prystanski, Silva, Fraser and Angus. 9

Nay: Councillors Boychuk, Duguid, Eadie, Hyman, Murray, Thomas and Her Worship Mayor Thompson. 7

and the motion was declared carried.

(See Minute No. 263 for attachments)

Pursuant to Rules 6.1 and 6.2 of the Procedure By-law, Council stood adjourned at 6:15 p.m., to reconvene at 9:30 a.m., Thursday, December 15, 1994.

Adjourned Meeting Thursday, December 15, 1994

Council reconvened this day at 9:33 a.m.

The Deputy Speaker called the adjourned meeting to order.

Present: The Deputy Speaker Councillor Reese, Councillors Boychuk, Clement, Duguid, Eadie, Fraser, Golden, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas and Her Worship Mayor Thompson.

In attendance: Mr. R. Kachur, Deputy City Clerk and Mrs. L. Betts, Committee Clerk.

Council here proceeded to continue to consider the order of business - "Report of the Committee on Planning and Community Services, dated November 22, 1994".

Proposed Amendment To The Wilkes South Secondary Plan
EP-1.2 (Vol. 7) (c/rDAZ)

257 - 7. On October 25, 1994, the Committee on Planning and Community Services considered and laid over until November 22, 1994 a proposed amendment to the Wilkes South Secondary Plan By-law No. 6391/94 and referred the item to the Waterworks, Waste and Disposal Department for a report on the feasibility of lots less than 130 feet in width and 1.0 acre (0.4 hectares) in area using a pump-out tank (total retention system) for sewage disposal. The matter was also refered to the Acting Director of Planning to comment on the overall impact on land development and the transportation system in the area of going to smaller lots than originally recommended by the Department.

On September 21, 1994, Council passed By-law No. 6391/94 to adopt a secondary plan for the Wilkes South area. Part Six of the Secondary Plan includes the following:

> "II. That on lands shown generally in Schedule "A" and referred to as Liberty-Loudoun North, subdivision shall be permitted down to a minimum lot area of 1.0 acres (0.4 hectare) and a minimum lot width of 100 feet (30.5 metres). Zoning variances for lot size may be granted in special circumstances. Lots smaller than 2.0 acres (0.8 hectares) in area shall use a pump-out tank (total retention system) for sewage disposal."

On October 11, 1994, the Assiniboia Community Committee requested that the aforementioned clause be amended by deleting the last line and replacing it with the following:

> "All lots less than 130 feet in width and 1.0 acre (0.4 hectare) in area shall use a pump-out tank (total retention system) for sewage disposal."

Sewer Utility By-law No. 5058/88 provides that lots with an area in excess of 1.0 acre (0.4 hectare) be permitted the use of septic tank and disposal fields.

The requirements for private waste disposal systems currently specified within the Secondary Plan By-law No. 6391/94 are consistent with the Department's recommendations.

In developing requirements for private waste disposal for the Wilkes South area, the Department considered existing lot configurations, and Provincial regulations for similar installations. The Province has proposed special requirements for septic field setback distances within the rural municipalities in the Winnipeg Region to prevent contamination of soil and groundwater because of the prevalence of impermeable clay soils. Existing Sewer By-law No. 5058/88 and contemplated revisions to the By-law, which is currently under review, were also considered.

Long narrow lots make construction of septic fields difficult. The Provincial requirement for a setback of 50 feet (15 m) from the septic system disposal field to any property boundary was instituted to overcome this problem. The Province has advised that total lot widths of 150 to 160 feet (46 m to 49 m) are typical. A minimum lot width of 130 feet is included in the current Secondary Plan By-law for construction of septic system disposal fields in Liberty-Loudoun South, Charleswood Road, and McCreary Road North and South. With a setback of 50 feet (15 m) from any adjoining property line, the width available for disposal field construction on a 130 feet (39 m) wide lot is only 30 feet

Report of the Committee on Planning and Community Services dated November 22, 1994

(9 m) resulting in a very long, narrow disposal field configuration. The length of the disposal field required would typically be greater than 100 feet (30 m). A typical disposal field configuration and location on a typical lot on McCreary Road is outlined in Figure No. 1. With the long lot depths on McCreary Road, this situation can be accommodated readily.

