REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

DATED JULY 8, 1994

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services, dated July 8, 1994, was considered clause by clause.

Moved by Councillor O'Shaughnessy,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14 and 15 be adopted.

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

Councillor Clement requested that Clause 14 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,4,5,6,8,9,10,11,12,13 and 15 was put and declared carried.

911 - Councillor Golden asked to be recorded as having voted against Clause 4, in accordance with Rule 50.7 of the Procedure By-law.

Her Worship the Mayor and Councillors:

Proposed Amendment to Definition of "Owner" - Winnipeg Residential Building Fire Safety By-law No. 4304/86
File EB-1 (RBFS) (Vol. 4)

912 - 1. The Winnipeg Residential Building Fire Safety By-law No. 4304/86 presently defines "OWNER" as follows:

> "Owner means the registered owner of land whose estate or interest in the land is defined and who is named in respect of that interest in a subsisting:
>
> (a) Certificate of Title under The Real Property Act,
> (b) Grant registered under The Registry Act; or
> (c) Instrument registered or filed in the Land Titles Office
>
> and shall include any person, firm or corporation acting as agent for the registered owner".

There are numerous instances where the mortgagee or prospective purchaser takes actual possession of a property but does not affect a name change on the Title. Since the present definition does not take into account such situations, this allows the mortgagee or prospective purchaser a means of circumventing legal responsibility to comply with by-law regulations. Conversely "owner" as defined in Part 15, Section 470 of The City of Winnipeg Act addresses this type of scenario.

The Planning Department recommends that the definition of "owner" be changed to be the same wording as that of Part 15, Section 470 of The City of Winnipeg Act. This would not only result in consistency of definitions but also allow for more effective enforcement by elimination of a legal loophole.

The Committee on Planning and Community Services recommends:

I. The Winnipeg Residential Building Fire Safety By-law No. 4304/86 be amended as follows:

A. That definition of "owner" be amended to mean a person, or the agent of a person, who owns, manages or is in possession of land or a building, or who is in receipt of the whole or a part of any rents and profits therefrom, whether the rents and profits are received on the person's own account, or as agent or trustee for another person.

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B. That definition of "person" be amended to mean any person, firm, co-partnership or corporation or any trustee, manager or other person, either individually or jointly with others, owning or occupying any building or place or having the management or supervision of any building or place to which this By-law applies, and includes any agent, workman, servant or employee of such person, firm, co-partnership, or corporation.

II. That the amending draft by-law be approved in accordance with the above.

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

Adopted by consent.

Proposed Amendment to Definition of "Owner" - Winnipeg Building By-law No. 4555/87 File EB-1.1 (Vol. 8)

913 - 2. The Winnipeg Building By-law No. 4555/87 presently defines "OWNER" as follows:

"Owner means the registered owner of land whose estate or interest in the land is defined and who is named in respect of that interest in a subsisting:

(a) Certificate of Title under The Real Property Act,
(b) Grant registered under The Registry Act; or
(c) Instrument registered or filed in the Land Titles Office

and shall include any person, firm or corporation acting as agent for the registered owner".

There are numerous instances where the mortgagee or prospective purchaser takes actual possession of a property but does not affect a name change on the Title. Since the present definition does not take into account such situations, this allows the mortgagee or prospective purchaser a means of circumventing legal responsibility to comply with by-law regulations. Conversely "owner" as defined in Part 15, Section 470 of The City of Winnipeg Act addresses this type of scenario.

The Planning Department recommends that the definition of "owner" be changed to be the same wording as that of Part 15, Section 470 of The City of Winnipeg Act. This would not only result in consistency of definitions but also allow for more effective enforcement by elimination of a legal loophole.

The Committee on Planning and Community Services recommends that:

I. The Winnipeg Building By-law No. 4555/87 be amended as follows:

That definition of "OWNER" be amended to mean a person, or the agent of a person, who owns, manages or is in possession of land or a building, or who is in receipt of the whole or a part of any rents and profits therefrom, whether the rents and profits are received on the person's own account, or as agent or trustee for another person.

II. That the amending draft by-law be approved in accordance with the above.

III. That the Acting 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.

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Proposed Amendment to Definition of "Owner" - Winnipeg Electrical By-law No. 5530/90 File EB-2.1 (Vol. 4)

914 - 3. The Winnipeg Electrical By-law incorporates the Canadian Electrical Code and Chapter 2, Subsection 0 of the Code defines "OWNER" as follows:

> "Owner means the registered owner of land whose estate or interest in the land is defined and who is named in respect of that interest in a subsisting:
>
> (a) Certificate of Title under The Real Property Act,
> (b) Grant registered under The Registry Act; or
> (c) Instrument registered or filed in the Land Titles Office
>
> and shall include any person, firm or corporation acting as agent for the registered owner".

There are numerous instances where the mortgagee or prospective purchaser takes actual possession of a property but does not affect a name change on the Title. Since the present definition does not take into account such situations, this allows the mortgagee or prospective purchaser a means of circumventing legal responsibility to comply with by-law regulations. Conversely "owner" as defined in Part 15, Section 470 of The City of Winnipeg Act addresses this type of scenario.

The Planning Department recommends that the definition of "owner" be changed to be the same wording as that of Part 15, Section 470 of The City of Winnipeg Act. This would not only result in consistency of definitions but also allow for more effective enforcement by elimination of a legal loophole.

The Committee on Planning and Community Services recommends that:

I. The Winnipeg Electrical By-law No. 5530/90 be amended as follows:

> That definition of "owner" be amended to mean a person, or the agent of a person, who owns, manages or is in possession of land or a building, or who is in receipt of the whole or a part of any rents and profits therefrom, whether the rents and profits are received on the person's own account, or as agent or trustee for another person.

II. That the amending draft by-law be approved in accordance with the above.

III. That the Acting 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.

Involvement by The City of Winnipeg in Renting/Converting The Royal Bank Tower File G-3.1.1 (Vol. 5)

915 - 4. On April 27, 1994, Council referred Clause 2 of the Report of the Executive Policy Committee, dated April 20, 1994 along with a motion requesting Committee to define policy options under existing Council policy for the restoration and reuse of the Royal Bank (Union) Tower located at 500 - 504 Main Street.

Inasmuch as the requested definitions of policy options have not yet been formulated by the Committee on Planning and Community Services, the Committee recommends that Council grant an extension of time of 60 days for consideration of this matter.

The Committee on Planning and Community Services has recommended that a strategy team be established, to meet with the owners and their architect to resolve the continuing deterioration of the building and arrive at rehabilitation solutions to the building that are suitable to all parties, and to also examine policy options that exist for the re-use of the building.

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The Committee on Planning and Community Services submits the aforementioned for the information of Council.

Adopted by consent.

(See Minute No. 911 for opposition recorded by Councillor Golden)

Proposed Zoning Agreement Amendment - 449 William Avenue, located on the north side, west of Gertie Street - Lord Selkirk-West Kildonan Community
File DAZ 232/85 (ZAA 2/94)

916 - 5. The Committee on Planning and Community Services has been advised that an application has been received from Mr. & Mrs. M. Gonzales, 449 William Avenue, Winnipeg, R3A 0J5, to amend the Zoning Agreement affecting the land at 449 William Avenue by adding to the list of permitted uses and all retail uses under the "M1" Industrial District of By-law No. 4450/86.

The Planning Branch has reviewed the subject application and fully supports the proposal. The Branch is of the view that the subject site and adjacent land south of William Avenue is zoned for intensive use ("M1" Industrial or "C1" Commercial) so the establishment of a video retail facility will not adversely affect or be out of character with the surrounding neighbourhood.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on May 17, 1994.

One person appeared in support of the application and no one appeared in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed zoning agreement amendment be approved for the following reason:

1. The establishment of a video retail facility will not adversely affect or be out of character with the surrounding neighbourhood. The Committee on Planning and Community Services concurs in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends:

   I. That Zoning Agreement File DAZ 232/85 dated June 19, 1985 be amended as follows:

      A. To add to the list of permitted uses all retail uses under the "M1" Industrial District of By-law No. 4450/86.

   II. That the Acting City Solicitor be requested to prepare the necessary amending agreement to Zoning Agreement File DAZ 232/85 dated June 19, 1985 as approved in aforesaid Clause I.

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

   IV. That the Acting 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.

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Proposed Rezoning - Land located at 850 Selkirk Avenue - Lord Selkirk-West Kildonan Community
File DAZ 204/94 (c/r DAV 151/94D)

917 - 6. The Committee on Planning and Community Services has been advised that an application has been received from Mr. R. Abramowicz, 64 Teakwood Bay, Winnipeg, R2V 2M6, to amend By-law 4450/86 by rezoning the lands shown below from a "R1-2.5" Single-Family District to a "RM-4" Multiple-Family District to allow for the conversion of a single-family dwelling to a multiple-family dwelling.

The application has been reviewed and it is felt that the proposed density is excessive, given that the existing adjacent housing is predominantly single-family in nature. It could be argued that the buildings separating the subject property from Sinclair Street are of mixed commercial and residential use. However, properties to the east and south are generally single-family with the occasional two-family unit. A dramatic alteration in the zoning from single-family to multiple-family would effectively contribute towards a change in the character of the neighbourhood. It is anticipated that a successful conversion to a four-plex at 850 Selkirk Avenue would lead to similar applications in the future and the Community Committee would be hard pressed to reject them, given that the precedent had already been set.

It should be noted that, given the size of the dwelling in question, a conversion to a two-family dwelling unit would not be wholly out of character with neighbourhood housing.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on May 17, 1994.

One person appeared in support of the application and five persons appeared in opposition to the application.

The Lord Selkirk-West Kildonan Community Committee recommended that:

1. The proposed zoning change BE NOT PROCEEDED WITH for the following reasons:

    1) The proposed density is excessive in that adjacent housing is single-family and would set a negative precedent.

    2) It is considered that a four-plex would adversely affect the character of the neighbourhood.

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

I. That the proposed zoning change to amend Zoning By-Law No. 4450/86 from a "R1-2.5" Single-Family District to a "RM-4" Multiple-Family District BE NOT PROCEEDED WITH.

Adopted by consent.

Proposed Rezoning - Land located at 305 McKay Avenue - East Kildonan-Transcona Community
File DAZ 208/94 (c/r DASZ 19/85)

918 - 7. The Committee on Planning and Community Services has been advised that an application has been received from The Commissioner of Planning and Community Services, 510 Main Street, Winnipeg, to amend By-law No. 4440/86 by rezoning the land at 305 McKay Avenue from a "M1" Industrial District to a "R1-5" Single-Family District to provide for the future subdivision and development of the land for single-family dwellings.

The subject site comprises approximately 3.7 acres of land area and is presently developed with an industrial warehouse-type building. The site consists of the residual lands and building from the former Dyck's Containers and Forest Products Limited, which originally totalled some 6.7 acres of land in this location, and also includes two small parcels of land currently in the ownership of the City of Winnipeg.

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The recent development history of the site is summarized below.

On July 10, 1985, under File DASZ 19/85, Council approved in principle a Single-family residential subdivision covering all of the original 6.7 acre industrial site. The subdivision included the establishment of two cul-de-sacs and 35 residential lots.

In February, 1986, the Planning Department advised the East Kildonan-Transcona Community Committee that the applicant for File DASZ 19/85, Dyck's Containers and Forest Products, had requested that they be allowed to split the application into two parts and to proceed at that time only with development of the easterly cul-de-sac and associated lots. The Planning Department recommended that, under Section 637(19.1) of The City of Winnipeg Act in effect at that time, such an amendment to the proposed plan should be permitted without a public hearing being held. Council approved the phasing of the development at its meeting held on April 9, 1986.

Council subsequently gave Third Reading to the by-law under File DASZ 19A/85, establishing the most easterly cul-de-sac and lots only (Aspenwood Place) on May 21, 1986. In conjunction with the approval, a Zoning Agreement was required which, in part, provided for the following:

It is understood and agreed that no expansion or additions to the existing industrial building on the contiguous lands shall be constructed and no building permit issued for such construction until approved under an amendment to this agreement recommended by the East Kildonan-Transcona Community Committee.

The above-mentioned contiguous lands are comprised of all the residual westerly part of the originally proposed subdivision.

On July 21, 1992, the East Kildonan-Transcona Community Committee requested, in part, that the Commissioner on Planning and Community Services, in consultation with the Law Department, investigate and report back on the feasibility of re-zoning the area to "R2".

On January 18, 1994, the East Kildonan-Transcona Community Committee passed the following motion:

That the Committee on Planning and Community Services instruct the Commissioner of Planning and Community Services to initiate a rezoning of the Dyck's Industrial site located at 305 McKay Avenue from a "M1" Light Industrial District to a "R1" Single-family District.

On February 1, 1994, the Committee on Planning and Community Services concurred in the recommendation of the East Kildonan-Transcona Community Committee and instructed that a rezoning of the site to a "R1" single-family district be initiated.

