REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED NOVEMBER 10, 1995

On motion of Councillor Silva, the Report of the Committee on Planning and Community Services, dated November 10, 1995, was considered clause by clause.

Moved by Councillor Silva,

That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15, 16, 17, 18, 19, 20, 21 and 23, be adopted.

Councillor Timm-Rudolph requested that Clauses 4 and 9 be pulled from the Consent Agenda.

Councillor Vandal requested that Clause 15 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,5,6,7,8,10,11,12,13,14,16,17,18, 19,20,21 and 23 was put and declared carried.

Her Worship The Mayor and Councillors:

Review of Children's Social Assistance Rates - 1995 File EH-2 (Vol. 17)

95 - 1. The Committee on Planning and Community Services has been advised that each year from 1972 to the present, on instruction from City Council, the Social Services Department has conducted an annual review of social assistance rates to ensure that they adequately meet the basic needs of people on the City's program. On March 26, 1993, following a change in Provincial legislation aimed at standardizing municipal assistance programs across Manitoba, City Council instructed the Director of Social Services to continue the annual rate review for children on social assistance and to following the standard Provincial rates for adult recipients.

In March 1993, when City Council decided to continue to provide assistance for children in excess of the Provincial standard, the Government of Canada agreed to continue cost-sharing 50% of the excess allowances under the terms of the Canada Assistance Plan.

The results of the 1995 Rate Review conducted by the Social Services Department indicate that the City of Winnipeg's social assistance allowances for children, which came into effect in March 1994, continue to be sufficient to purchase all of the goods and services deemed to be essential to meet their basic food, clothing, personal and household needs.

Since 1972, the City of Winnipeg Social Services Department has used a market-basket approach to the setting of assistances rates. That method was used again in 1995 for the review of children's rates. A list of goods and services essential to meeting the basic food, clothing, and personal needs of children was drawn from a variety of objective references, including Agriculture Canada's Nutritious Food Basket, the Social Planning Council of Toronto's "Guides for Family Budgeting" and the Province of Manitoba's Department of Agriculture's "Budget Guides". Base data on infant nutrition was provided by the Pediatric Section of the Manitoba Medical Association, as well as the City's Co-ordinator of Nutrition Services and Medical Health Officer. All of the goods and items on the list were priced at several local vendors in November 1994, May 1995 and August 1995. The pricings for each item were averaged, weighted and calculated to arrive at the assistance rates for children.

While actual pricings totalled less than current allowances for various age categories, reductions in the children's allowance are not recommended. The allowances are based on average prices and the average nutritional, clothing and personal needs of children. Parents on social assistance are often without transportation and can be obligated to purchase goods at nearby stores at above average prices. As well using average nutritional requirements to arrive at food quantities means 50% of the children would consume greater quantities of food to meet their energy needs. Finally while prices on the goods in the children's 'baskets' have decreased slightly since the last rate study in 1994, the cost-of-living in Winnipeg has increased slightly. The Winnipeg Consumer Price Index (C.P.I.) for food

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increased by 2.5% between March 1995 and March 1994. Winnipeg C.P.I. for clothing increased 1.5% and the Winnipeg All-Items C.P.I. went up 2.7% for the same one year period.

The gross annual cost for maintaining the recommended excess allowance for children on the City's program is estimated to be $3,339,842. After federal cost-sharing, the net cost to the City would be $1,669,921. If the City's food, clothing and personal allowances for children were lowered to reflect the average pricings obtained in the recent review, the City's gross cost for the excess would drop by $461,724 to $2,878,118; net costs would drop by $230,862 to $1,439,059.

It should be noted that the Canada Assistance Plan (C.A.P.), federal legislation covering cost-sharing on social assistance costs, including the children's allowances, will be replaced on April 1, 1996 with the Canada Health and Social Transfer (C.H.S.T.), block-funding for health, education, social services and social assistance. At this point in time, the impact of this change in legislation and method of payment for social assistance costs is unknown.

For the information of Council, the Committee on Planning and Community Services concurred in the administrative recommendation that The City of Winnipeg's social assistance rates for children shall remain at the amounts established in Municipal By-law No. 6350/94, an amendment to the Municipal Assistance By-law No. 6162/93, as these rates continue to adequately meet their food, clothing, household and personal needs.

Adopted by consent.

Revision to Development Fees By-law No. 6655/95 File EP-1 (Vol. 17)

96 - 2. On September 27, 1995 Council passed the Development Fees By-law No. 6655/95. During the latter stage of preparing By-law No. 6655/95 the restructuring of the former Planning, the Land Development and the Land Surveys and Real Estate Departments was also in progress pursuant to the New Directions initiative.

Following amalgamation of the Land Development Department with certain branches of the Planning Department it became evident that amendments were required to By-law No. 6655/95 in order to consolidate fees which previously had been collected by two different departments. For example, filing fees for a Subdivision/Rezoning (DASZ) application were previously collected by the Planning Department and other "DASZ" application fees were collected by the Land Development Department. In addition, experience in administering certain fees which came into effect in 1993 indicates that a reduction in certain fees would be appropriate.

Therefore, to simplify By-law No. 6655/95 and to recognize the amalgamation of the aforementioned departments, an amendment to the by-law is recommended. The amendments involve applications which may require Servicing Agreements or Development Agreements. The amendments will combine certain fees into one fee with the result that eight of these fees will be reduced by approximately $100.00. This reduction ranges from about 5% to about 14% depending on the particular fee. Subsection 13.4 of the By-law will become redundant and will be deleted.

The recommended amending By-law is outlined on Appendix "A". Council's approval of the amending By-law is required in order to enable By-law No. 6655/95, as amended, to be printed and made available to the business community and the general public by January 1, 1996 when it comes into force and effect.

The Committee on Planning and Community Services recommends:

I. That By-law No. 6655/95 be amended as it pertains to applications which may require Servicing Agreements or Development Agreements, by combining certain fees into one fee resulting in eight fees being reduced by approximately $100.00, and that Subsection 13.4 of By-law No. 6655/95 be deleted.

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

Adopted by consent.

(See Minute No. 126 for attachment)

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Assignment of Development Agreement between The City of Winnipeg and Master Homes Inc. - No. AG 9/94, Finance Department No. 9399 - Subdivision of Land located between Cathcart Street and Elmhurst Road at the Northern Terminus of Coopman Crescent File DAS 9/94

97 - 3. The Committee on Planning and Community Services has been advised that Council on September 21, 1994 adopted Clause 8 of the Report of the Committee on Planning and Community Services, dated August 30, 1994, with respect to the Subdivision of land located between Cathcart Street and Elmhurst Road at the Northern Terminus of Coopman Crescent.

A request has been received for the City's consent to an assignment of the Development Agreement entered into between Master Homes Inc., and the City as a condition of the Subdivision under DAS 9/94, to Settler Homes Ltd., which consent is required under paragraph 21(a) of the Development Agreement.