However, the majority of lots in Liberty-Loudoun North are either approximately 364 feet (111 m) or 563 feet (172 m) in depth. A minimum lot area of 2.0 acres (0.81 hectare) for Liberty-Loudoun North was recommended for inclusion in the Wilkes South Plan for use of septic tank and disposal fields. With a minimum area of 2.0 acres (0.81 ha), the resulting corresponding lot sizes are 239 feet wide by 364 feet deep (73 m by 111 m) and 155 feet wide by 563 feet deep (47 m by 172 m). Septic fields will function satisfactorily within the 2.0 acre (0.81 hectare) lot.

Physically, a long narrow field configuration could be positioned within a lot as shallow as 335 feet deep by 130 feet wide (102 m by 40 m) or 1.0 acre (0.40 hectare) as suggested by the proposed amendment. The larger 2.0 acre (0.81 ha) lot was recommended as, in the opinion of this Department, this larger lot size provides greater flexibility for location of the disposal field within the lot in relation to the dwelling and other ancillary structures and facilities; and to adjoining properties. The long term satisfactory performance of the field systems within the overall area will be enhanced by maintaining a lower development density. With a minimum lot size of 2.0 acres (0.81 ha) the potential number of new lots within the Liberty-Loudoun North area which could be serviced by disposal fields is approximately 40. With a reduction in the minimum lot size to 1.0 acre (0.4 ha) as proposed, the potential number of lots on septic tank and disposal field systems increases to about 100.

The current Sewer Utility By-law No. 5058/88 provides that lots with an area in excess of 1.0 acre (0.4 hetare) be permitted the use of septic tank and disposal fields. The By-law is currently under review by the Administration however, and an increase to the minimum area to between 1.5 to 2.0 acres (0.61 to 0.81 hectare) is being contemplated for recommendation to Council for their consideration.

The current Sewer Utility By-law also stipulates that private waste disposal facilities for lots smaller than 1.0 acre (0.40 ha) be provided by a pump-out tank (total retention system). For the Wilkes South Secondary Plan By-law as currently adopted, pump-out tanks will be required for lots less than 130 feet (40 m) in width and 2.5 acres (1.01 ha) in area in the Charleswood Road, Liberty-Loudoun South, and McCreary Road North and South areas, while for Liberty-Loudoun North, pump-out tanks will be required for lots smaller than 2.0 acres (0.81 ha). The use of pump-out tanks provides for a reasonable alternative waste disposal method where insufficient lot area precludes the use of septic tank and disposal field systems. The By-law further provides that pump-out tank contents are to be removed by a licensed transporter for disposal at a sewage treatment facility. Also, the By-law stipulates that no person shall permit the contents of a pump-out tank to escape onto the ground surface or into a body of water. Reported infractions are attended to by staff of the Waterworks, Waste and Disposal Department, Laboratory Services Branch for follow-up and problem rectification with the homeowner.

From this Department's perspective, pump-out tanks when routinely emptied provide an adequate disposal practice as 100 percent of waste generated is contained for ultimate disposal and treatment at one of the City's wastewater treatment facilities.

Impact of Increased Development Density in Wilkes South

Under the Wilkes South Secondary Plan, the Planning Department recommended lots sizes of 5 acres on Charleswood Road, Loudoun Road south of Howe, and McCreary Road, and 2.5 acres on Liberty and Loudoun north of Howe. The Wilkes South Secondary Plan was subsequently amended to permit lots sizes of 2.5 acres and 1 acre, respectively, on these streets. The Planning Committee has asked for an opinion regarding the impact of the increased density on land development and transportation.

In the opinion of the Planning Department, the increased density will not create major negative land use impacts in the area. Whatever development occurs will simply not be as "rural" in character or appearance as was initially envisaged. Regarding the transportation system, the increased density will have a negligible impact on existing or proposed streets, and does not require examination within the context of Transplan 2010.