The Planning Department has reviewed the subject application within the context of City Policy, and Planning and land use issues as follows:

(1) Consistency with "Plan Winnipeg"

The subject lands are situated within the Rossmere "A" neighbourhood as identified in the Winnipeg Area Characterization Program. The "Rossmere A" neighbourhood is identified as a "Neighbourhood" area within "Plan Winnipeg, toward 2010". Plan Winnipeg By-law No. 5915/92 was passed by Council on June 23, 1993, and in part, gives direction for implementing Urban Development Management in the City of Winnipeg.

Plan Winnipeg policy affirms that the City support the maintenance and revitalization of existing neighbourhoods as the first priority in meeting its responsibility for housing and Community Development (P.W. 5A-01). Consistent with the priority for the maintenance and revitalization of "neighbourhoods", the City encourages the provision of infill housing (P.W. 5A-04) and recognizes the need to protect existing neighbourhoods from new development which is inappropriate because of unacceptable economic, environmental or social impacts (P.W. 5A-13). While Plan Winnipeg recognizes the need for mixed uses in "Neighbourhood" areas, it does not permit new "Industrial developments" except those which are to be developed at "Industrial Park" standards and will serve as a buffer between residential development, and major traffic arteries or railways, or other incompatible uses (P.W. 5A-12).

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The present zoning, and the building upon the subject site, predate the adoption of Plan Winnipeg. Additionally, there are a number of "industrial" zoned sites within designated Plan Winnipeg "Neighbourhood" areas which similarly, do not meet locational criteria set out in Policy PW.5A-12. However, the Planning Department considers that rezoning of the subject lands to a single-family residential district is justified and consistent with the intent of Plan Winnipeg.

(2) Compatibility with adjoining and neighbouring land use

The lands to the north of the subject property are developed with recently constructed single-family dwellings on 35.0 feet in width lots and zoned "R1-3.5". Lands to the west of the subject property (west side of Arby Bay) comprise modern single-family and two-family dwellings with "R1-5.5" zoning on Arby Bay and "R2" zoning on McKay Avenue. South of the subject property are two-family dwellings zoned "R2" on the south side of McKay Avenue. Single-family dwellings to the east (Aspenwood Place) are situated on average 50 feet in width lots zoned "R1-5".

Generally, development within the area bounded by the major peripheral streets, these being Henderson Highway, Springfield Road, Edison Avenue and Rothesay Street, can be characterized as low density single and two-family housing, with higher density housing and limited commercial development on Henderson Highway, and medium density low-rise apartments on Edison Avenue. The subject industrial site is an anomaly within this area, in terms of its industrial zoning, its industrial usage and its large size.

(3) Consistency with the previously expressed intent of the Owner to subdivide and rezone the subject lands

In 1985, Mr. R. Dyke, then Vice-President of Dycks Containers and Forest Products, owners of the subject lands, applied to rezone and subdivide all of their industrial lands to a "R1-5" residential district. The Development proposal included the demolition of the industrial building and the creation of 35 single-family residential lots on two new streets. This application was approved in principle by Council on July 10, 1985.

In a letter dated February 6, 1986, Mr. Rudolf Dyke, Vice-President of Dyck's Containers and Forest Products, owner of the site, requested Council permission to split File DASZ 19/85 into two phases and proceed firstly with the proposed eastern cul-de-sac (Aspenwood Place). Mr. Dyke indicated in his letter that his company's intent was still to proceed with redevelopment of the entire site, but requested phasing of development in order to have time to plan for the future location of all its lines of manufacturing.

Subsequently, in February, 1986, the Planning Department advised the East Kildonan-Transcona Community Committee that the applicant for File DASZ 19/85, Dyck's Containers and Forest Products, had requested that they be allowed to split the application into two parts and to proceed at that time only with development of the easterly cul-de-sac and associated lots. The Planning Department recommended that, under Section 637(19.1) of The City of Winnipeg Act in effect at that time, such an amendment to the proposed plan should be permitted without a public hearing being held. Council approved the phasing of the development at its meeting held on April 9, 1986.

Council subsequently gave Third Reading to the by-law under File DASZ 19A/85, establishing the most easterly cul-de-sac and lots only (Aspenwood Place) on May 21, 1986. In conjunction with the approval, a Zoning Agreement was required which, in part, provides for the following:

It is understood and agreed that no expansion or additions to the existing industrial building on the contiguous lands shall be constructed and no building permit issued for such construction until approved under an amendment to this agreement recommended by the East Kildonan-Transcona Community Committee.

The Zoning Agreement required in conjunction with approval of By-law No. 4320/86 presently prohibits additions or expansion of the existing industrial buildings on the subject lands unless approved under an amendment to that Agreement. The Zoning Agreement might not preclude conversion of the land and buildings to commercial uses permitted by By-law No. 4440/86. Rezoning would prevent such possibility, if there is any.

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It is now almost eight (8) years since Council gave third reading to the by-law to establish Phase I of the Dycks Containers and Forest Products re-development. Since that time 14 new dwellings have been constructed and occupied in Phase I on Aspenwood Place. It is now more than eight (8) years since Mr. Dyke sent his letter requesting that he be allowed to phase his development on the understanding that the request for phasing was to "give it time to plan for the future location of all its lines of manufacturing."

A recent review of occupancy of 305 McKay Avenue indicates that "Dycks Containers and Forest Products" appears to be no longer an occupant of the property. However, there are approximately ten (10) separate tenants in the building, covering a wide range of business uses including wholesale food distribution, general contracting, electrical contracting, grinding and plastic bag manufacturing. Of the approximately 72,340 square feet of leasable floor area in the building, "Dycks Industries" occupies 473 square feet, apparently as a building management office.

From occupancy records, it would appear that Mr. Dyke commenced leasing space in his building to tenants as early as May 1986. New tenants have been accepted on a regular basis with the most recent occupancy as late as August, 1993. It is apparent, therefore, that Mr. Dyke has used the phasing of his development, granted to him by Council, to continue the industrial use of his building in the long term. This use is contrary to the expressed intent in his letter, that the requested phasing was to allow only for relocation of his own lines of manufacturing. The continued use of the subject building for industrial uses has in the opinion of this Department, consequently caused severe adverse effect due to the continued juxtaposition of the industrial uses on Mr. Dykes property, and the new dwellings built and occupied within the first phase of his re-development.

In conclusion, the Planning Department supports the subject application to rezone the subject lands to a "R1-5" single-family district. However, should Council approve the rezoning, it should be noted that this by itself, will not immediately resolve this issue, as the existing industrial uses will be permitted to continue under a non-industrial zoning with non-conforming rights. A rezoning will, however, be consistent with the expressed intent of Mr. Dyke and "invite" the future redevelopment of the subject lands in accordance with that intent.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on May 17, 1994.

Thirty-four persons appeared in support of the application and four persons appeared in opposition to the application.

The East Kildonan-Transcona Community Committee recommended that:

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

   a) The proposed "R1-5" zoning is consistent with objectives and policies in Plan Winnipeg with respect to development and land use within designated neighbourhood policy areas.

   b) The juxtaposition of the subject industrial uses and surrounding residential development are an inappropriate land use.

   c) There is substantial adverse effect on the adjacent single-family dwellings constructed within Phase I (Aspenwood Place), caused by the ongoing maintenance of industrial uses on the balance of the applicant's land under File DASZ 19/85.

   d) The industrial usage of the subject lands has changed to that of an industrial multi-use rental development and is not consistent with the expressed written intent of the owner, Mr. Dyke, to phase his re-development in order to allow for planning for relocation of "its own lines of manufacturing" before developing Phase II.

   e) The rezoning will establish the "R1-5" Single-Family residential zoning previously requested by Mr. Dyke, and approved by Council, under File DASZ 19/85, and is consistent with Mr. Dyke's stated intent to develop all his lands for single-family residential development in two phases.

   f) There is neighbourhood support to the application.

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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 208/94, dated July 4, 1994, to a "R1-5" Single-Family District.

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

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

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

Carried.

(See Minute No. 927 for attachment)

Proposed Rezoning - East side of Stafford Street, North of Kingsway (50 Stafford Street) - City Centre Community
File DAZ 210/94 (c/r DAV 184/87)

919 - 8. The Committee on Planning and Community Services has been advised that an application has been received from Stevenson and Company Limited, 385 St. Mary Avenue, Winnipeg, R3C 0N1, to amend Zoning By-law No. 16502 by rezoning the subject land from a"R1-4" One-Family District to a "C1" Limited Commercial District to allow for a business or professional office.

The following is a site description and the surrounding land use/zoning:

Dimensions:	144 feet by 140 feet
Existing Land Use and Zoning:	This property is presently used as offices as permitted by variance approval (File DAV 184/87). Zoning is a "R1-4" One-Family District.
North and East:	St. Mary's Academy - zoned "R1-4" One-Family District
West:	Across Stafford Street - Kelvin School zoned "PR" Park and Recreation District.
South:	Across a 16 foot public lane - single-family dwellings zoned "R1-6" One-Family District.

This property is presently developed with a one-storey 3480 square foot office building. An accessory parking lot (gravel) with a capacity of 13 vehicles, is located to the rear with access from the public lane. This office use was granted by way of variance approval under File DAV 184/87, but is limited to an office for the administration of an educational institution.

The applicant is requesting that this property be rezoned to "C1" Limited Commercial District to permit more flexibility in permitted office uses to facilitate the sale of the property. This building was constructed in 1965 for office use which has continued to date. It is considered that the broader category of business and professional office will have no impact upon the adjacent properties at the existing scale.

A Public Hearing was held before the City Centre Community Committee on June 7, 1994.

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One person appeared in support of the application and no one appeared in opposition thereto.

The City Centre Community Committee recommended that:

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

    a) The property is presently developed with a one-storey, 3480 square foot office building and an accessory parking lot (gravel) with a capacity for 13 vehicles, is located to the rear with access from the public lane, the use having been granted by way of variance under File DAV 184/87, but limited to an office for the administration of an educational institution.

    b) The request for rezoning to a "C1" Limited Commercial District is to permit more flexibility in permitted office uses to facilitate the sale of the building.

    c) The building was constructed in 1965 for office use, which has continued to date, and the broader category of business and professional office will have no impact upon the adjacent properties at the existing scale.

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 City Centre Community Committee and recommends:

I. That By-law No. 16502 be amended by rezoning the subject lands as outlined on Schedule "A" for File DAZ 210/94, dated June 17, 1994, to a "C1" Limited Commercial District subject to the following:

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

        i) The land and any building or structure thereon shall not be used for and no building or structure shall be erected, altered or enlarged on the land for any use except as a business or professional office. Any new buildings, additions or parking lot development shall be constructed in accordance with plans showing the location and design thereof, and the location and design of fencing and landscaping; said plans to be submitted for the approval of the City Centre Community Committee and the Commissioner of Planning and Community Services as outlined on Schedule "A" to this Agreement under the designation Schedule "A" to Zoning Agreement File DAZ 210/94.

        ii) That the existing parking lot be upgraded to comply with the zoning by-law development standards within six (6) months of redevelopment and paving of the adjacent public lane.

        iii) That a maximum sign surface area of twenty-eight (28) square feet be permitted on the subject site.

II. That a ten (10%) per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

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

IV. That the Acting 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.

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VII. That the Acting 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. 928 for attachment)

Proposed Rezoning - 698 St. Anne's Road, Northwest corner Compark Road and St. Anne's Road - Riel Community
File DAZ 212/94 (c/r DAV 399/94)

920 - 9. The Committee on Planning and Community Services has been advised that an application has been received from Tacium Vincent Orlikow, 246 St. Anne's Road, Winnipeg, R2M 3L4 to amend The St. Vital Town Planning Scheme 1951 by rezoning the lands on the north west corner of Compark Road and St. Anne's Road from a "C1" Limited Commercial District to a "R3" Multiple-Family District to allow for the construction of a multiple family development.

A related variance application was applied for under File DAV 399/94 for yards, parking and garbage containers in the front yard was granted.

The proposal is entirely consistent with existing development of St. Anne's Road frontage, and is considered to be less intense than development permitted under existing "C1" zoning on the land. Townhousing is likely to be more compatible than commercial uses with one-family dwellings to the west on Turnham Drive, which back onto the site.

Development of one-family dwellings cannot be expected on this site, because the dimensions do not allow a cul-de-sac with access to St. Anne's Road, and lots fronting Compark Road would be entirely isolated from other housing and face commercial uses.

It is necessary to protect existing drainage swales on the land, which serve adjacent properties, and for that reason it is recommended that easements be secured. Because no Development Agreement is required, that condition is proposed in the Zoning Agreement.

A Public Hearing was held before the Riel Community Committee on June 15, 1994.

One person appeared in support of the application and no one appeared in opposition thereto.