The Committee on Planning and Community Services recommends:

I. That consent to the assignment of the agreement to Settler Homes Ltd., as requested be granted.

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

Adopted by consent.

Proposed Subdivision And Rezoning - Land located West side of Henderson Highway opposite Strood Avenue - East Kildonan-Transcona Community File DASZ 15/95 (c/r SPA 41/95)

98 - 4. The Committee on Planning and Community Services has been advised that an application has been received from Marshall Haid Assoc. Ltd., 234 Wellington Crescent, Winnipeg, Manitoba, R3M 0B2, for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an "R1-20" Single-Family District to an "RM-2" Multiple-Family District and "PR1" Parks and Recreation District to permit the establishment of Multiple-Family dwellings.

The following is the present Site Description:

Width:	60.96 metres (200.0 feet)
Depth:	149.3 metres average (490 feet average)
Area:	0.91 ha (2.250 acres ±)
Existing Land Use and Zoning:	Single-Family dwellings to be demolished - Zoned "R1-20" Single-Family District

The following is the Surrounding Land Use and Zoning:

north:	Personal Care Home, zoned "RM-1" Multiple-Family District
east:	Henderson Highway

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west: Red River

south: Single-Family dwellings, zoned "R1-20" One-Family District

The subject site is located within sub-area 4 of the North Henderson Highway Secondary Plan and is presently permitted to be redeveloped under that Plan (By-law 1300/76) to a maximum of 12 units per acre. The applicants have made a concurrent application (File SPA 41/95) to have the subject lands re-designated as a "Medium Density" residential area to permit multiple family development to a maximum of 30 units per acre.

The applicants are proposing to construct two apartment buildings on the lands containing a total of 52 condominium apartment units. One building is to be five (5) storeys in height, and the other four (4) storeys. The development proposes that the majority of parking be located underground.

The application has been considered by the Administrative Co-ordinating Group and comments have been received from a number of Departments. The Parks and Recreation Department have requested that land be dedicated to the City for inclusion within a proposed linear riverbank parkway system. The amount of lands requested was as originally shown as outlined on Schedule "A", dated December 5, 1995. The proposed dedication would follow approximately the upper level of the secondary bank on this property at an elevation of about 753.0 feet. The proposed dedication would have extended approximately 160 feet (average) in depth from the river. The proposed dedication would have been approximately consistent with the line of the "Floodway Fringe" area and would enable future construction of public pathways at the higher bank level and which could be linked to parklands already acquired by the City at the higher elevation on adjacent lands to the north. The proposed line of the park dedication, as advertised for the public hearing was based on this original request from the Parks and Recreation Department.

Subsequently the Parks and Recreation Department in a memorandum dated August 30, 1995, revised their recommendations for dedication. The recommended depth of land to be transferred to the City is now defined by a line drawn between two points located 140 feet (42.672 metres) east of the river on the north and south property lines, as outlined on Schedule "B". This revised park dedication is all located on the lower bank area at approximately 745.0 feet elevation, and is all contained within the Floodway Fringe or Floodway area.

The Streets and Transportation Department has requested that the most easterly 21.0 feet (6.40 metres) of land be acquired by the City for the future widening of Henderson Highway. This recommended acquisition is consistent with the previous acquisitions from all other rezoned lands on the West side of Henderson Highway.

The Rivers and Streams Engineer has indicated that a geo-technical report will be required from the applicant to address bank stability and any stabilization requirements in conjunction with any development adjacent to the proposed public reserve. Additional recommendations from civic departments are as contained within the report of the Administrative Co-ordinating Group dated August 28, 1995.

The Community Planning Division has recommended that the proposed amendment to the Secondary Plan be approved (SPA 41/95). The proposed amendment to a "medium density" residential district will be consistent with the designation on adjacent land to the north. However, the Community Committee and Council have previously placed limits on the number of dwelling units which may be developed on lands under rezoning approvals. The adjacent (north) lands to the subject site were permitted to be developed at a density of 20 units per acre and consistent with the intent of the Secondary Plan densities are generally lower than on sites further south.

The subject application proposes a density of 23.6 units per acre. In order to be consistent with previous approvals, the Community Planning Division recommended that a density of about 20 units per acre be approved for the site. The Community Planning Division also is of the opinion that the proposed height of the Phase I building at 5 storeys is somewhat excessive. Although sites immediately adjacent to the south have not yet been redeveloped, the personal care home building to the north is generally equivalent to three storeys in height. By reducing the Phase I building from 5 storeys in height to 4 storeys, the total number of dwelling units would be reduced by six (6). The resulting two building, 4 storey development would yield a density of 21 units per acre and can be supported by the Community Planning Division.

The applicants have indicated that in order to construct two buildings, they must be allowed to build in the floodway fringe area and also that a setback to Henderson Highway of 56.0 feet from the Phase II building can be provided. The Community Planning Division recommended that all development on the site be subject to approval of plans by the Community Committee to enable appropriate control over materials and site layout. It was also recommended

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that except for 10 at grade visitor parking stalls, all other parking be underground and that the site, except for approved driveways and parking areas be developed with "passive" landscaping, including appropriate entrance gates and fencing along Henderson Highway.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on September 19, 1995.

Five persons appeared in support of the application.

Three persons appeared in opposition to the application.

One person appeared for information.

The East Kildonan-Transcona Community Committee recommended that:

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

    A) The proposed development is consistent with adjacent development.

    B) The development is limited to the west side of Henderson Highway.

    C) Riverbank lands will be assembled for the City.

    D) A contribution from the Developer has been secured for traffic signals at a location that needs them.

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

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

I. That the plan of subdivision proposed under File DASZ 15/95 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "B", dated October 24, 1995, for registration in the Winnipeg Land Titles Office subject to:

    A. That the plan be amended to provide for a 6.4008 metre (21.0 ft.) widening along the Henderson Highway frontage.

    B. That the Developer be required to enter into a Development Agreement with the City containing therein all the conditions outlined in the report of the Administrative Coordinating Group as outlined on Schedule "C" and dated October 24, 1995, with the following amendments, namely:

        That Clause 2. b) be deleted in its entirety and substituted with the following:

        "2. b) The Developer shall, at no expense to the City landscape the dedicated public open space in accordance with plans and specifications approved by the Director of Parks and Recreation. Any stabilization works required within the dedicated public open space shall be carried out in accordance with a geotechnical engineering report to be submitted to and approved by the Commissioner of Planning and Community Services prior to the subject land being dedicated to the City. All stabilization and landscaping works within the dedicated public open space shall be completed to the satisfaction of the Director of Parks and Recreation and of the Commissioner of Planning and Community Services within 1 year of the issuance of the first building occupancy permit."