The Committee on Planning and Community Services does not concur in the requested amendment to the Secondary Plan for the Wilkes South area as put forth by the Assiniboia Committee and therefore recommends that the requirement to use a pump-out tank for sewage disposal on lots smaller than 2.0 acres in the Liberty-Loudoun North area, not be changed.

Report of the Committee on Planning and Community Services dated November 22, 1994

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

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

(See Minute No. 264 for attachments)

Proposed lane openings and closings north of Graham Avenue in the two blocks between Fort and Smith Streets - City Centre Community
File No: DAOC 4/93 "A"

258 - 8. The Committee on Planning and Community Services has considered a report from the Administration with respect to the above-noted lane opening and closing shown on Misc. Plan No. CC8683/2, as outlined on Appendix "A".

The lane openings and closings in question (as shown on Misc. Plan CC8683/2) are an integral part of the Graham Avenue transit corridor development project commonly known as Graham Mall. The first phase of the project, between the west side of Donald Street and Vaughan Street was completed this year (1994). The second phase of the project is to be completed in 1995; starting from the east side of Donald Street up to Main Street. In anticipation of this project coming on stream, this lane opening and closing file was initiated in February of 1993. The proposed lane openings and closings were circulated to the various applicable City Department's and Public Utilities for information and comment, with the responses being forwarded onto the Land Surveys and Real Estate Department. Revisions were made to the lane opening/closing proposals in the early part of 1994, and as a consequence the proposal was re-circulated in April of 1994. A number of the respondents did note the necessity for easements to protect existing services such as hydro, gas, and telephone facilities.

Centra Gas Manitoba Inc., noted the existence of 100 millimetre diameter gas mains in the two lanes being closed, therefore necessitating easements for these service lines. The City would be responsible for all associated costs.

Winnipeg Hydro indicated underground service lines in both of the lane sections to be closed. Hydro requires 3 metre easements to protect the existing underground duct work. If the underground ducts in question were to be relocated, the cost would be in the neighbourhood of $100,000.

The Manitoba Telephone System (M.T.S.) have both underground conduit and overhead service lines in the section of lane to be closed immediately west of Fort Street. M.T.S. require a 7 metre easement for their underground and aerial facilities. Should it be necessary to relocate the M.T.S. plant, relocation costs are estimated at $17,000. There are no telephone system services in the lane west of Garry Street.

West Central District Operations have provided the following cost estimates for the two new lane connections; one to Fort Street, and one to Garry Street, as illustrated on attached Misc. Plan No. CC8683/2. The concrete pavement cost for each lane connection and turnout is approximately $22,000. It is assumed that these costs would be accommodated for in the budget for the Graham Avenue phase 2 reconstruction.

Other than the easement requirements noted, there were no other concerns identified. There is of course this acquisition of the new lane connections to be considered. Presumably these new lanes can be negotiated as part of a land exchange for the existing lane right-of-ways that are being closed.

On October 4, 1994, the City Centre Community Committee recommended approval of the subject lane openings and closings in accordance with Misc. Plan CC8683/2.

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 lane openings and closings in accordance with Misc. Plan No. CC8683/2, as outlined on Schedule "A".

Report of the Committee on Planning and Community Services dated November 22, 1994

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. 265 for attachment)

Proposed closing of lane East of Brazier Street between Oakland and Devon Avenues - East Kildonan-Transcona Community File DAC 14/94

259 - 9. 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. EKT 9196, at the request of The East Kildonan-Transcona Community Committee, as outlined on Schedule "A".

On April 19, 1994, The East Kildonan-Transcona Community Committee gave favorable consideration to a rezoning application of adjacent lands as outlined on Schedule "B". Although the unimproved lane is not part of the rezoning application, it is out of these discussions that the disposition of the lane arose.

The proposed lane closure was circulated to all concerned City and public agencies, with no objections having been received. On October 13, 1994, The East Kildonan-Transcona Community Committee recommended approval of the proposed closing in accordance with Misc. Plan EKT 9196.