The Riel Community Committee recommended that:

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

    a) Approval of this rezoning is considered to be entirely consistent with existing development of St. Anne's Road frontage, and is considered to be less intense than development permitted under existing "C1" zoning on the land.

    b) There is no opposition to this application.

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 Riel Community Committee and recommends:

I. That The St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 212/94, dated June 20, 1994, to a "R3" Multiple-Family District subject to the following:

Report of the Committee on Planning and Community Services dated July 8, 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 provide for the following:

i) That no building or structure (including free-standing signs and fencing), parking or loading area, or landscaping be erected or located on the land except in accordance with plans approved by the Riel Community Committee and the Commissioner of Planning and Community Services;

ii) That no building on the land exceed two storeys in height;

iii) That no building permit be issued for the land until the easements have been granted to the City along the west and north property limits to accommodate existing drainage of the adjacent lands, as determined by and to the satisfaction of the Commissioner of Works and Operations.

II. That a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land.

III. That Caveat No. 1033615 registered pursuant to Zoning Agreement File DASZ 28/85 be discharged upon the registration of the new Zoning Agreement.

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

VI. 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.

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

VIII. That the Acting 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. 929 for attachment)

Proposed Rezoning - Land located at 24 Corne Street - East Kildonan-Transcona Community
File DAZ 213/94 (c/r DAV 403/94D)

921 - 10. The Committee on Planning and Community Services has been advised that an application has been received from Mr. M. G. Kruk, 24 Corne Street, Winnipeg, R3G 1K3, to amend By-law No. 4440/86 by rezoning the land at 24 Corne Street from a "PR" Park and Recreational District to a "R1-5.5" Single-Family District to allow for the expansion of a single-family dwelling.

A related variance application was applied for under File DAV 403/94D, to permit construction of a garage in front yard which was granted.

The subject vacant lands have been purchased from the City of Winnipeg, by the owner of the adjacent single-family dwelling to the south. The lands are to be consolidated into one title and the combined site is proposed to accommodate expansion to the existing single-family dwelling.

A concurrent variance application File DAV 403/94D was granted to permit the future construction of a detached garage in the front yard of the subject site.

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The Administrative Co-ordinating Group had no objections to the rezoning. The Planning Department recommends approval of the subject application since the site is to be consolidated with adjacent lands. No new separate building lot is being created by the rezoning of the subject site.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on June 14, 1994.

One person appeared in support of the application and no one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that:

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

    a) The applicant has leased the subject land for a very long time.

    b) There is no opposition to the application.

    c) The proposed development is compatible with the surrounding area.

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 DAZ 213/94, dated June 20, 1994, to a "R1-5.5" Single-Family District.

II. That the rezoning by-law shall come into force and effect when the subject lands are consolidated within a single title including also Lot 43, SP Plan 20905 WLTO.

III. That in the event this application is not proceeded with expeditiously and the 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 Acting City Solicitor be authorized to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the Acting 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. 930 for attachment)

Proposed Amendment to Development Agreement AG 11/93 - North Grassie Properties Inc. - North East Corner of Grassie Boulevard and Skowron Crescent File DASZ 11/93

922 - 11. The Committee on Planning and Community Services has been advised that on January 6, 1993, the City executed Development Agreement AG 11/93 being an Agreement in connection with the establishment of 5 lots fronting on Jacques Avenue and 5 lots fronting on Grassie Boulevard pursuant to the approval of File DASZ 11/93. The lots on Jacques Avenue are fully serviced while only the 2 most westerly lots on Grassie Boulevard are currently serviced. Because of the above situation the Developer's financial obligations with respect to the 5 lots on Grassie Boulevard were deferred to some point in the future at the Developer's discretion.

On or about March 10, 1994, the Developer requested that the Development Agreement be amended to allow the 2 serviced lots on Grassie Boulevard to be developed without triggering the conditions applicable to the 3 unserviced lots.

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The Land Development Department has considered the Developer's request and finds it reasonable and recommended that Development Agreement AG 11/93 be amended as required to permit the Developer's financial obligations with respect to the 5 lots fronting Grassie Boulevard to be satisfied in 2 stages. The first stage shall cover the 2 most westerly lots and the second stage shall cover the remaining 3 lots.

On June 14, 1994, the East Kildonan-Transcona Community Committee considered and concurred in the recommendation of the Land Development Department.

The Committee on Planning and Community Services therefore recommends:

I. That Development Agreement AG 11/93 be amended as required to permit the Developer's financial obligations with respect to the 5 lots fronting Grassie Boulevard to be satisfied in 2 stages. The first stage shall cover the 2 most westerly lots and the second stage shall cover the remaining 3 lots.

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

Adopted by consent.

Proposed Subdivision and Rezoning - Land located on South side of De Vos Road, between Waverley Street and Pembina Highway - Riel Community
File DASZ 23/93 (c/r DAC 3/94)

923 - 12. The Committee on Planning and Community Services has been advised that an application has been received from Ladco Company Ltd., 150 - 50 Lakewood Boulevard, Winnipeg, R2J 2M7, for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 1800 by rezoning the subject lands from an "A" Agricultural District to a "R1-4" Single-Family District to permit the establishment of single-family dwellings and to consider a special alignment along P.T.H. 100 of 22.86 metres (75 feet) from the edge of the P.T.H. 100 right-of-way.

The following is a site description and the surrounding land use/zoning:

Site Area: 21.7 Acres
Land Use: vacant land

North: one-family dwellings
zoned "R-PL"

East: industrial
zoned "M1" and "A"

West: Waverley Street
lands west of Waverley Street are designated "RURAL" and zoned "A"

South: Perimeter Highway

PREVIOUS APPLICATIONS: File DASZ 22/84
RELATED APPLICATIONS: File DAC 3/94 for the closing of De Vos Road

Proposed Land Use: one-family dwellings

At the time of development of Point West Road, two lots were reserved by the City to become street rights-of-way in anticipation of residential development of the subject lands. An application was approved under File DASZ 22/84 to establish a residential bay, similar to the present proposal, but that application included the relocation of De Vos Road to the south, around the residential lands, to continue to intersect with Waverley Street.

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The only significant difference between the present application and the application approved under File DASZ 22/84 is the proposed closing of De Vos Road at the easterly limit of residential development, and provision of a turn-around for traffic on De Vos Road, all originally as proposed under File DAC 3/94 as outlined on Schedule "B". This would establish complete separation of residential and industrial uses, rather than providing for industrial traffic behind dwellings as proposed under the former plan. In addition, a noise attenuation set-back would be required for lots directly backing onto the Perimeter Highway.

Although De Vos Road is not a truck route, and industrial traffic is required to enter De Vos Road from Pembina Highway, it is understood that this portion of De Vos Road is used by large trucks to access the industrial area to the east, because of perceived short-comings of the Pembina Highway/ De Vos Road intersection. The reported inadequacy of that intersection cannot be supported by accident statistics. Further, the relocation of Waverley Street (as a part of grade separation at the Perimeter Highway) which will be carried out by the Province of Manitoba in 1995, will eliminate the present Waverley Street/Perimeter Highway intersection. Truck use of the westerly portion of De Vos Road after that relocation would require a circuitous route.

It may be noted that the date of improvements to the Pembina Highway/De Vos Road intersection, as a part of reconstruction of the Pembina Highway/Perimeter Highway overpass, has not been established.

The proposal approved under File DASZ 22/84 was not constructed because of the costs of relocation of a Manitoba Hydro 64 KV transmission line in the present De Vos Road R.O.W. This alternative, incorporating the closing of De Vos Road, is intended to make residential redevelopment, economical. If residential development is not made feasible, industrial development of lands on the south side of De Vos Road is not an acceptable alternative, especially after relocation of the Waverley Street/Perimeter Highway intersection.

A Public Hearing was held before the Riel Community Committee on June 15, 1994.

Seventeen persons appeared in support of the application and four persons appeared in opposition to the application. One person appeared for informational purposes only.

The Riel Community Committee recommended that:

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

    a) Approval of this rezoning is considered to be compatible with the surrounding area.

    b) The closing of De Vos Road is intended to make residential redevelopment economical and solve a lot of problems experienced by the area residents.

    c) If residential development is not made feasible, industrial development of lands on the south side of De Vos Road is not an acceptable alternative, particularly after relocation of the Waverley Street/Perimeter Highway intersection.

    d) Ladco Company Limited has put in a considerable amount of effort in trying to make this application a successful one.

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

The Committee on Planning and Community Services concurs in part with the recommendation of the Riel Community Committee for the following reasons:

a) The plan of subdivision required amendments to accommodate the revised turnaround at the west limit of De Vos Road;

b) The changed geometrics of the turnaround allowed the creation of two lots, given the closing of a 7.7 foot strip of De Vos Road west of the turnaround and the incorporation of that strip into proposed Lot 46;

c) The developer has agreed to include the survey and plan of subdivision in the closed portion of De Vos Road, to enable the City to transfer surplus lands (and to avoid maintenance costs on those lands);

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d) The developer has agreed to acquire two lots, and a portion of a third, in the closed portion of De Vos Road in order to facilitate any cost-sharing in the event that signalization of the railway crossing on De Vos Road is required.

The Committee on Planning and Community Services recommends:

I. That the plan of subdivision proposed under File DASZ 23/93 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "D" for File DASZ 23/93 dated July 5, 1994, for registration in the Winnipeg Land Titles Office subject to:

A. That the Developer be required to enter into a Development Agreement with the City containing therein all the conditions outlined in the report of the Administrative Coordinating Group dated May 24, 1994, as outlined on Schedule "C", dated July 5, 1994, with the following amendments thereto:

i) That the words "prior to the issuance of building permits" in subclause 2. a) be deleted and replaced with the following words "as directed by and to the satisfaction of the Commissioner of Works and Operations."

ii) That sub-clause 4.b) be deleted and replaced with the following new subclause 4.b):

The Developer shall, at no expense to the City, construct a turnaround for vehicles (excluding trucks), at the new west terminus of De Vos Road right-of-way to the satisfaction of the Commissioner of Works and Operations, and the proposed geometrics for the said turnaround right-of-way shall be amended accordingly.

iii) The developer shall, prior to the release of the approved subdivision mylars, pay to the City the sum of $55,000.00 in consideration of the City conveying 2 - 40 foot lots and a 7.7 foot strip of land within the proposed Lot 46 to the developer following closure of the De Vos Road right-of-way.

B. If the railway crossing on De Vos Road is not signalized, that the developer be required to enter into a cost-sharing agreement with the City and other relevant parties for the signalization of the railway crossing, to the satisfaction of the Commissioner of Works and Operations and the Committee on Finance and Administration.

II. That the Acting 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. 1800 be amended by:

A. Rezoning the subject land as outlined on Schedule "D" for File DASZ 23/93, dated July 5, 1994, to a "R1-4" Single-Family District;

B. By establishing a specific alignment to any dwelling of 22.86 metres (75 feet) from the northerly limit of the right-of-way of P.T.H. 100.

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

V. That the subdivision and rezoning by-law not come into force and effect until such time as the De Vos Road closure has been approved by City Council.

VI. That the plan of subdivision section of the by-law shall come into force and effect upon the execution by The City of Winnipeg of the Development Agreement, subject to Clause V. above.

VII. 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.

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

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IX. 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.

X. That the Acting 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. 931 for attachment)

Proposed Subdivision and Rezoning - Land located between Vistula Way and Pipeline Road, North of Leila Avenue - Lord Selkirk-West Kildonan Community
File DASZ 6/94

924 - 13. The Committee on Planning and Community Services has been advised that an application has been received from 75022 Manitoba Inc., c/o A. Borenstein, 15 Cartwright Road, Winnipeg, R2P 0R7, 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 District to a "R1-5" Single-Family District to permit the establishment of single-family dwellings.

The following is a site description and the surrounding land use/zoning:

Site Area:	Irregular parcel of land between Vistula Way and Pipeline Road, North of Leila Avenue.
Existing Land Use and Zoning:	Vacant "AR-5" Agricultural Residential District
North/ West:	The existing subdivision to the north and west is zoned for "R1-5" Single-Family District and fully developed.
East:	Properties to the East are generally undeveloped and currently zoned "RA" Suburban Residential District.
South:	Zoned "C2-S" Commercial but vacant at the northwest corner of Pipeline Road and Leila Avenue. Also developed housing along Leila Avenue - zoned "R2" Two-Family District.

The subject proposal is essentially an infill development at the southeast corner of what was the first Phase of Genstar's Amber Trails residential subdivision. The proposal calls for extending Verona Drive toward Pipeline Road and creating a cul-de-sac. Twenty minimum 50 foot wide lots are proposed to front onto the proposed cul-de-sac. All lots are at least 33 m± in depth excepting those lots which back onto Pipeline Road, which exceed 40 metres in depth.