        That a new Clause 4. be added as follows:

        "4. The Developer shall upon demand by the City pay the sum of $40,000.00 as its share of the cost of traffic control signals to be installed at some future unspecified date at the intersection of Henderson Highway and Bonner Avenue or other nearby intersection on Henderson Highway as may be determined by Council. The Developer shall post a Letter of Credit to ensure payment upon demand."

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II. That the Director of Land and Development Services be authorized to certify any documents in connection therewith.

III. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "B" for File DASZ 15/95, dated October 24, 1995 to an "RM-2" Multiple-Family District, a "PR1" Parks and Recreation District, subject to the following:

a) That the Developer be required to enter into a Zoning Agreement with the City pursuant to Section 591 (1) of The City of Winnipeg Act to apply to the "RM-2" lands by the applicant, to provide for the following:

(1) That the maximum number of dwelling units permitted on the lands shall not exceed fifty-two (52).

(2) That the adjoining "PR1" lands may be included within the "RM-2" land for "Bulk Control" purposes of "dwelling unit density" and yard requirements.

(3) That entrance gates, and fencing shall be erected along the Henderson Highway frontage, and said gates and fencing shall be architecturally consistent with the design and materials of the buildings.

(4) That except for a maximum of 10 "visitor" parking stalls which may be permitted at grade, all parking shall be below grade.

(5) That no building, structures or works shall be erected or located on the land and no building permit issued for construction on the land unless and until plans showing the location and design of the proposed building, the type and colour of all exterior materials, the location and design of accessory parking areas, private approaches, driveways, entry gates, fencing, garbage enclosures, and landscaping are submitted to and approved by the East Kildonan-Transcona Community Committee, and thereafter identified by the signature of the Commissioner of Planning and Community Services under the designations as Schedule "A" to Zoning Agreement DASZ 15/95, and no buildings, structures or works shall be constructed or placed on the land except in accordance with Schedule "A" to the Agreement.

IV. That the rezoning by-law shall not proceed to Council until a by-law to amend the North Henderson Highway Secondary Plan under application File SPA 41/95 has received three readings.

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

VI. 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.

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 and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands.

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

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 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.

Moved by Councillor Silva,
Adoption of the clause.

Carried.

(See Minute No. 127 for attachment)

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Proposed Subdivision and Rezoning - Land located South side McGillivray Boulevard, North of Fleetwod Road between Cloverwood Road and C.P.R. Right-of-way - Assiniboia Community

File DASZ 16/95

99 - 5. The Committee on Planning and Community Services has been advised that an application has been received from the Commissioner of Planning and Community Services for approval of a plan of subdivision and related zoning change to Zoning By-law No. 6400/94 by rezoning the subject lands from an "A" Agricultural District and an "R1-4" Single-Family District to a "PR1" Parks and Recreation District to permit the establishment of a community centre.

The following is the Present Site Description:

Application Area: approximately 15.7 acres

Existing Land Use: The northerly 3.7 acres (approx.) of the land contains UGG elevator and related buildings. The balance of the lands are undeveloped.

The following is the Surrounding Land Use and Zoning:

North: across McGillivray, industrial development, zoned "M3" Industrial District

East: across tracks, land slated for single-family development, currently zoned "A" Agricultural District

West: land under development for single-family housing, currently zoned "A" Agricultural District

South: across Fleetwood Road, zoned "R1-4" Single-Family District

The City is acquiring the southerly 10.7 acres of UGG land for the proposed Whyte Ridge Community Centre. Cairns Developers owns the roughly 1.0 acre of adjoining land which includes the Fleetwood Road frontage. Additionally, the City proposes to close a sub street connecting Fleetwood to the UGG lands.

This parcel is being put forward for the community club after a long and arduous site selection process which initially saw Lindenwoods and Whyte Ridge attempting to agree on a joint facility south of McGillivray, west of Dovercourt. At best it can be considered a compromise site after attempts to find a suitable location within the heart of the Whyte Ridge neighbourhood failed.

Plans for the site are sketchy at this time, but call for the construction of a community club at the south end of the site with hockey pens and sports fields running northward towards McGillivray. Access will occur from Fleetwood and, presumably, an easterly extension of Hawkwood Court across Cloverwood Road.

Lately, community clubs seem to be challenging convenience stores as neighbours of last resort in suburban areas. As a consequence, the residents of Whyte Ridge seem prepared to relegate their long awaited club to the "far side of the tracks." This is not an ideal site, for reasons of both safety and convenience. However, tradeoffs must be made if Whyte Ridge is to soon receive a much needed focal point for community sports and recreation. The department is prepared to support this subdivision and rezoning on this basis and in view of the support of the Parks and Recreation Department.

Residents of the Fort Whyte community have concerns regarding traffic access to the community club. With Hawkwood connected to Brady Road, and no internal street access to Alpha, Front or Sigma streets, their concerns should be alleviated.

A Public Hearing was held before the Assiniboia Community Committee on September 19, 1995.

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One person appeared in support of the application.

Ten persons appeared in opposition to the application.

The Assiniboia Community Committee recommended that:

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

   1) The Community Services report supports use of this site as the best compromise available.

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

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

I. That the plan of subdivision proposed under File DASZ 16/95 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor as outlined on Schedule "A", and dated October 27, 1995, for registration in the Winnipeg Land Titles Office.

II. That the Director of Land and Development Services be authorized to certify any documents in connection therewith.

III. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DASZ 16/95, dated October 27, 1995 to a "PR1" Parks and Recreation District.

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

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

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

Adopted by consent.

(See Minute No. 128 for attachment)

Proposed Rezoning - 1880 - 1952 St. Mary's Road - Riel Community
File DAZ 208/95

100 - 6. An application has been received from McLachlan & McLachlan, 15 Larchwood Place, Winnipeg, Manitoba, R2H 1M2, to amend By-law No. 6400/94 by rezoning the land at 1880 - 1952 St. Mary's Road from an "A.5" Agricultural District to a "PR1" Parks and Recreation District and an "RM-1" Multiple-family District to allow for the construction of a multiple-family development.

The subject site abuts Normand Park and the development does not prejudice the orderly subdivision of adjacent lands for low-density housing. With a net site area of approximately 110,000 ft.^{2}, the land could accommodate some 20 one-family lots on a cul-de-sac, if the width allowed for a public right-of-way. The proposed development would be compatible with the scale and density of one-family housing.

The determination of the boundary of the proposed riverbank park should be based upon a stable riverbank. If the bank is not stabilized, it is not appropriate that an unstable bank be transferred to the City. Stabilization by the developer will be required under Rivers and Streams approval, and the adjacent site is dealt with in the report of the Administrative Co-ordinating Group.

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A Public Hearing was held before the Riel Community Committee on September 18, 1995.

One person appeared in support of the application.

No one appeared in opposition to the application.

Two persons appeared for information only.

The Riel Community Committee recommended that:

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

    1) It is difficult to develop wide open prairie property such as the subject property located on a major regional street which will provide affordable housing.