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 lane closing in accordance with Misc. Plan No. EKT 9196, as attached 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. 266 for attachment)

Appointment to the Heritage Winnipeg Corporation Files G-3 (Vol. 7) & GC-7 (Vol. 24)

260 - 10. In accordance with Section 2:01 of the By-laws of the Winnipeg Heritage Corporation, the role of the Corporation is to promote the establishment of Heritage conservation areas in the Province of Manitoba with particular focus on the City of Winnipeg through the encouragement, support, and protection of building restoration, revitalization and preservation.

On November 2, 1994, Council referred to the Committee on Planning and Community Services the matter of appointment of a representative from the Committee to the Winnipeg Heritage Corporation.

The Committee on Planning and Community Services recommends that Councillor Golden be appointed for a one-year term to the Winnipeg Heritage Corporation.

Adopted by consent.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

261 - 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. 6515/94, a By-law of the City of Winnipeg to amend the St. Vital Town Planning Scheme 1951 for the enactment of a zoning change on land located at 2270 St. Mary's Road west side between Normand Park Drive and Burland Avenue in the Riel Community. File DASZ 1/94

By-law No. 6523/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a temporary zoning change in the City Centre Community by rezoning the lands located on the west side of Erin Street between Ellice and Sargent Avenues from an "R1-4" One-Family District to a "C1" Limited Commercial District. File DAZ 217/94

By-law No. 6524/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change on land located on the north-east corner of Goulet Street and rue des Meurons in the Riel Community. File DAZ 220/94

By-law No. 6525/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area south of boulevard Provencher and north of avenue de la Cathedrale, west of rue des Meurons, in the Riel Community. File DAZ 224/94A

By-law No. 6526/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area south of boulevard Provencher and north of rue Plinquet, east of the Seine River, in the Riel Community. File DAZ 224/94B

By-law No. 6527/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change on the south side of Dollard Boulevard between Tache Avenue and Kenny Street, in the Riel Community. File DAZ 224/94C

By-law No. 6528/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area including Kavanagh, Giroux, Cherrier and Doucet Streets, between the Seine River and rue Archibald, in the Riel Community. File DAZ 224/94D

By-law No. 6529/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area north of Walmer Street, west of St. Mary's Road, in the Riel Community. File DAZ 224/94E

By-law No. 6530/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area on the south side of Horace Street between Tache Avenue and St. Mary's Road; and the west side of St. Mary's Road south of Walmer Street, in the Riel Community. File DAZ 224/94F

By-law No. 6531/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area bounded by Enfield Crescent on the north, Traverse Avenue on the east and St. Mary's Road on the west; and in the area west of St. Mary's Road, south of Highfield Street, in the Riel Community. File DAZ 224/94G

Committee on Planning and Community Services - Consideration of By-laws (continued)

By-law No. 6532/94, a By-law of the City of Winnipeg to amend the St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change on the west frontage of rue des Meurons, between Horace Street and rue Dubuc, in the Riel Community. File DAZ 224/94H

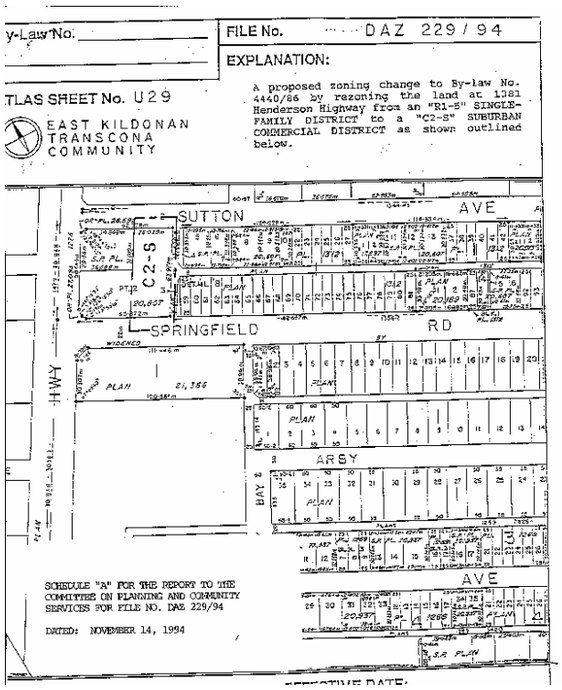
By-law No. 6536/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 4450/86 for the enactment of a zoning change at 1186 Main Street, in the Lord Selkirk-West Kildonan Community. File DAZ 223/94