The proposed rezoning and subdivision from a land use standpoint is entirely appropriate. The "R1-5" zoning is compatible with adjacent development to the north and west. The subdivision area is adequately serviceable and can be accessed by existing streets - Vistula Way and Verona Drive.

All 20 lots proposed are equivalent in size or larger than lots immediately adjacent to the west and north.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on June 14, 1994.

Two persons appeared in support of the application and no one appeared in opposition thereto.

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The Lord Selkirk-West Kildonan Community Committee recommended that:

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

    a) The proposed rezoning and subdivision from a land use standpoint is considered appropriate.

    b) The zoning is compatible with adjacent development to the north and adequately serviced and accessed by existing streets.

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

The Committee on Planning and Community Services concurs in part with the recommendation of the Lord Selkirk-West Kildonan Community Committee for the following reason:

a) The Streets and Transportation Department has recommended that a minimum rear yard of 17.5 metres to the rear wall of the principal dwelling be established for those lots abutting Pipeline Road. Normally the advertisement would include provision for an alignment,

however, discussions as to the need for an alignment were ongoing up to the present date. As the alignment was not considered by the Community Committee, the following recommendation is for concurrence in part, allowing the alignment recommendation to be put forward. The requested alignment will require an amendment to Zoning By-law No. 4450/86 and has been incorporated within the following recommendation.

The Committee on Planning and Community Services recommends:

I. That the plan of subdivision proposed under File DASZ 6/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 6/94, dated June 22, 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

    Coordinating Group dated May 25, 1994, designated as Schedule "B", dated June 22, 1994, with the following amendments thereto:

        i) That Clause 15 of the report be amended by adding the following sentence thereto, namely:

        "In determining this payment, the City shall credit the developer with 50% of the landscaped and serviced value of the land within the roadway turnaround island."

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

III. That Zoning By-law No. 4450/86 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 6/94, dated June 22, 1994, to a "R1-5" Single-Family District.

IV. That Zoning By-law No. 4450/86 be amended to establish a special rear yard alignment - 17.5 metres alignment along Pipeline Road.

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

VI. That the plan of subdivision section of the by-law shall come into force and effect upon the execution by The City of the Development Agreement.

VII. 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.

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

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IX. 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.

X. That the Acting 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. 932 for attachment)

Proposed Subdivision and Rezoning - Land located at 4314 Grant Avenue, south east corner at Fairmont Road - Assiniboia Community
File DASZ 7/94 (c/r DAZ 221/93)

925 - 14. The Committee on Planning and Community Services has been advised that an application has been received from Cooper Rankin Architects, 103 - 7 Evergreen Place, Winnipeg, R3L 2T3, for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 1800 by rezoning the subject lands from a "R1-6" Single-Family District to a "RM-1" Multiple-Family District to allow for the construction of a senior citizen's multiple-family dwelling.

The lands immediately surrounding the site are developed with single-family housing zoned "R1-6". The site adjoins 5 single-family dwellings located at 4220 Grant Avenue, 518, 524 and 530 Oakdale Drive and 535 Fairmont Road.

The proposal is to construct a two storey, 43 unit seniors' apartment house with parking provided for 57 vehicles. The density is 9.1 units per acre. Site coverage is about 20%. The floor area ratio (FAR) is 0.41.

This application deals in part with lands which were the subject of a previous rezoning under File DAZ 221/93 which was recommended against by the Assiniboia Community Committee on December 14, 1993, and subsequently withdrawn by the applicant. At the time, the applicant was proposing to construct a 3 storey, 57 unit apartment building for seniors 55 years of age and older. The Committee ruled that the development was out-of-character in a single-family area. Concerns were expressed about building setbacks from adjacent housing, loss of natural habitat, traffic volumes and safety, parking on Fairmont Road, privacy of adjacent dwellings, property values, building height, and land drainage. The current proposal essentially addresses the concerns of the immediately effected residents.

The development density is a moderate 9 units per acre whereas the maximum densities in "RM-1" zoning districts can range between 33 and 55 units per acre depending upon open space provisions. Another measure of development density is floor area ratio (FAR), or the ratio of gross floor area to gross lot area. The present proposal equates to a FAR of 0.41. The maximum allowable FAR in the "RM-1" zoning district is 0.75, which would allow 80 units on the current site.

The required amount of useable open space including landscaped area, balconies and open or enclosed recreation space is 30% of lot area or, in this case, 53,282 square feet. In comparison, the proposed development includes 128,446 square feet of useable open space, over twice the required amount.

The main building wall varies in set back distance from the property lines. The minimum set backs are 30 feet from Grant Avenue on the north, 84 feet from the current east property line, 63 feet from the south property line, and 56 feet from Fairmont Road on the west. There are no zoning variances associated with the current proposal. It is noted that the closest house is located to the south about 96.5 feet from the near corner of the proposed building. If a single-family dwelling were constructed on the site, this separation distance could be reduced to 38.5 feet given the 5 foot interior side yard requirement in single-family zoning districts.

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The project provides 57 parking stalls for 43 units. This compares to the by-law requirement for seniors' projects of 1 stall per 4 units, which would require 11 stalls for this project. The developer is proposing that the site be accessed by a single bi-directional approach off Grant Avenue with a median opening into the Fairmont Road stacking lane allowing all-turns. The Streets and Transportation Department are opposed to the median opening, preferring that cars make U-turns at Fairmont Road for westbound-in access, and at Oakdale Drive for westbound-out egress. It is considered that the traffic lights at Roblin Boulevard on the west and Haney Street on the east will break the flow of traffic on Grant Avenue, enabling the safe execution of U-turns at Fairmont Road and Oakdale Drive.

The project will generate an average of 4 trips per day per unit, for a total trip generation of 172 (one departure equals 2 trips). This compares to a trip generation rate of 10 per unit of single-family detached housing. This traffic will amount to less than 1% of average daily traffic on Grant Avenue in this location, about 20,000 vehicles. This additional traffic contribution is considered negligible by the Streets and Transportation Department.

The Administrative Coordinating Group has indicated its support for the application in a report dated May 2, 1994. Regarding land drainage, the developer is required to contain all storm run-off on site with piped discharge to a land drainage sewer.

The Administrative Coordinating Group report recommends that the proposed new street running south off Roblin Boulevard, to access the undeveloped backlands between Fairmont Road and Oakdale Drive, be modified so that the right-of-way is equally split between the opposing lots to the south. The Administrative Coordinating Group also recommends that, where feasible, the development be connected to services installed in the new street rather than Roblin Boulevard.

The original proposal for this site called for the construction of 80 units in two - 3 storey buildings with approaches onto both Fairmont Road and Grant Avenue. The project was subsequently downscaled by the applicant in response to concerns expressed by area residents at two neighbourhood meetings and the public hearing for File DAZ 221/93. The current two-storey, 43 unit building on an enlarged site reduces site coverage and development density, increases yards, reduces the visual impact of the project and increases the area available for landscape buffering.

The present project finds policy support in Plan Winnipeg. Section 5A-12 encourages mixed land use in neighbourhoods and the location of higher density residential development on sites adjacent to major traffic and transit corridors. Section 5A-14 promotes compact development and the infilling of vacant land. While promoting the preservation of existing neighbourhoods, Plan Winnipeg acknowledges that neighbourhoods change as they mature, and calls for accommodating that change by ensuring that the needs of the local residents are met and neighbourhood stability is achieved through long term resident tenure and commitment. The Planning Department is of the opinion that the present project complies with the spirit and intent of Plan Winnipeg by accommodating the needs of local seniors in a project designed with sensitivity for the character of the surrounding neighbourhood.

A Public Hearing was held before the Assiniboia Community Committee on May 17, 1994.

Fifteen persons appeared in support of the application and fifty-three persons appeared in opposition to the application.

The Assiniboia Community Committee recommended that:

1. The proposed subdivision and rezoning not be approved for the following reason:

    a) The area residents oppose the rezoning.

The Committee on Planning and Community Services does not concur in the recommendation of the Assiniboia Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 7/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 7/94, dated May 10, 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 Coordinating Group dated May 2, 1994.

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

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III. That Zoning By-law No. 1800 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 7/94, dated May 10, 1994, to a "RM-1" Multiple-family district subject to the applicant entering into a zoning agreement with the City to provide for the following.

A. That no building or structures on the land exceed 2 storeys in height.

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

IV. That the Acting 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.

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

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

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

The motion to refer was put.

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

Yea: Councillors Boychuk, Clement, Eadie, Hyman, Prystanski, Silva, Thomas and Angus. 8

Nay: Councillors Golden, Lazarenko, O'Shaughnessy, Fraser and Her Worship Mayor Thompson. 5

and the motion that the clause be referred back was declared carried.

(See Minute No. 933 for attachment)

Proposed Subdivision and Rezoning - Land located on the South side of Camirant Crescent, West of Langton Drive - Riel Community
File DASZ 10/94 (c/r DASZ 8/86)

926 - 15. The Committee on Planning and Community Services has been advised that an application has been received from Novamet Development Corporation, 2070 - 360 Main Street, Winnipeg, R3C 3Z3, for approval of a plan of subdivision and related zoning change to The St. Boniface Town Planning Scheme 1957 by rezoning the subject lands from "R1-5" One-Family District to a "R1-4" One-Family District to permit the establishment of twenty (20) single-family building lots, from 20 existing "R1-5" lots.

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The following is a site description and the surrounding land use/zoning:

Existing Land Use
and Zoning: Vacant, zoned "R1-5" One-Family District

Single-family housing lots zoned "R1-4" One-Family District to the north and east. Both "R1-4" and "R1-5" zoning exists in the surrounding area. "R1-5" District zoning on the east side of Camirant Crescent, to the north.

The south and west frontages of Camirant Crescent between its intersection with Langton Drive, were zoned "R1-5" under File DASZ 8/86 and divided into 20 lots. These lands remain vacant. The north side of Camirant Crescent is now zoned "R1-4" and the east frontage is zoned "R1-5", while Langton Drive is largely zoned "R1-4". It is proposed that 20 "R1-5" lots be re-subdivided into 24 "R1-4" lots because of market conditions.

The addition of 4 lots will have negligible effects on the surrounding neighbourhood, and "R1-4" density is clearly consistent with adjacent streets.

A Public Hearing was held before the Riel Community Committee on June 15, 1994.

Two persons appeared in support of the application and no one appeared in opposition thereto.

The Riel Community Committee recommended that:

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

    a) Approval of the rezoning is considered to be compatible with the adjacent area and the addition of four lots will have negligible effects on the surrounding neighbourhood.

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

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

I. That the plan of subdivision proposed under File DASZ 10/94 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 10/94, dated June 20, 1994, for registration in the Winnipeg Land Titles Office.

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

III. That The St. Boniface Town Planning Scheme 1957 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 10/94, dated June 20, 1994, to a "R1-4" One-Family District.

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

V. 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.

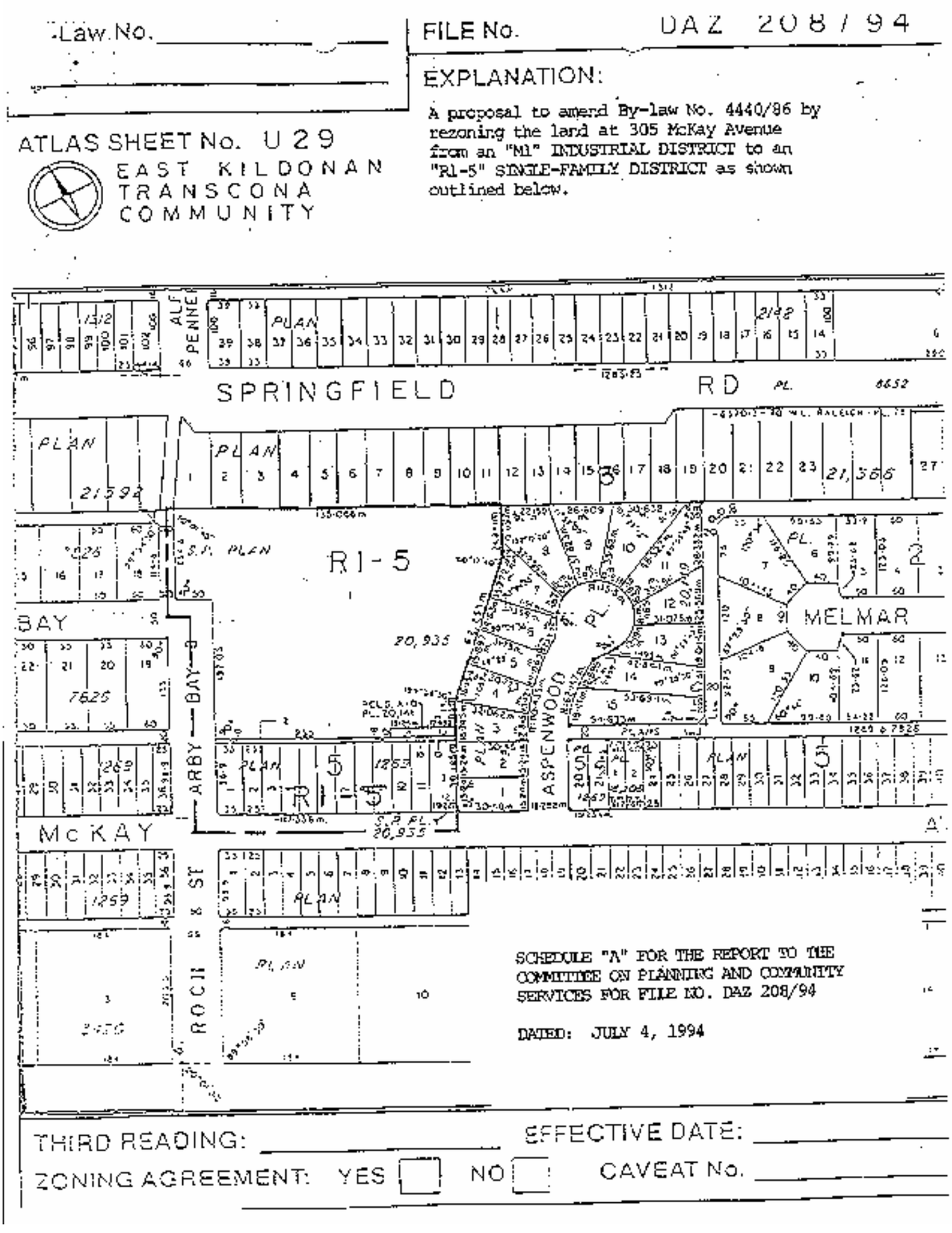
VI. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 24 months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