    2) This application represents a development plan which, with certain conditions, will be mutually acceptable to the Developer and the adjacent owners.

    3) 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 concurred in part with the recommendation of the Riel Community Committee for the following reason:

- The Riel Community Committee approved the following zoning categories as outlined on Schedule "A", "PR1" Parks and Recreation District and "RM-1" Multiple-family District. The zoning line separating the two aforementioned zoning districts as outlined on Schedule "A" was based on the location of the Floodway line from the Flood Risk MAP, and was so placed until a final determination was made. Item III of the report of the Riel Community Committee requires that the applicant enter into a Development Agreement with the City. Condition 1. (a) of the Development Agreement as outlined on Schedule "B", requires that the Developer shall dedicate to the City as public open space the riverbank lands shown as Parcel A on the Parks and Recreation Department's drawing numbered No. 63-89, as outlined on Schedule "B". Schedule "C", illustrates the zoning line relocated in accordance with drawing No. 63-89.

The Committee on Planning and Community Services therefore recommends:

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "C" for File DAZ 208/95, dated October 30, 1995, to a "PR1" Parks and Recreation District and an "RM-1" Multiple-family 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:

        (1) That not more than 22 dwelling units be erected or located on the land;

        (2) 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;

        (3) that no building on the land exceed 2 storeys in height.

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II. That By-law No. 6400/94 be amended to establish the following special alignment:

A. from St. Mary's Road to any dwelling unit, 17.5 metres (57.4 ft.) and that no building within twenty-five (25) feet of the north lot limit exceed one and one-half (1 ½) storeys in height.

III. That the applicant be required to enter into a Development Agreement with the City in accordance with the report of the Administrative Co-ordinating Group as outlined on Schedule B" for File DAZ 208/95, dated October 30, 1995.

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 City Solicitor be authorized to prepare the necessary rezoning by-law and forward same to Council for all three readings, subject to the provision in the Administrative Co-ordinating Group report.

VI. That the rezoning by-law not be enacted until the Developer provides the City with the written confirmation from the registered owners of the adjacent property, Lot 7, S.P. Plan 23848, that the Developer will be permitted to regrade Lot 7 and install rip rap within Lot 7 in accordance with the geotechnical report dated June 6, 1995, prepared for the Developer by A. Dean Gould & Associates.

VII. 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.

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

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

Adopted by consent.

(See Minute No. 129 for attachment)

Proposed Rezoning - 343 Wardlaw Avenue
- City Centre Community
File DAZ 220/95

101 - 7. The Committee on Planning and Community Services has been advised that an application has been received from the Christine Management Ltd., 106 Lakeshore Road, Winnipeg, Manitoba, R3T 4B5 to amend By-law No. 6400/94 by rezoning the land at 343 Wardlaw Avenue from an "RM-4" Multiple-family District to a "C1" Commercial District to allow for the establishment of a business office.

Related Files: DAV 422/95C: This application permitted a temporary change of use for five years for the establishment of a business office in an existing building and additions, and varied yard and parking requirements.

The residential building on the subject site was destroyed by fire prior to the use permitted under DAV 422/95C being established. The applicant is proposing to construct a new building on the land and is seeking a rezoning to "C1" Commercial District to allow an office as a long-term use.

The Community Planning Division has supported office uses within this block to act as a transition between the Multiple-Family District on the north and the Industrial District on the south. Four dwellings on this block have previously been converted to similar office uses.

A Public Hearing was held before the City Centre Community Committee on September 5, 1995.

No one appeared in support or in opposition to the application.

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The City Centre Community Committee recommended that:

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

    1) The Community Planning Division has supported office uses within the block to act as a transition between the multiple-family district to the north and the industrial district to the south.

    2) Four dwellings on the block were previously converted to similar office uses.

    3) The subject property is adjacent to and across the street from existing low density commercially zoned property.

    4) The building which had been located on the subject property prior to being destroyed by fire was zoned residential and occupied by a commercial use.

    5) It is extremely unlikely that a residential use can be re-established on the property.

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 concurred in the recommendation of the City Centre Community Committee and recommends:

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 220/95, dated September 18, 1995, to a "C1" 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) that the use of the land be restricted to an office, and accessory uses.

        ii) that final construction plans indicating any building(s) or structure(s) including elevations and details of exterior finishing materials, accessory parking and loading areas, fencing, landscaping and garbage enclosures be subject to the approval of the Community Committee and the Commissioner of Planning and Community Services;

        iii) that all signs be subject to the approval of the Commissioner of Planning and Community Services.

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

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

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

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

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

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

Adopted by consent.

(See Minute No. 130 for attachment)

Proposed Rezoning - land located on the East side of Gull Lake Road - Riel Community File DAZ 225/95

102 - 8. The Committee on Planning and Community Services has been advised that an application has been received from The Director of Land and Development Services Department, 2nd Floor, 65 Garry Street, to rezone a portion of the site (Parcels "B" and "C") from "R1-4" Single-Family District to "R1-3.5" Single-Family District and a portion of the site (Parcel "D") from "R1-3.5" Single-Family District to "R1-4" Single-Family District, as outlined on Schedule "A".

The following is the Surrounding Land Use and Zoning:

North: Fully developed residential housing - Combination "RM-6" Multiple-Family District and "R1-3.5" Single-Family District.

East: The CNR Right-of-Way and fully developed "C2" Commercial District all the way to Pembina Highway

West: Properties to the west generally developed and zoned either "R1-5" or "R1-3.5" Single-Family District

South: Zoned "R1-4" or "R1-5" Single-Family District - not complete

Under DAPS 6/95 The City of Winnipeg is proposing to exchange a parcel of land along the C.N.R. right-of-way (Parcel B) with the owners of Lot 6 in exchange for Parcel "D" which fronts onto Gull Lake Road. The end result of the land exchange is two rectangular lots with close to equivalent frontage, one owned by the City of Winnipeg; the other by Mr. Kanda, a private property owner. The further by-product of the land exchange, however, is the creation of new lots each with combined "R1-4" and "R1-3.5" Single-Family zonings. The subject rezoning application is an attempt to rectify that situation by creating one lot which is fully zoned "R1-3.5" (Lot 6) and a second lot lying adjacent which is zoned "R1-4" and which belongs to the City of Winnipeg.

The proposed re-configuration of lot lines will not create additional building sites. However, what the new lot alignments and rezoning will do is create two single-family lots with equal frontages $\pm$ and lot configuration which more closely resemble and are more in character with existing lots along Gull Lake Road. The Community Planning Division fully endorses the proposed rezoning and suggests that it is in the best interests of both the City and Mr. Kanda, the private property owner, to have the zoning line moved accordingly.

A Public Hearing was held before the Riel Community Committee on September 18, 1995.

One person appeared in support of the application.

No one appeared in opposition to the application.