On motion of Councillor O'Shaughnessy, By-law No. 6535/94, a By-law of the City of Winnipeg to amend By-law No. 965/75, establishing a Secondary Plan for North St. Boniface, being a statement of the City's policies and proposals for the development of the North St. Boniface Area, in the Riel Community, was read a first time. Files AAP 38/94 and DAZ 231/94

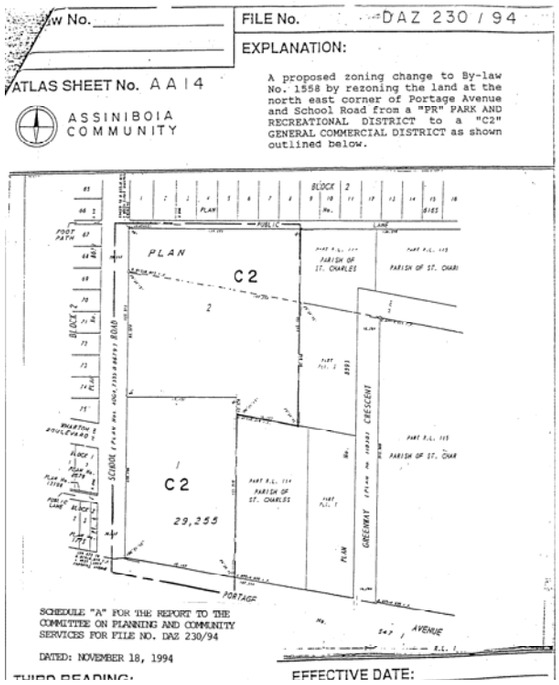
Councillor O'Shaughnessy moved that this constitute the first reading of By-law No. 6535/94, which motion was carried.

On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6499/94, a By-law of the City of Winnipeg, being the City of Winnipeg Electrical By-law, respecting electrical wiring and other electrical installations, 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 EB-2.1 (Vol. 4)

262 - Schedule "A" referred to in Clause 5 of the Report of the Committee on Planning and Community Services dated November 22, 1994



263 - Schedule "A" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated November 22, 1994



Schedule "B" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated November 22, 1994

SCHEDULE "B" FOR THE REPORT TO THE
COMMITTEE ON PLANNING AND COMMUNITY
SERVICES FOR FILE NO. DAZ 230/94

DATED: NOVEMBER 18, 1994

November 8, 1994 AG 230/94

REPORT OF THE ADMINISTRATIVE COORDINATING GROUP

TO THE CHAIRPERSON AND MEMBERS OF THE
ASSINIBOIA COMMUNITY COMMITTEE

RE: PROPOSED REZONING OF LAND LOCATED AT THE NORTHEAST CORNER OF PORTAGE AVENUE AND SCHOOL ROAD - DAZ 230/94

An application has been submitted by 2514141 Manitoba Ltd. to rezone land at the north east corner of Portage Avenue and School Road.

It is recommended that approval of DAZ 230/94 be subject to the Developer entering into a Development Agreement with the City containing the following requirements:

1. The Developer shall, at no expense to the City, construct all works and do all things necessary to ensure that stormwater run-off from the subject site is restricted to design flows as determined by and to the satisfaction of the Commissioner of Works and Operations. The Developer shall, prior to the preparation of the Development Agreement, provide the City with a report prepared by a consulting engineer which provides recommendations with respect to the collection and disposal of land drainage run-off. If the report identifies that the City's land drainage sewer system cannot accommodate the proposed development or if a separate sewer and outfall is required the Developer shall undertake the necessary work at no expense to the City.

2. The Developer shall, at no expense to the City, abandon all sewer and water facilities which are no longer required to serve the proposed development to the satisfaction of the Commissioner of Works and Operations.

3. The Developer shall, at no expense to the City, install wastewater and water building connections as determined by and to the satisfaction of the Commissioner of Works and Operations.