VII. That the Acting 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.

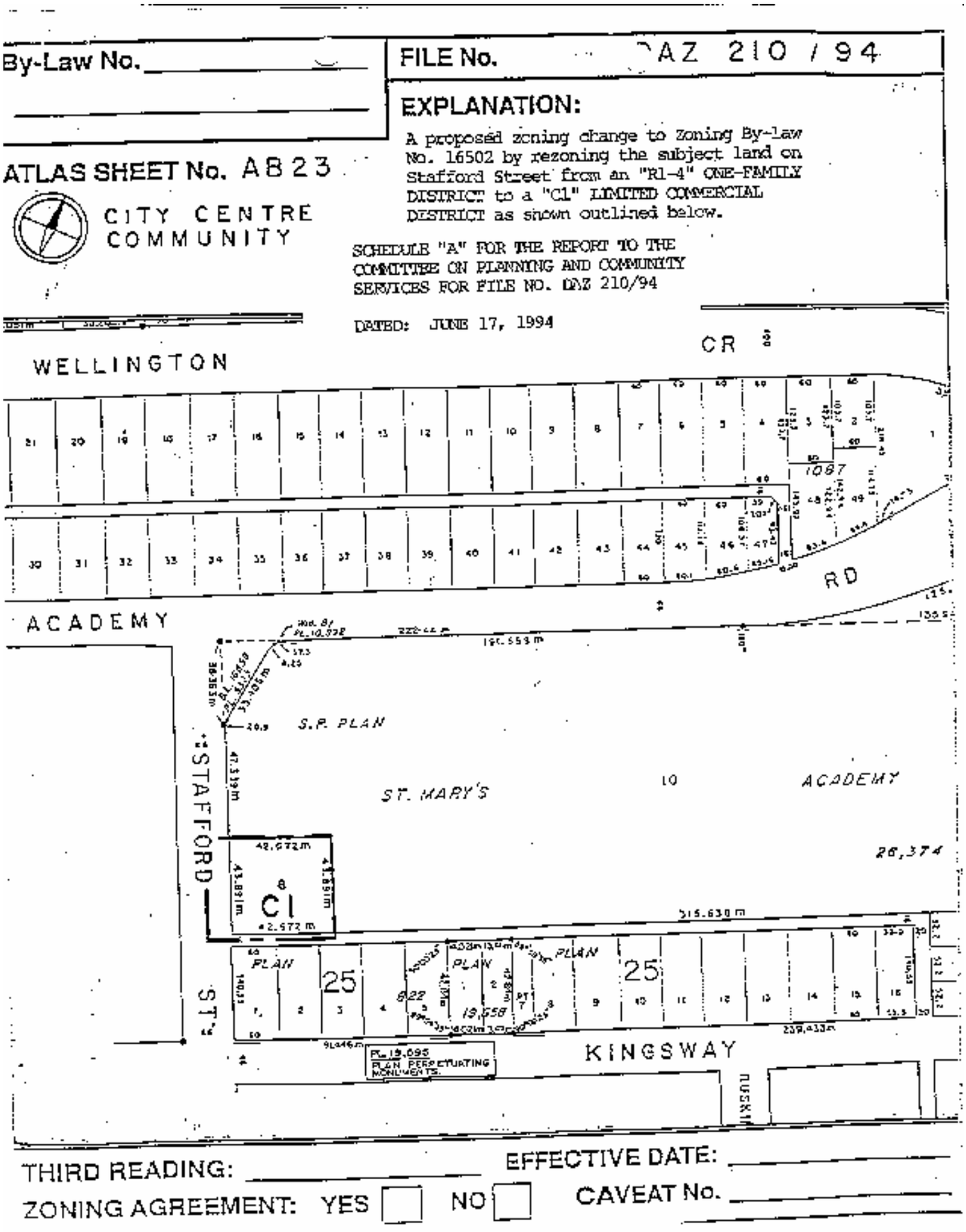
Adopted by consent.

(See Minute No. 934 for attachment)

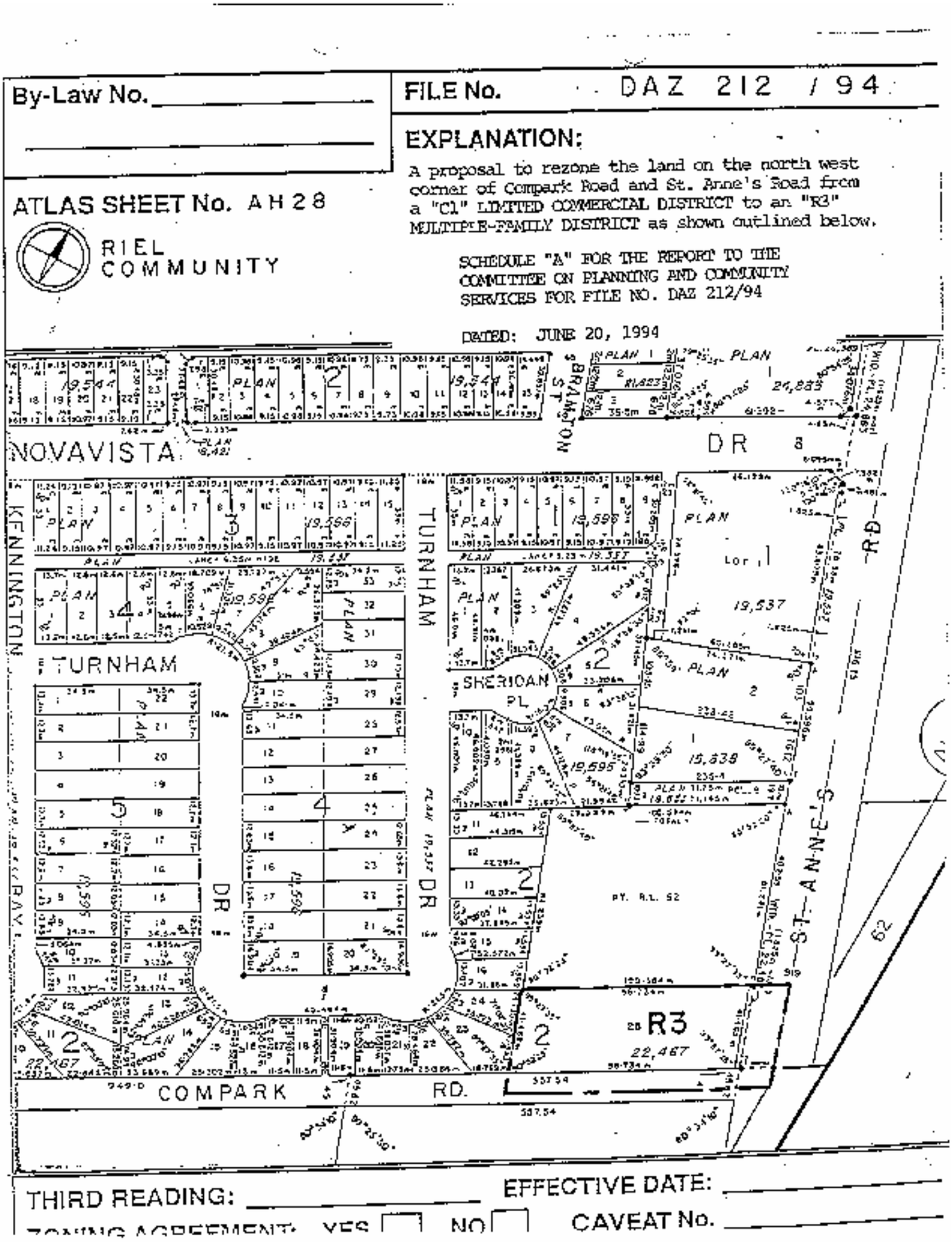
927 - Schedule "A" referred to in Clause 7 of the Report of the Committee on Planning and Community Services dated July 8, 1994



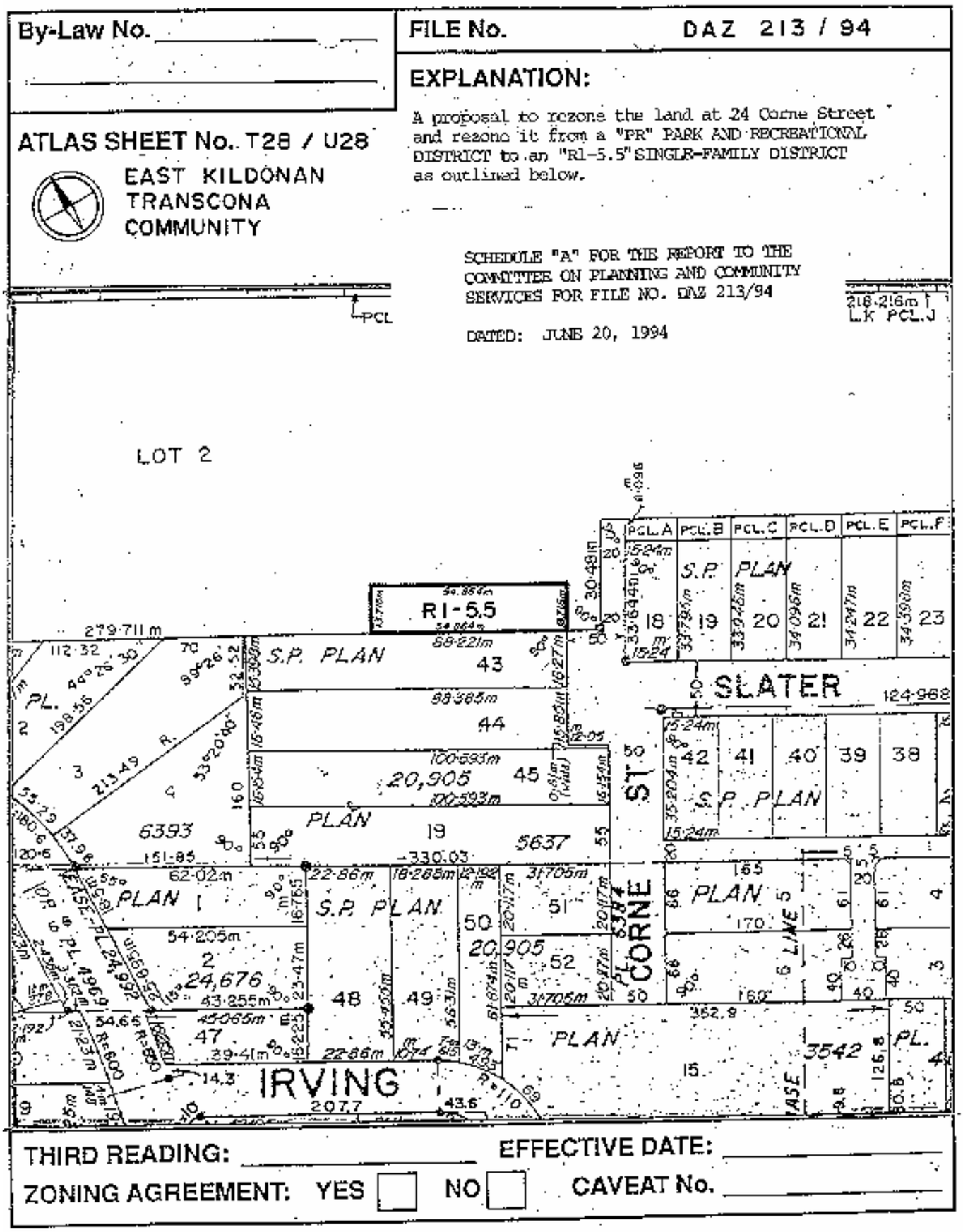
928 - Schedule "A" referred to in Clause 8 of the Report of the Committee on Planning and Community Services dated July 8, 1994