The Riel Community Committee recommended that:

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

    1) Approval of this rezoning is considered to be compatible with the existing lots along Gull Lake Road.

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2) The new lot alignments and rezoning with approval of this application will create two single-family lots with equal frontage.

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 concurred in the recommendation of the Community Committee and recommends:

I. That By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 225/95, dated October 27, 1995, to an "R1-4" Single-Family District and a "R1-3.5" Single-Family District.

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

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

IV. That the 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. 131 for attachment)

Proposed Amendment to the North Henderson Highway Secondary Plan (By-law 1300/76) 1950 - 1954 Henderson Highway - East Kildonan-Transcona Community
File SPA 41/95 (c/r DASZ 15/95)

103 - 9. The Committee on Planning and Community Services has been advised that the subject property is located on the west side of Henderson Highway and is presently occupied by single family dwellings which are to be demolished. Site dimensions are approximately 490 feet (145 metres) depth and 200 feet (61 metres) width. Area is approximately 2.249 acres (0.910 ha).

The North Henderson Highway Secondary Plan has established a density gradient along the west side of Henderson Highway, with high density residential uses being permitted in the south and lower density residential uses to the north, as outlined on Schedule "A". The subject application is intended to increase the future developable density on the subject site from a maximum of 12 units per acre to up to 30 units per acre. A majority of the lands on the west side of Henderson Highway (south of Strood) have now been redeveloped with multiple family dwellings. Except for a recently constructed personal care home immediately adjacent to the north of the subject site, all lands up to Bunn's Creek are still in single family use.

The applicant proposes to construct 52 dwelling units on the site, contained within two apartment buildings. Density will be 24 units per acre. This density is effectively double that presently permitted for land in this area. The subject application, in concert with similar approvals and developments to the south, is having the effect of changing the character of the Secondary Plan in this area, resulting in density of development substantially higher than that considered appropriate at its time of adoption in the year 1977.

It may be argued that changes to the secondary plan of this type and scale, should be dealt with within the context of an overall review of the plan, since such a review would allow a wider discussion of issues affecting the general area. These issues include specific plans for development of the proposed riverbank, linear park, and traffic related problems on Henderson Highway. In the latter regard, the East Kildonan-Transcona Community Committee is

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aware of the concerns expressed by residents of recently constructed apartments and the Personal Care Home with regard to vehicular access to Henderson Highway, and the difficulty for pedestrians trying to cross the Highway. The most northerly traffic signals are presently located at McIvor Avenue and additional increased residential densities, north of Strood in particular, have potential to further increase problems and complaints. However, in view of the fact that the subject application is located to the south of a recently redeveloped site, the application is considered to be generally supportable without necessitating a review of the whole secondary plan. However, future development, including that proposed for the subject site, as it extends northwards, should reflect lower densities than multiple family dwelling developments to the south. Development characteristics for this site and others to the north should also reflect a diminishing of height and building bulk as they approach Bunn's Creek. In this regard, it is considered appropriate to also place a limit on the future number of dwelling units on the site through limitations within a zoning agreement.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on September 19, 1995.

Five persons appeared in support of the application.

Three persons appeared in opposition to the application.

One person appeared for information.

The East Kildonan-Transcona Community Committee recommended that the proposed amendment be approved for the following reasons:

(1) The proposed multiple family development site can be considered as an "infill location".

(2) Multiple family development (exceeding 12 units per acre) has been approved on lots to the south of the site.

(3) The proposed medium density designation is not inconsistent with existing and anticipated development on the west side of Henderson Highway in this vicinity subject to specific limits on the number of approved dwelling units being imposed as a condition of rezoning.

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

I. That By-law No. 1300/76, being The North Henderson Highway Secondary Plan, be amended by reclassifying the subject lands as outlined on Schedule "A" for file SPA 41/95, dated October 23, 1995, from a "Low Density Residential Area" proposed land use to a "Medium Density Residential Area" proposed land use.

II. That By-law No. 6682/95, which sets forth the proposed amendment approved in Clause I above, and was given first reading on August 9, 1995, be given second and third reading thereof.

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

Moved by Councillor Silva,
Adoption of the clause.

Carried

(See Minute No. 132 for attachment)

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Proposed Zoning Agreement Amendment - 205 Henlow Bay, East side, South of Scurfield Boulevard - Assiniboia Community
File ZAA 3/95 (c/r DASZ 44/79)

104 - 10. The Committee on Planning and Community Services has been advised that an application has been received from Argyle Steel Construction Ltd., 112A Scurfield Boulevard, Winnipeg, Manitoba, R3Y 1G4, to amend the Zoning Agreement affecting 205 Henlow Bay to permit the construction of a building providing a north side yard of five (5) feet instead of fifteen (15) feet as required by the Agreement.

The applicant proposes to construct a new building on the site providing 1,750 square feet of office space, 3,500 square feet of shop space, and parking for 9 vehicles. A possible future expansion would add about 3,500 square feet of shop area.

The "M2" zoning regulations do not require an interior side yard. However, in this case, the developer imposed design guidelines including special yards, which the City is obligated to enforce through a zoning agreement governing the development.

From the City's standpoint, the proposed side yard reduction has no detrimental impact on the adjacent property or general area.

A Public Hearing was held before the Assiniboia Community Committee on September 19, 1995.

One person appeared in support of the application.

No one appeared in opposition to the application.

The Assiniboia Community Committee recommended that:

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

    A) The proposal complies with the adjacent area.

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

I. That Zoning Agreement DASZ 44/79 (By-law 3640/84) dated April 16, 1980, affecting Lot 1, Plan 22555, be amended in relation to the said lot only, to permit a north side yard of 5 feet.

II. That the City Solicitor be requested to prepare the necessary amending agreement to Zoning Agreement DAZ 12/83 dated April 16, 1980, as approved in aforesaid recommendation I.

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

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

Adopted by consent.

Proposed Zoning Agreement Amendment - 3725 Roblin Boulevard - Assiniboia Community File ZAA 5/95

105 - 11. The Committee on Planning and Community Services has been advised that an application has been received from Mediacom Inc., 1600 Inkster Boulevard, Winnipeg, Manitoba, R2X 3A4, to amend the Zoning Agreement affecting 3725 Roblin Boulevard by allowing for the erection of advertising signs.

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The applicant proposes to erect a two-sided, illuminated, 200 square foot, 20 foot high advertising sign at the southwest corner of the property, 1 foot from the Roblin R.O.W.

A related conditional use application under File DCU 66/95C was approved subject to a condition.

This is not one of the locations considered appropriate for advertising signs and billboards in Winnipeg. Large advertising signs are out of character with Roblin Boulevard, which is primarily a residential street bounded by low density housing. Sporadic strip commercial development has occurred in previous years, but more recent attempts to further commercialize Roblin Boulevard have been strenuously opposed.