4. a) The Developer shall dedicate, at no cost to the City, property required for a 1.0 m widening to the Portage Avenue right-of-way along the full length of the subject property abutting Portage Avenue as determined by and to the satisfaction of the Commissioner of Works and Operations.

   b) The Developer shall dedicate, at no cost to the City, property required to widen the School Road right-of-way as illustrated on DS-Lea Consultants drawing identified as *Figure 1: Scenario 3 Site Plan.*

Schedule "B" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated November 22, 1994 (continued)

5. The Developer shall, at no expense to the City, construct portland cement concrete street pavements, and all related works on School Road at and in the vicinity of its intersection with Portage Avenue, and on Portage Avenue both east and west of School Road all as generally illustrated on DS-Lea Consultants Ltd. drawing identified as *Figure 1: Scenario 3 Site Plan* to the satisfaction of the Commissioner of Works and Operations.

6. The Developer shall upon demand by the City pay the full cost of installing traffic control signals at the intersection of Portage Avenue and Banting Boulevard including but not necessarily limited to pedestrian and vehicular actuation, fire hall pre-emption and interconnection to adjacent traffic control signals to the satisfaction of the Commissioner of Works and Operations as determined by the said Commissioner. This obligation shall be secured by provision of a letter of credit in an amount equal to the estimated cost of the work.

7. The Developer shall pay $1,150.00 per acre to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement.

8. The Developer shall pay the full cost of engineering consulting services provided by or on behalf of the City with respect to traffic improvements and underground wastewater, water and land drainage facilities required to serve the proposed development.

At a recent information meeting held by the Developer, the issue of traffic control signals at the intersection of Ness Avenue and School Road was raised. It is recommended that even with the proposed development, traffic control signals are not warranted at this intersection. Furthermore, with the present geometry at the intersection, it is not considered to be appropriate for traffic control signals to be installed. If, however, the Community Committee is of the opinion that traffic control signals may be required at the intersection of Ness Avenue and School Road after the opening of the proposed development it is recommended that the following considerations be included in the approval:

a) The Developer shall upon demand by the City pay the full cost of installing traffic control signals at the intersection of Ness Avenue and School Road including but not necessarily limited to pedestrian and vehicular actuation and interconnection to adjacent traffic control signals if required within 5 years of the opening of the proposed Superstore at the intersection of Portage Avenue and School Road to the satisfaction of the Commissioner of Works and Operations as determined by the said Commissioner.

Schedule "B" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated November 22, 1994 (continued)

b) The Developer shall, at no expense to the City, construct in portland cement concrete pavement, street pavement works and all related works on Ness Avenue at and in the vicinity of its intersection with School Road as generally illustrated on the attached drawing labelled *Figure "A"* if required for the installation of traffic control signals within 5 years of the opening of the proposed Superstore at the intersection of Portage Avenue and School road as determined by and to the satisfaction of the Commissioner of Works and Operations.

c) The works described in a) & b) above shall be secured by provision of a letter of credit in an amount equal to the estimated cost of the work.

The intersection could then be monitored for 5 years following the opening of the proposed Superstore and signals installed if they should become warranted.

The Developer is advised that it will be required to pay all costs associated with providing vehicular access to the proposed development including, but not limited to, the construction of auxiliary turning lanes and median modifications, the installation and/or relocation of street lights and other utilities and boulevard restoration all as determined by and to the satisfaction of the Commissioner of Works and Operations and pursuant to the requirements of the latest edition of the City of Winnipeg Private Approaches By-law 329/73 and as generally illustrated on DS-Lea Consultants Ltd. drawing identified as *Figure 1: Scenario 3 Site Plan.*

Attachments (2)

Schedule "B" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated November 22, 1994 (continued)