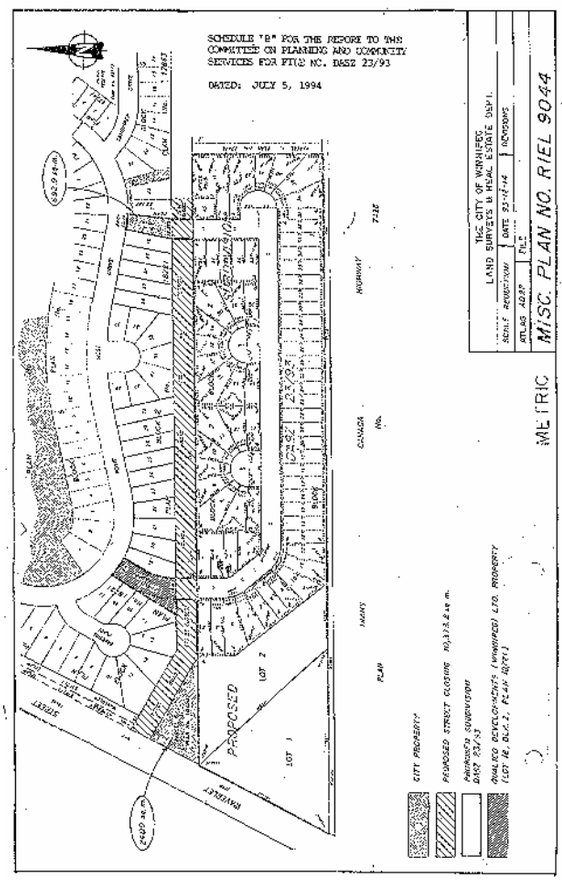
929 - Schedule "A" referred to in Clause 9 of the Report of the Committee on Planning and Community Services dated July 8, 1994



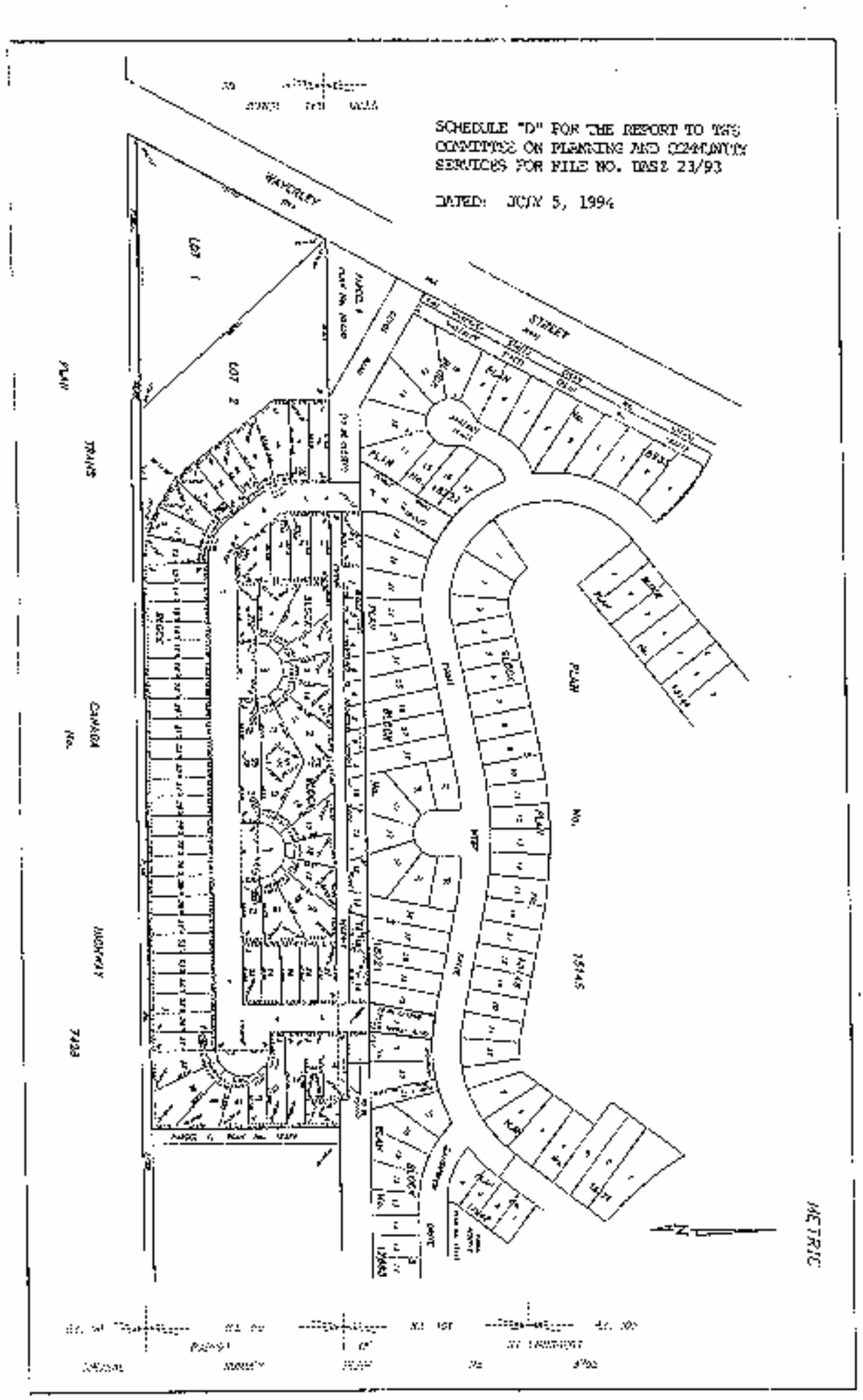
930 - Schedule "A" referred to in Clause 10 of the Report of the Committee on Planning and Community Services dated July 8, 1994



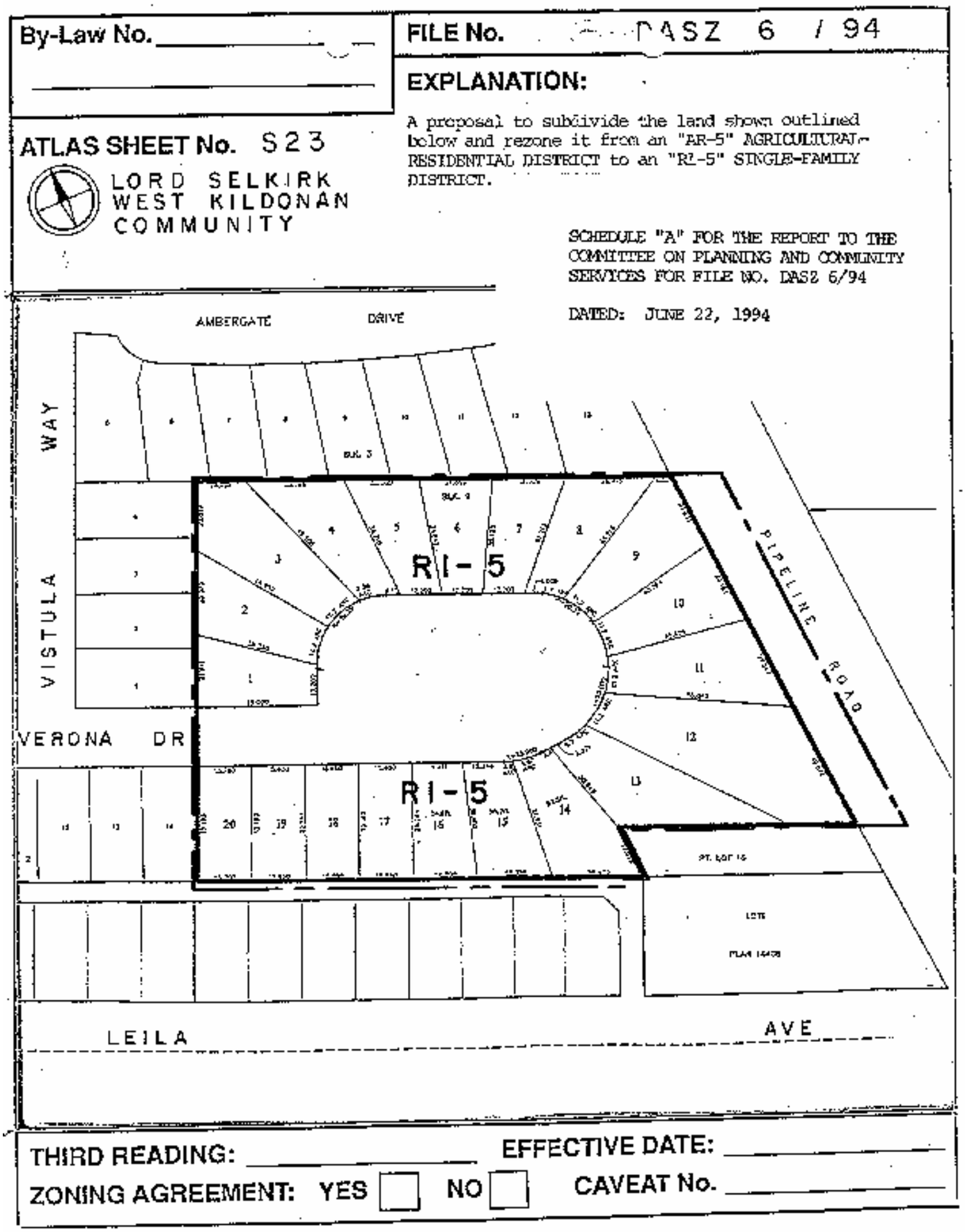
931 - Schedule "B" referred to in Clause 12 of the Report of the Committee on Planning and Community Services dated July 8, 1994



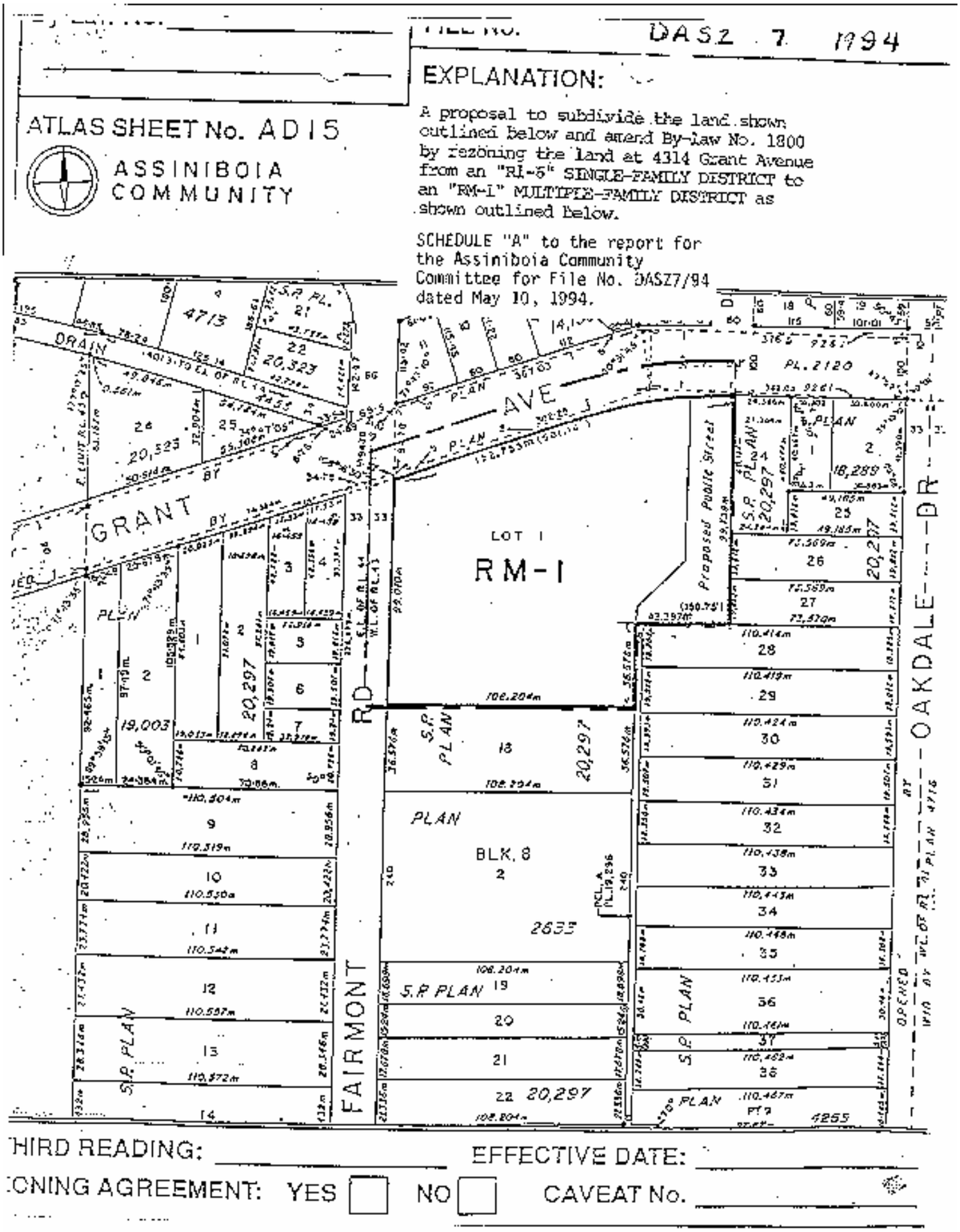
Schedule "D" referred to in Clause 12 of the Report of the Committee on Planning and Community Services dated July 8, 1994