The commercial heart of Charleswood on Roblin is a mixture of traditional store-front shops, with facia or overhanging identification signage, and newer commercial strips with free-standing identification signage. The department is of the opinion that billboard type advertising signage is out of character and scale with pedestrian-oriented, main-street commercial development. Where strip commercial development prevails, billboards simply add to the clutter of free-standing signage and, where excessive, detract from both the advertising quality of the signage as well as the visibility and, hence, effectiveness of identification signage.

The site in question lies at the very western edge of the commercial area with housing to the rear and front, across Roblin. Its attributes for advertising signage are obvious. The surrounding low-scale development would enhance the sign's prominence. There are no significant free-standing signs near it, identification or otherwise, with which to compete or contribute to visual clutter and information overload. Most importantly, the sign is located where the Charleswood Bridge approach connects to Roblin, with all-day traffic volumes well in excess of 25,000 vehicles.

Sign companies will run out of advertisers long before they exhaust the potential sites for billboards in Winnipeg. They are, however, increasingly turning their attention to streets such as Roblin Boulevard, which, to date, have remained relatively free of advertising signage, but are carrying increasingly larger traffic volumes. The site is directly across from housing which fronts onto Roblin. Billboard advertising would hardly compliment the extensive landscaping installed in conjunction with the Charleswood Bridge. This landscaping was not intended as a backdrop for billboards.

The department has been negligent in not identifying streets or portions thereof whose character and image would be damaged by billboard advertising. In the absence of such a guideline, the City will continue to receive applications for billboards in inappropriate locations.

A Public Hearing was held before the Assiniboia Community Committee on September 19, 1995.

A number of persons appeared in support and in opposition as listed in the report of the Assiniboia Community Clerk dated October 16, 1995.

The Assiniboia Community Committee recommended that:

1. The proposed zoning agreement amendment be not proceeded with, for the following reasons:

    1) The report of the Community Services Department dated September 12, 1995, recommended denial.

    2) Overwhelming responses from the community, indicated by petitions, letter, and phone calls, have opposed the application.

    3) A billboard at this location is inappropriate as it is a residential area of Roblin Boulevard.

The Committee on Planning and Community Services concurred in the recommendation of the Assinbioia Community Committee and recommends that the proposed Zoning Agreement Amendment be not proceeded with.

Adopted by consent.

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Proposed Zoning Agreement Amendment - 2449 Main Street - Lord Selkirk-West Kildonan Community
File ZAA 7/95 (c/r DAZ 225/84)

106 - 12. The Committee on Planning and Community Services has been advised that an application has been received from Mediacom Inc., 1600 Inkster Boulevard, Winnipeg, Manitoba, R2X 3A4, on behalf of Bubble Bath Inc., 2449 Main Street, Winnipeg, Manitoba, R2V 4T6, to amend the existing zoning agreement affecting the land to permit two free-standing signs (one identification and one advertising) instead of the one currently permitted.

The following is the present Site Description:

The property in question has 277' of frontage along Main Street and has 250' of depth. A Bubble Bath car wash facility and drive-in bank kiosk currently occupy the site.

The following is the Surrounding Land Use and Zoning:

Properties immediately to the North, East and South remain vacant and zoned "R1-20" Single-Family District. Lands to the west of Main are zoned "C2" and "C1.5" Commercial District and are generally developed.

The addition of a free standing advertising sign on the site at the location indicated will not constitute a proliferation of signage in the area given the overall size of the property in question and the relative lack of advertising signage in general in this area. The Planning Division endorsed the proposed amendment to the existing agreement which would subsequently allow the applicant to process the necessary conditional use application for a free-standing advertising sign.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on September 19, 1995.

The Community Committee recommended that the zoning agreement be approved, the reason being that the applicant will still have to apply for a conditional use.

The Committee on Planning and Community Services recommends:

I. That Zoning Agreement DAZ 225/84 (By-law 4002) be amended in relation to said lands by adding to the list of permitted uses, an advertising sign subject to conditional use approval, and to permit two free-standing signs (one advertising and one identification) instead of the single free-standing sign currently permitted under Clause 6.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DAZ 225/84 as approved in recommendation I.

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

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

Adopted by consent.

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Proposed partial street closing on the South side of Portage Avenue, East of Moray Street - Assiniboia Community
File DAC 18/95

107 - 13. The Committee on Planning and Community Services has been advised that the proposed partial street closing under File DAC 18/95 was initiated by the Streets and Transportation Department.

It has been determined by the Streets and Transportation Department that the subject portion of the street is surplus to the City right-of-way requirements. The Department is hopeful that a land exchange can be agreed upon with the adjoining land owner as part of the compensation for lands required for the widening of the east side of Moray Street at Portage Avenue (part of the Charleswood Bridge project). This closing is expected to be expedited during the current road construction period for this bridge project.

At the time the report to the Community Committee was written, no objections or concerns were received in response to the circulation of this street closing request. However, since that time (in the later part of September), Manitoba Hydro has identified the need for a joint easement for Hydro and M.T.S. facilities located in the street closing area.

On September 19, 1995, the Assiniboia Community Committee recommended approval of the subject application. In the opinion of the Land Development Branch, the easement requirement does not prevent the closing from proceeding and being approved. It may, however, have some impact on the land exchange transaction.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street closing in accordance with Misc. Plan ASBA 9468, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 133 for attachment)

Proposed closing of a portion of Springfield Road at Molson Street - East Kildonan-Transcona Community
File DAC 20/95

108 - 14. The Committee on Planning and Community Services has been advised that the subject partial street closing has been initiated by the Real Estate Division of the Land and Development Services Department at the request of the adjoining property owner to the south, Kilcona Lumber Ltd., who is interested in acquiring the land, once the street is closed. Kilcona Lumber intends to utilize the additional area for parking, and possibly a building expansion. The portion of street right-of-way proposed for closure is not being used for street purposes at the present time.

The subject partial street closing was circulated to all the applicable City Departments and public utilities. No objections were received to closing this part of Springfield Road, but some concerns were noted by a number of respondents. These concerns are listed in the following comments.

North-East District Operations have concerns about any change in ground elevation and that prior to any change, plans of these changes should be prepared by a municipal engineer and submitted to the City for approval.

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The Streets and Transportation Department had no objections to the closing subject to the following provisions:

- The submission of a suitable lot and boulevard grading plan to ensure that land drainage is maintained from Springfield Road, Molson Street and Kilcona Lumber.

- The reseeding of any of the boulevard area between the new property line and the existing pavement that is adjusted to provide drainage.

Streets and Transportation Department concerns about grading and drainage are similar to those of District Operations (resulting land elevation).

Removal of any Manitoba Hydro and/or Manitoba Telephone System facilities will be at the expense of the City.

The Fire Department is concerned about hydrant locations to ensure adequate fire protection of the adjacent lumber yard.