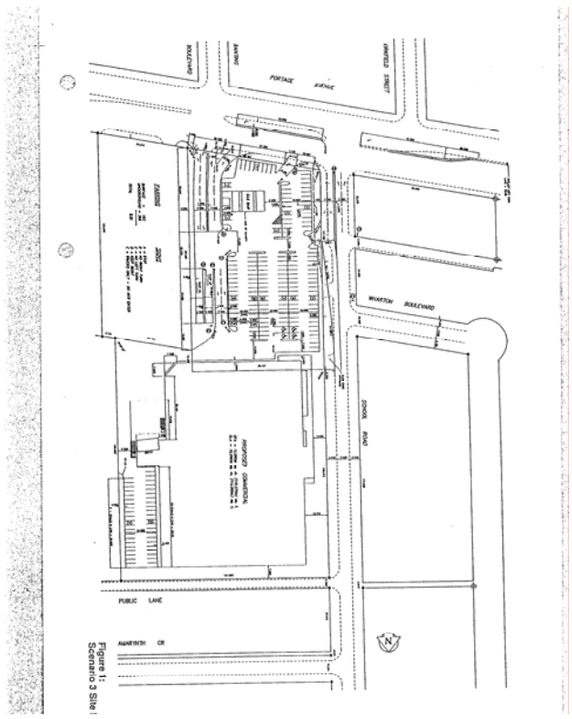
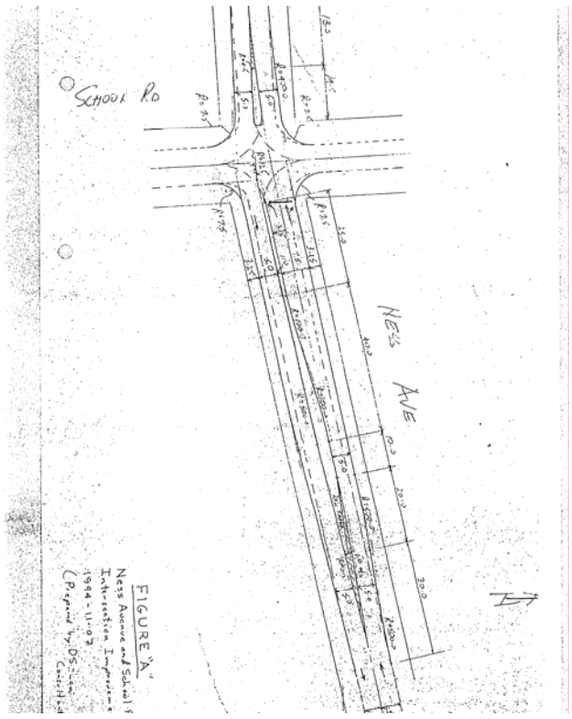


Figure 1:
Scenario 3 Site

Schedule "B" referred to in Clause 6 of the Report of the Committee on Planning and Community Services dated November 22, 1994 (continued)



264 - Schedule "A" referred to in Clause 7 of the Report of the Committee on Planning and Community Services dated November 22, 1994