932 - Schedule "A" referred to in Clause 13 of the Report of the Committee on Planning and Community Services dated July 8, 1994



933 - Schedule "A" referred to in Clause 14 of the Report of the Committee on Planning and Community Services dated July 8, 1994



934 - Schedule "A" referred to in Clause 15 of the Report of the Committee on Planning and Community Services dated July 8, 1994

By-Law No. _____

FILE No. DASZ. 10 / 94

EXPLANATION:

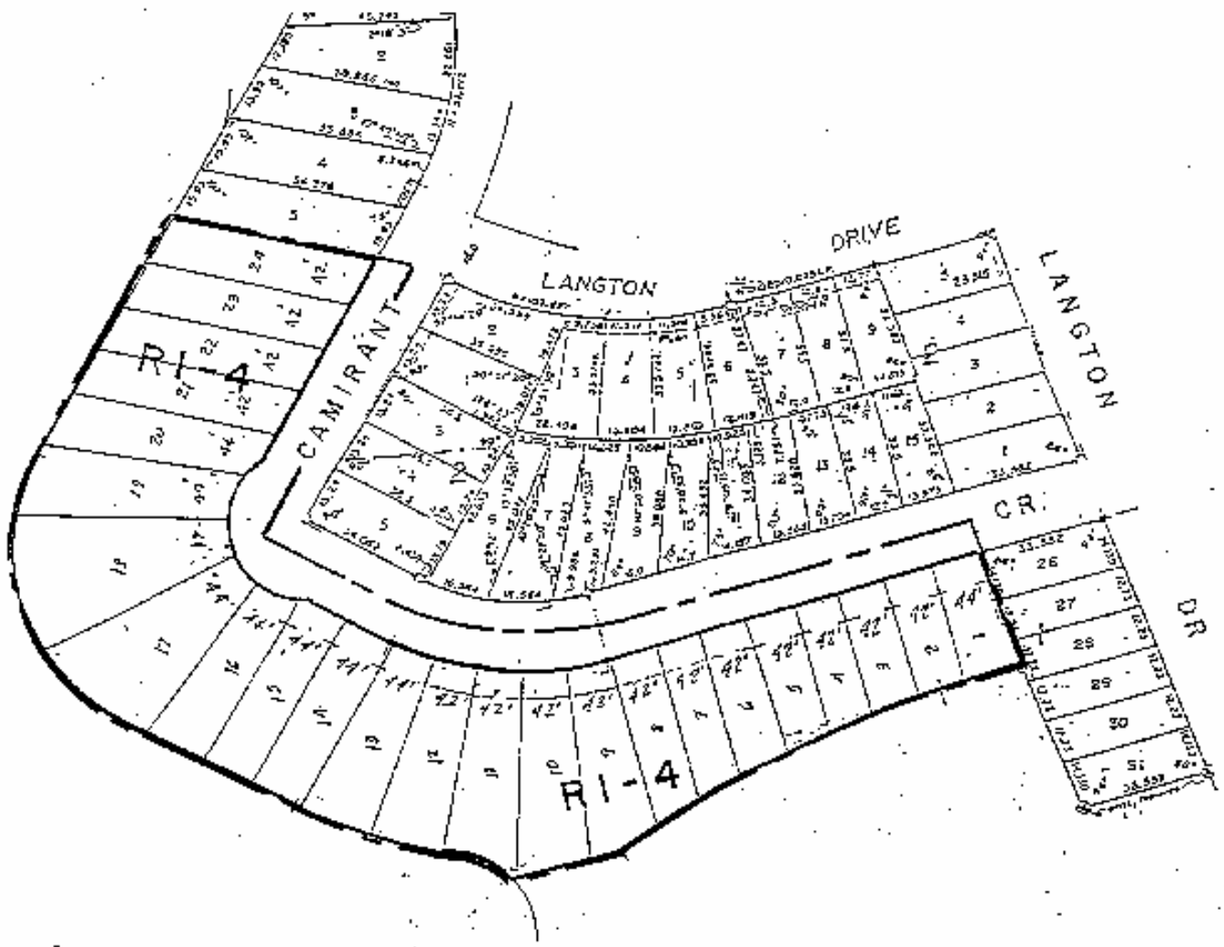
A proposal to subdivide and rezone the land on the south side of Camirant Crescent west of Lagimodiere Boulevard from an "R1-5" ONE-FAMILY DISTRICT to an "R1-4" ONE-FAMILY DISTRICT as shown outlined below.

ATLAS SHEET No. AG 30

RIEL COMMUNITY

SCHEDULE "A" FOR THE REPORT TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES FOR FILE NO. DASZ 10/94

DATED: JUNE 20, 1994



THIRD READING: _____ EFFECTIVE DATE: _____

ZONING AGREEMENT: YES ☐ NO ☐ CAVEAT No. _____

REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

DATED JULY 13, 1994

On motion of Councillor O'Shaughnessy, the rule was suspended and the Report of the Committee on Planning and Community Services, dated July 13, 1994, was considered clause by clause.

Her Worship the Mayor and Councillors:

The City of Winnipeg Unified Zoning By-law
No. 6400/94 File DAZ 209/94

935 - 1. Zoning regulations throughout the City of Winnipeg are presently contained within eight separate by-laws, each of which pertains to a specific portion of the City. The City of Winnipeg Unified Zoning By-law No. 6400/94 proposes to consolidate all existing zoning regulations, excepting those contained within the Downtown Winnipeg Zoning By-law No. 4800, under one by-law which will pertain to the rest of the entire City.

It is proposed to rezone lands within the subject area to the following categories: Rural, Parks and Recreation, Residential, Commercial, Industrial, Boulevard Provencher, Definitions, general provisions, regulations governing non-conformities, signs, accessory structures and obstructions in yards, off-street loading and parking, uses of land, building bulk and other land use matters contained within By-law Nos. 16502, 1558, 1800, 4440/86, 4450/86, the St. Vital Town Planning Scheme 1951, and the St. Boniface Town Planning Scheme 1957 are to be replaced by similar regulations in the proposed unified zoning by-law. Lands are to be rezoned to a zoning district that approximates the existing zoning district.

It is further proposed to repeal By-law Nos. 16502, 1558, 1800, 4440/86, 4450/86, the St. Vital Town Planning Scheme 1951, and the St. Boniface Town Planning Scheme 1957. The repeal of all variance orders and conditional use orders affecting lands throughout the City, excepting that area regulated by the Downtown Winnipeg Zoning By-law No. 4800 will also be considered.

Adjustments in Commercial Zoning Districts may result, in some instances, in present zoning designations being redesignated to somewhat more restrictive categories as follows: C2, C2S, CZ to C1.5; C3 to C2; C, C3, CP to CR; C3B to RM; R3B to RM.

The review process has been a highly consultative one, with numerous individuals and groups. It has attempted to produce a document that reflects the interests of these groups as much as possible. To the extent possible, the proposed by-law has been largely created by the community; it does not represent a purely administratively driven and produced initiative.

What this initiative has not attempted to do is to review the appropriateness of existing zoning designations as they pertain to specific property. While some adjustments have obviously been necessary, an attempt has been made to ensure that wherever possible, proposed zoning designations are more or less equivalent to existing designations.

In addition, this initiative has not attempted to comprehensively review the appropriateness of all zoning regulations. For example, proposed home occupation regulations are identical to those existing. While review of these regulations are warranted, it can be done as a separate initiative.

The unification of zoning codes into one integrated set of rules is seen as a first major step in zoning regulation reform. Once in place, it will be possible to conduct on-going reviews and re-assess the appropriateness of specific regulations in a proper manner including consultation with affected parties.

For the information of Council, prior to third reading of the By-law, the Committee on Planning and Community Services has provided Community Committees with the opportunity of reviewing the zoning maps and making recommendations to Council.

The Committee on Planning and Community Services recommends:

I. That the proposed City of Winnipeg Unified Zoning By-law No. 6400/94 be approved subject to the following amendments:

Report of the Committee on Planning and Community Services dated July 13, 1994

1) That a "bowling alley" be a permitted use in the "CR" zoning district.

2) That the proposed by-law include a definition of "Bed and Breakfast".

3) That "Bed and Breakfast" be listed as a conditional home occupation.

4) That the following uses be deleted from the "C1.5" zoning district:

    Amusement Parlours
    Banquet Halls
    Billiard Halls
    Cabarets
    Department Store/Supermarket
    Hotels, including a beverage room or any conditional use
    Pawn Shops
    Second-Hand Stores
    Licensed Clubs
    Drive Through Restaurants

5) That "ice cream parlours" be removed from the definition of drive through restaurants unless it is designed or used to provide drop-off or pick-up goods or services to customers in motor vehicles on the site.

6) That a "C1.5" zoning district shall be created but no lands shall be zoned to "C1.5" excepting "CZ" under By-law No. 4450, any existing "C2-S" zoning shall become "C2"; and that lands proposed to be rezoned "C1.5" within the following Business Improvement Zones shall be rezoned to "C1.5":

    Ellice/Sargent
    West Broadway-South Sherbrook
    Corydon Avenue
    Osborne Village
    Osborne South
    North Main
    Selkirk Avenue

7) That "Dating and Escort Service" be listed as a conditional use in "C3" and higher zoning districts.

8) That the use table for the "PR" zoning district be amended by adding a use to the effect "Use of a community centre, school or similar public facility for religious services."

9) That under the Intent and Purpose section of the Rural Districts chapter, add the word "limited" before "agricultural uses" for the "A.5" zoning district.

10) That the use "Landscape/Garden Supplies: Sales, Landscape Contractor" be listed as "conditional" in "A.5" zoning district.

11) That the use "Privates Stable, accessory to a dwelling unit" be added to the use table, as being "conditional" in the "A.5" zoning district and "permitted" in "A" zoning district.

12) That in the "PR" zoning district, fences and similar structures or hedges shall not include electric fences or barbed wire fences, shall be permitted in all yards, but shall be limited in height to ten (10) feet, excepting chain link fences for which there will be no height limitation.

13) That "Day Care Centre" be added as a conditional use in the "M3" zoning district.

14) That "Hardware Store" be added as a permitted use in the "C1.5" zoning district.

15) That Recreation Vehicles be permitted to park in front driveways from June 1 to September 30.

16) That in Rural Districts, accessory parking and loading be a permitted projection in side or rear yards only and garbage enclosures be a permitted projection in rear yards only.

Report of the Committee on Planning and Community Services dated July 13, 1994

17) That in Parks and Recreation Districts, the use "Carnival, Circus, Fair", be amended to read "Carnival, Circus, Fair or similar commercial event, limited to two events per calendar year".

18) That in Parks and Recreation Districts, "accessory parking and loading, in rear yard only" be a permitted projection into yards.

19) That in Residential Districts, minimum yards for private detached garages include a maximum overhang of 1 foot for rear yards and 2 feet for reverse corner side yards.

20) That in Residential Districts, regulations for air conditioners/swimming pool equipment include a minimum setback of 2 feet from any side lot line.

21) That in Residential Districts, the following amendments be made with respect to permitted projections into yards:

i) Parking of two automobiles..."or rear yard", ... "or in an attached garage".
ii) Maximum area for open terraces, landings and steps should be 36 square feet; and 50 square feet for alcoves and vestibules.
iii) "Exterior Wall Finishing, to a maximum of 3 inches in depth", "brick facing", and "eavestroughs, gutters and rainwater headers" be added to all yards. This will allow the deletion of "excluding and eavestrough in the calculation" from "awnings, canopies, eaves".