As noted by the District Planner, Kilcona Lumber should be aware of the front and corner yard requirements of the "M2" Industrial District regulations (25 and 15 foot setbacks respectively). Provision of these yard setbacks would significantly reduce the amount of usable land resulting from the street closing. Consequently these requirements should be taken into account regarding any future development of this land (if the street is closed).

The East Kildonan-Transcona Community Committee considered the proposed closure at its meeting held on September 19, 1995 and concurred in the administrative recommendations.

The Committee on Planning and Community Services recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street closing in accordance with Misc. Plan EKT 9483, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 134 for attachment)

Proposed North/South lane opening and lane closing on the north side of St. Catherine Street, between Evans Street and the Seine River - Riel Community
File DAOC 6/93

109 - 15. The Committee on Planning and Community Services has been advised that this matter was originally recommended for approval by the Riel Community Committee on October 13, 1993, and subsequently approved as to planning details by the Committee on Planning and Community Services on October 26, 1993. This lane relocation request did not receive approval from Council. The Administration now wishes to complete this application, but because of the new opening and closing procedures, a new approval for this request is required.

The subject lane opening/closing proposal involves the relocation of the existing north/south lane connection from St. Catherine Street which is the connection to the existing east/west lane, in the block west of Evans Street, bordered by St. Catherine to the south and Prosper Street to the north. The proposed lane opening falls on the area (City land) physically being used as the lane connection to St. Catherine Street. The said land has been gravelled and maintained as a lane connection for a number of years. The most practical solution for dealing with this situation is to close the existing lane right-of-way (not being used) and fully open the piece of City property now being used by area residents as a lane.

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This lane opening and closing request was circulated mid 1993 to the various applicable City Departments and Public Utilities for information and comment. No objections or major concerns were received in response to the circulation.

The lane relocation (opening) as outlined on Schedule "A" (Misc. Plan No. 8902/1) indicates the lane corner cuts requested by the Streets and Transportation Department, as a result of their response to the circulation.

On September 18, 1995, the Riel Community Committee held a public hearing with respect to the referenced matter.

No representation was made before the Community Committee.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane opening and closing in accordance with Misc. Plan Riel 8902/1, as outlined on Schedule "A".

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

Moved by Councillor Silva,
Adoption of the clause.

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

Carried.

(See Minute No. 135 for attachment)

Proposed partial closing of DeVos Road between Leon Bell Drive and Pembina Highway; and the proposed opening to accommodate a street turn-around - Riel Community
File DAOC 4/95 (c/r DASSF 584/94)

110 - 16. The Committee on Planning and Community Services has been advised that the Commissioner of Planning and Community Services has initiated the above referenced closing and opening in accordance with Misc. Plan No. RIEL 9044/13, as outlined on Schedule "A".

Ladco Company Limited under rezoning and subdivision application File DASZ 23/93 received approval of a proposal that necessitated the closure of DeVos Road from Waverley Street to the eastern terminus of Leon Bell Drive where it intersects with DeVos Road. By-law No. 6480/94 passed by City Council on November 16, 1994, effectively closed the westerly portion of DeVos Road with the condition that DeVos Road remain physically open until the intersection of Pembina Highway and DeVos Road is improved and a turnaround is provided at the west terminus of the closed DeVos Road.

The proposal, which is now registered in the Winnipeg Land Titles Office as Plan 32,114 is outlined on Schedule "B". At the time of registration it was determined that a portion of the Ladco lands shown as Lot 38, Plan 32,114 as outlined on Schedule "B" would be further subdivided at such a time as negotiations with adjacent land owners to the east yielded a workable solution regarding a new turnaround location along DeVos Road. Ladco has now submitted a short-form subdivision application for Lot 38 that includes additional lands within Devos Road under File DASSF 584/94, as outlined on Schedule "C". The DeVos Road lands which require closing under the present application are outlined on Schedule "A".

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The proposed turn-around which constitutes a street opening, also is identified on the attached Schedule "A". The turnaround is deemed necessary by Council to facilitate the truck traffic generated by those businesses located on DeVos Road between Leon Bell Drive and Pembina Highway.

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

On September 18, 1995, the Riel Community Committee held a public hearing with respect to the referenced matter.

Two persons were heard in opposition to the proposed closing under File DAOC 4/95.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council in accordance with Misc. Plan No. RIEL 9044/13, as outlined on Schedule "A", following execution by Ladco Company Limited of an addendum to Development Agreement AG 23/93 dealing with the construction of the street turnaround at the new location.

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

Adopted by consent.

(See Minute No. 136 for attachment)

Proposed openings (corner cut widenings) at the intersection of Kenaston Boulevard and Lowson Crescent, at both the North-East and South-East corners - Assiniboia Community File DAO 4/95 "A" & "B"

111 - 17. The Committee on Planning and Community Services has been advised that the subject corner cut widenings was identified in the 1993 Capital Works Program for the upgrading of Kenaston Boulevard. The property owners have agreed to the sale of the required lands to the City, and the road construction is under way. A street opening approval is required to legally establish the corner cut widenings.

No objections were received in response to the circulation of these two openings (corner cut widenings).

Both Manitoba Hydro and the Manitoba Telephone System noted that any removal of their facilities would be at the expense of the City.

On September 19, 1995, the Assiniboia Community Committee considered the matter under File DAO 4/95 "A" and "B".

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the openings (corner cut widenings) in accordance with Misc. Plans ASBA 9009 and 9010 as outlined on Schedules "A" and "B".

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

Adopted by consent.

(See Minute No. 137 for attachment)

Proposed opening (widening) to the West side of Kenaston Boulevard between Lowson Crescent and Rothwell Road - Assiniboia Community File DAO 5/95

112 - 18. The Committee on Planning and Community Services has been advised that the subject widening was identified in the 1993 Capital Works Program for the upgrading of Kenaston Boulevard to four lanes of pavement, from two lanes. The property owner has agreed to the sale of the required land to the City, and the construction of the pavement widening is in process. A street opening approval is required to legally establish the widening for the dualling of Kenaston.

No objections or major concerns were received in response to the circulation of this opening request.

Both Manitoba Hydro and the Manitoba Telephone System indicated that any relocation of their services would be at the expense of the City.

On September 19, 1995, the Assiniboia Community Committee considered the proposed opening under File DAO 5/95.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street openings (widening) in accordance with Misc. Plan ASBA 9007/4, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 138 for attachment)

Proposed street openings (widenings and corner cuts) at the intersection of Raleigh Street and Munroe Avenue - East Kildonan-Transcona Community File DAO 6/95

113 - 19. The Committee on Planning and Community Services has been advised that a street opening approval is required to legally establish the subject widening and corner cuts which are already physically established. The corner cuts were part of the 1991 Capital Works Program.

No objections or major concerns were received in response to the circulation of this opening request.

The subject corner cuts facilitated the underground plant for the traffic signals located at the Raleigh/Munroe intersection. The street widening had already been physically established.