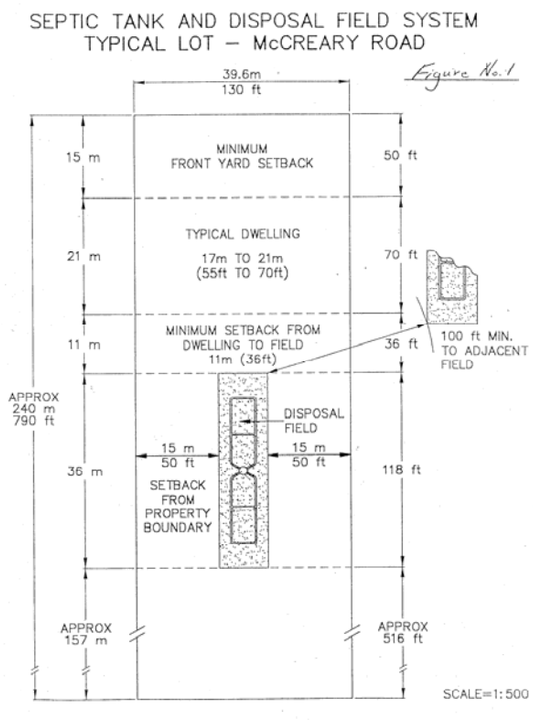
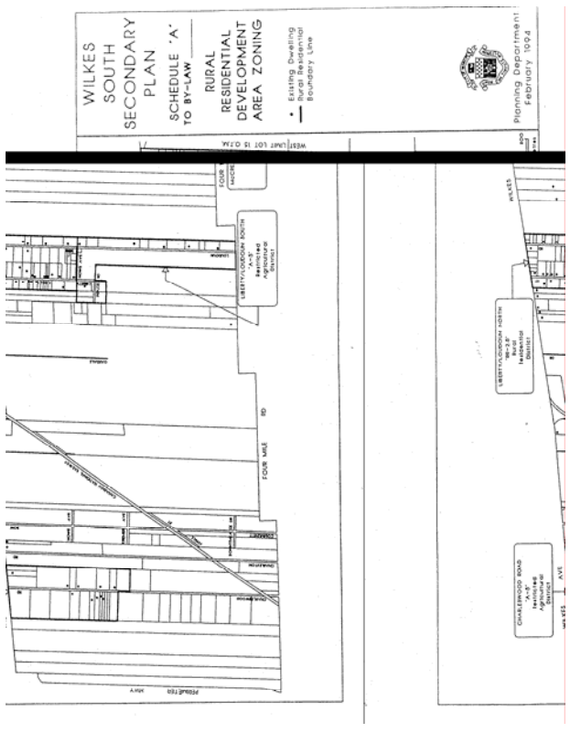
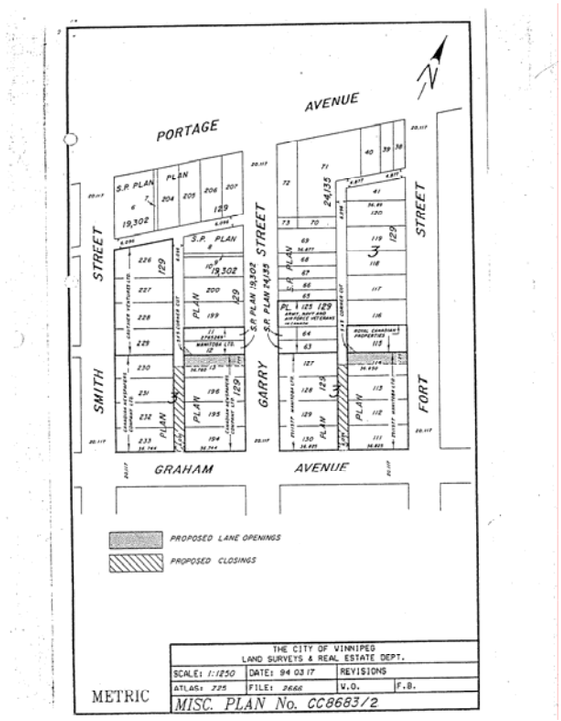


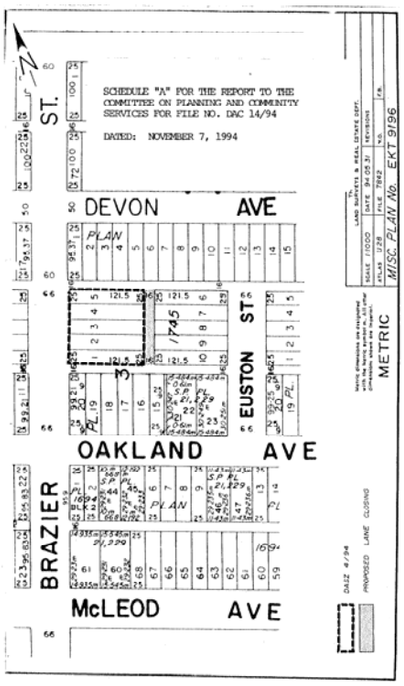
Figure 1 referred to in Clause 7 of the Report of the Committee on Planning and Community Services dated November 22, 1994



265 - Appendix "A" referred to in Clause 8 of the Report of the Committee on Planning and Community Services dated November 22, 1994



266 - Schedule "A" referred to in Clause 9 of the Report of the Committee on Planning and Community Services dated November 22, 1994



Schedule "B" referred to in Clause 9 of the Report of the Committee on Planning and Community Services dated November 22, 1994