22) That special yards for "all other permitted uses as well as conditional uses" be applied to the following in "R1", "R2", and "R2T": Church, Community Centre, Day Care Centre, Library, Museum, Art Gallery, Parish Hall, Schools, Multi-Family Dwellings.

23) That under Bulk Requirements for Multiple-Family Districts, under 1.(c)(ii), the word "lesser" in the second last line be replaced with the word "greater".

24) That in Multiple-Family Districts, a parabolic dish antenna be permitted on the roof of a principle building, or in the building area.

25) That in Commercial and Industrial Districts, garbage enclosures be permitted projections in rear yards.

26) That in Industrial Districts height limits for fences in voluntary side or rear yards apply to all yards and two feet of barbed wire fencing be permitted above any fence height maximum.

27) That under Parking Development Standards, section (2), the last sentence: "Conversely, required landscaped areas may be provided on the basis of one square foot of landscaping per foot of yard to be screened" be deleted.

28) That fence heights for storage compounds be a minimum of six (6) feet.

29) That under maximum sign surface area for "PR1" and "PR2", the maximum for community centres and public building be amended to read "48 square feet, excepting if a bulletin board is also included, in which case total free-standing signage shall be 100 square feet."

30) That Mobile Advertising signs under location, section (7) be amended to read as follows: "Where more than one mobile advertising sign is permitted on a lot, at any one time, the mobile advertising signs shall be located on the site a minimum of 65 feet apart."

31) That section 2(c) under "Multiple use site" be deleted.

32) That the following uses be listed as "conditional" in "C4" zoning district: banquet hall, cabaret, licensed club, billiard parlour, bingo parlour, pawnshop.

33) That "C3-1" and "C3-2" zoning districts be created.

The existing use list for "C3" shall be the use list for "C3-2"; and the use list for "C3-1" shall be the same with the exception of the following uses being changed from "P" to "C":

Report of the Committee on Planning and Community Services dated July 13, 1994

- Animal Pound, Animal Training, Kennel
- Appliances: Rental, Sales, Service (minor and major)
- Auction Room
- Bakery, Baked Goods: Sales
- Barber Shop, Beauty Salon
- Billiard Parlour
- Bingo Parlour
- Contractor's Establishment
- Drycleaning, Pressing, Dyeing, including Depot
- Farm Supplies: Sales
- Farmers Market
- Furnishings, Household or Office: sales, rental
- Laundry, Linen Supply/Service, including Depot
- Luggage: Rental, Sales, Service
- Machinery/Heavy Equipment: Sales, Installation, Service
- Office
- Pet Sales, Pet Supply Sales, Pet Grooming
- Photographic Developing/Printing
- Reducing Salon, Health Spa, Steam Bath, Tanning Salon
- Storage Compound for New Automobiles
- Storage Compound for Boats, Mobile Homes, Recreational Vehicles, Trailers, Trucks or Buses
- Studio, Motion Picture
- Terminal for Haulage, Motor Freight Station
- Terminal for Courier/Delivery/Express Service, etc.
- Truck, Trailer, Recreational Vehicle, Bus: Repair

34) That all "C3-1" zoning districts under By-laws 4440/86 and 4450/86 remain in force.

35) That all other Highway Commercial (i.e. presently mapped as "C3") be called "C3-2".

36) That "go-cart track" be deleted from the use table under "Amusement Enterprise, Outdoor".

37) That the repeal section except the zoning by-law amendments adopted by Council pursuant to the Airport Vicinity Development Plan, which amendments should remain in force and effect be incorporated into By-law No. 6400/94.

38) That the proposed sign restrictions in the "BP" Boulevard Provencher District be deleted.

39) That existing signage restrictions on signage in the "MP-S" Special Industrial Park District as presently contained in By-law 1800 be incorporated into By-law 6400/94.

40) That the existing "MH-P" Mobile Home district and regulations from By-law 4450/86 be included in By-law 6400/94 and lands presently zoning "MH-P" shall continue to be.

41) All existing Commercial zoning in areas designated Rural in Plan Winnipeg shall maintain their existing zoning designation.

42) That notwithstanding anything else contained herein, in accordance with the Image Route Enhancement Strategy, billboards shall be conditional in the "C3-1" and "C3-2" Highway Commercial, "M1", "M2" and "M3" Industrial Districts in the following areas:

i) fronting Wellington Avenue between the entrance to the airport and King Edward Street;
ii) fronting Wellington Avenue between Century Street and 550 feet east of St. James Street;
iii) fronting St. James Street within 550 feet of Wellington Avenue;
iv) fronting St. James Street between St. Matthews Avenue and 500 feet south of Maroons Road;
v) fronting St. James Street within 500 feet of Portage Avenue;
vi) fronting Portage Avenue between Doreen Street and Century Street;
vii) within a 650 foot radius of the mid-point intersection of the CNR Letellier Subdivision overpass and Osborne Street;
viii) within a 650 foot radius of the mid-point intersection of the Jubilee overpass and Pembina Highway;

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ix) within a 650 foot radius of the mid-point intersection of Pembina Highway and Corydon Avenue;
x) within a 650 foot radius of the mid-point intersection of Corydon Avenue and Donald Street;
xi) within a 1500 foot radius of the intersection of Lagimodiere Boulevard and Fermor Avenue;
xii) within 650 feet of the Disraeli Bridge right-of-way between Midwinter Street and Logan Avenue;
xiii) within a 1000 foot radius of the mid-point intersection of Main Street and the C.P.R. overpass between Higgins and Sutherland Avenues.

43) That the following amendments be made with respect to signs:

i) maximum projection for fascia signage be changed from 12 inches to 18 inches;
ii) limit inflatable signs to special events only;
iii) under "Signs Permitted In All Districts", part 4 should be changed to "...a) eighty (80) percent of the building(s) is/are occupied AND b) the development permit..."
iv) a definition of "abandoned sign" should be included as follows:

ABANDONED SIGNS: When an Owner of a sign can no longer be located and the sign no longer correctly directs or attempts to include any person, advertising a business, lessor, owner, product or activity conducted, or product available, on the premises where such a sign is displayed, the Director may give notice for the removal of the verbiage from such sign or the removal of such sign.;
v) flashing, animated, scintillating, and rotating signs should be listed as conditional in "C2", "C3", "C4", "C", "M1", "M2" and "M3" districts and subject to a minimum 200 foot separation from any residential site or zoning district;

vi) in "C1.5", "C2", "M1", "M2", "M3" and "BP" districts, a minimum of 80 square feet of free-standing signage be permitted.

44) That approval of all billboards on City streets be considered by way of a conditional use until such time as further recommendations are proposed by the Committee on Planning and Community Services.

45) That gas kiosks, convenience stores, and drive-through uses not be permitted within "C2", "C3", and "C4" zoning districts and that the Planning Department further review this matter and report back at a later date.

46) That the "Freighthouse" located at 200 Isabel Street, owned by the City and operated as a community centre, be rezoned to "PR-1".

47) That on the basis of final mapping, the use "Terminal for Haulage, Motor Freight Station, excluding intermodal terminal" be listed as a conditional use in "Highway Commercial Districts".

48) That lands zoned "OI" in North St. Boniface (which permits office and institutional uses only) remain "OI" until such time as the overall zoning in North St. Boniface is further reviewed.

49) That multiple-family regulations regarding densities shall be as outlined in the proposed Unified Zoning By-law.

50) That performance standards presently included in "Industrial Park Districts" and "M1-B" Districts shall be included in these zoning districts in the by-law; and further that existing "M1-B" sites shall continue to be zoned "M1-B".

51) That where there is permitted uses within the "C1" zoning district that beauty salons be included as a permitted use in such instances where they are attached to a residential complex.

52) That existing "CF" zoning districts under By-laws 4440/86 and 4450/86 shall be included in the proposed Unified Zoning By-law and all existing sites shall continue to be zoned "CF".

Report of the Committee on Planning and Community Services dated July 13, 1994

53) That parking requirements shall be applied only in the event of new construction, expansion or redevelopment within the "C1" & "C1.5" zoning districts; and also within the areas bounded by Zoning By-law No. 16502 and portions of Old St. Boniface; however, this shall not apply to the establishment of restaurants in Old St. Boniface.

54) That butcher shops be conditional uses in "C1.5" zoning districts.

II. That not withstanding anything else contained within the proposed City of Winnipeg Unified Zoning By-law, any zoning by-law that has been approved by Council but not yet registered on existing zoning atlas sheet shall be deemed to be approved as part of this by-law with an equivalent zoning designation to that approved.

III. That not withstanding anything else contained within the proposed City of Winnipeg Unified Zoning By-law, the reversionary nature of any reversionary or temporary zoning by-law approved by Council shall not be altered.

IV. That the Acting City Solicitor be requested to prepare the City of Winnipeg Unified Zoning By-law, incorporating therein all of the above noted amendments and forward same to Council for approval.

V. That By-law Nos. 16502, 1558, 1800, 4440/86, 4450/86, the St. Vital Town Planning Scheme 1951, and the St. Boniface Town Planning Scheme 1957, be repealed.

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

The Executive Policy Committee has considered the above recommendations and adopted the following amendment to Recommendation No. I as follows:

That Sub-item No. 42 include therein the words

"and prohibited" in the third line after the words "Industrial Districts" and before the words "in the following areas";

and, Sub-item No. 53 include therein the words

"and landscaping" in the first line after the words "That parking" and before the word "requirements".

In amendment,

Moved by Deputy Mayor Fraser,
That the recommendation of the Executive Policy Committee be adopted.

Carried.

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

Withholding of Building Permits for Advertising Signs File EB-1.4 (Vol. 1)

936 - 2. The Committee on Planning and Community Services has been advised that the City has received a number of building permit applications for advertising signs which have been withheld pending the approval by Council of the proposed Unified Zoning By-law No. 6400/94.

Inasmuch as third reading of the proposed Unified Zoning By-law No. 6400/94 may not receive final approval within the time period specified, and in order to meet the requirements of Section 600 (1) and (2) of The City of Winnipeg Act, all existing zoning by-laws and Town Planning Schemes should be amended to make advertising signs a conditional use in all zoning districts where they are presently permitted.

Report of the Committee on Planning and Community Services dated July 13, 1994

The Committee on Planning and Community Services recommends:

I. That in the interim, until the proposed Unified Zoning By-law 6400/94 is approved by City Council and third reading is given to the by-law, that the Acting City Solicitor be requested to prepare amendments to all existing zoning by-laws and Town Planning Schemes so that advertising signs shall be a conditional use in all zoning districts where they are presently permitted.

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

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

Carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

937 - 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. 6443/94, a By-law of the City of Winnipeg to amend By-law No. 4304/86, being The Residential Buildings Fire Safety By-law. File EB-1 (RBFS) (Vol. 4)

By-law No. 6444/94, a By-law of the City of Winnipeg to amend By-law No. 4555/87, being the Winnipeg Building By-law. File EB-1.1 (Vol. 8)

By-law No. 6445/94, a By-law of the City of Winnipeg to amend By-law No. 5530/90, being the Winnipeg Electrical By-law. File EB-2.1 (Vol. 4)

By-law No. 6446/94, a By-law of the City of Winnipeg to approve a plan of subdivision and to amend By-law No. 4440/86 for the enactment of a zoning change on land located on the west side of Outhwaite Street between Shauna Way and Jacques Avenue, in the East Kildonan-Transcona Community. File DASZ 10/93

By-law No. 6447/94, a By-law of the City of Winnipeg to approve a plan of subdivision and to amend By-law No. 1800 for the enactment of a zoning change on land located on Lannoo Cove and William Marshall Way, north of Roblin Boulevard, in the Assiniboia Community. File DASZ 19/93

By-law No. 6448/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change at 24 Corne Street in the East Kildonan-Transcona Community. File DAZ 213/94

By-law No. 6449/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 1800 for the enactment of a zoning change on land located south of De Vos Road between Waverley Street and Pembina Highway in the Riel Community. File DASZ 23/93

On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6457/94, a By-law of the City of Winnipeg to amend Zoning By-law No. 4450/86 for the enactment of a zoning change on land located on the south side of Aberdeen Avenue, east of Main Street, in the Lord Selkirk - West Kildonan 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 DAZ 203/94

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

QUESTION PERIOD

938 - Councillor Murray referred to Recommendation No. I (4) of Clause 1 of the Report of the Committee on Planning and Community Services approving the Unified Zoning By-law. He questioned if the deletion of Second-Hand Stores from all "C1.5" zoning districts also excluded the sale of second hand clothing, music, books, antiques or collectibles. He stated that the Planning Department had informed him that those kinds of shops would be permitted uses in all "C1.5" zoning districts under the Unified Zoning By-law.

Councillor O'Shaughnessy advised he would take the question under advisement and report back to members of Council prior to consideration of the by-law.