On September 19, 1995, the East Kildonan-Transcona Community Committee considered the matter under File DAO 6/95.

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the openings in accordance with Misc. Plan EKT 9053, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 139 for attachment)

Proposed opening (widening) of Eldridge Avenue just east of Oakdale Drive - Assiniboia Community File DAO 8/95

114 - 20. The Committee on Planning and Community Services has been advised that the subject street widening was requested by the Streets and Transportation Department. The widening of Eldridge Avenue was initially identified under short-form subdivision DASSF 553/93, subdivision of City owned lands - Plan 31,129, as outlined on Schedule "A".

Lot 3 of registered Plan 31,129 was created for exchange of the southerly 2.134 metres of SP Lot 65, Plan 20,296 in order to accommodate the widening of Eldridge, as outlined on Schedule "A".

No objections or major concerns were received in response to the circulation of this opening (widening) request.

Manitoba Hydro indicated that any relocation of their services would be at the expense of the City.

On September 19, 1995, the Assiniboia Community Committee considered the matter under File DAO 8/95

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

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the street opening (widening) in accordance with Misc. Plan ASBA 8902/11, as outlined on Schedule "A".

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

Adopted by consent.

(See Minute No. 140 for attachment)

Proposed Street Name Change - Sharp Boulevard to Air Force Way, North of Ness Avenue - Assiniboia Community File SC-3.14(31)

115 - 21. The Committee on Planning and Community Services has been advised that on September 19, 1995, the Assiniboia Community Committee considered a request from Colonel G. E. Sharp, Wing Commander, Canadian Forces Base Winnipeg to rename Sharp Boulevard, north of Ness Avenue to Air Force Way. This renaming would recognize the role that the Canadian Air Force has played in the development of the former City of St. James and The City of Winnipeg.

Report of the Committee on Planning and Community Services dated November 10, 1995

An Air Force Heritage Park has been developed in the last five years on Canadian Forces Base Winnipeg, located at the northerly terminus of Sharp Boulevard. The proposed street name change, would enhance and help identify the park. Similar recognition was given to the Canadian Navy with the changing of a portion of Smith Street to Navy Way in front of HMCS Chippawa.

The Assiniboia Community Committee recommended that favourable consideration be given to the street name change.

The Land Development Branch have reviewed this request and based on previous discussions, see no reason why the subject street name can not be changed north of Ness Avenue. The only housing affected by the street name change is owned by the Department of National Defence. This housing is located on the west side of Sharp, in the block between Ness Avenue and the aforementioned Canadian Forces Base. The street name change would result in address changes to this housing which is under the jurisdiction of the base Wing Commander. The Assiniboine Golf Course is located on the east side of Sharp Boulevard in the subject street block and has no buildings fronting on Sharp.

The Committee on Planning and Community Services concurred in the recommendation of the Assiniboia Community Committee and recommends that the currently registered name "Sharp Boulevard", as outlined on Schedule "A", be changed to "Air Force Way" (north of Ness Avenue), and that in approving this change Council authorize the following:

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

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

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

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

Adopted by consent.

(See Minute No. 141 for attachment)

Winnipeg Housing Rehabilitation Corporation - Amendment to By-law regarding composition of the Board
File EX-9 (Vol. 5) (c/r GC-7 (Vol. 25))

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

116 - 22. The Committee on Planning and Community Services has been advised that the Winnipeg Housing Rehabilitation Corporation at its meeting held on June 29, 1995 raised a matter with respect to confirmation of Board Members. In this connection the following motion was passed at that meeting, namely:

> "That Schedule 2, Clause E, of the Articles of Incorporation be amended to read 'the members of the Corporation who are eight in number, shall consist of four members of the Council of The City of Winnipeg and a representative of each, as approved by the Council of The City of Winnipeg, from HUDAM (Manitoba Home Builders Association), the Social Planning Council, the City of Winnipeg, and the Province of Manitoba."

Report of the Committee on Planning and Community Services dated November 10, 1995

The Committee on Planning and Community Services concurs with the above and recommends that Winnipeg Housing Rehabilitation Corporation proceed with their amendment.

LAID OVER BY THE EXECUTIVE POLICY COMMITTEE

Rezoning - Extension of Time - 1186 Main Street, south west corner at Mountain Avenue - Lord Selkirk-West Kildonan Community

File DAZ 223/94

117 - 23. The Committee on Planning and Community Services has been advised that on October 19, 1994, Council adopted Clause 6 of the Report of the Committee on Planning and Community Services dated September 27, 1994. The clause recommended approval of the subject rezoning to a "CZ" Commercial Zoning District to allow for the construction of a drive-in/drive-through restaurant, subject to the execution of a Zoning Agreement.

Recommendation V. contained in the said report stipulates:

> "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."

The rezoning by-law was enacted on December 15, 1994. However, the date for completing registration of the zoning caveat as included in the by-law is October 19, 1995 and not December 15, 1995 as was authorized under Council instructions.

The Applicant has not completed the required registration and has requested additional time. The Land and Development Services Department advised that such an extension is desirable and would not in any way prejudice the public or any interested person.

The Committee on Planning and Community Services recommends:

I. That an extension of time be granted to McDonald's Restaurants of Canada until March 15, 1996 to provide for the completion of registering the zoning caveat under File DAZ 223/94.

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

Adopted by consent.

REPORT OF THE COMMITTEE

ON PLANNING AND COMMUNITY SERVICES

DATED NOVEMBER 22, 1995

On motion of Councillor Silva, the Report of the Committee on Planning and Community Services, dated November 22, 1995, was considered.

Moved by Councillor Silva,
That the Consent Agenda, Clause 1, be adopted.

Carried

Her Worship The Mayor and Councillors:

Council Appointments to the Riverbank Management Committee
Files E-5.1 (Vol. 13) & GC-7 (Vol. 25)

118 - 1. Clause 1 of the Report of the Committee on Planning and Community Services dated February 15, 1988, as adopted by Council on March 23, 1988 and By-law No. 4444/86 as amended, established the Riverbank Management Committee.

Council at its Organizational Meeting held on November 8, 1995, referred to all Standing Committees the matter of the appointment of representatives and alternates from each Standing Committee to the Riverbank Management Committee.

The Committees on Planning and Community Services, Finance and Administration, Protection, Parks and Culture and Works and Operations nominated the following Councillors for appointment as their representatives and alternates on the Riverbank Management Committee, namely:-

Committee	Representative	Alternate Member
Committee on Planning and Community Services (2 representatives)	Councillor Golden Councillor Prystanski	Councillor Murray Councillor Phillips
Committee on Finance and Administration	Councillor Lubosch	N/A
Committee on Protection, Parks and Culture	Councillor Vandal	Councillor Thomas
Committee on Works and Operations	Councillor Lazarenko	Councillor Thomas

The Committee on Planning and Community Services recommends that the above named Councillors and their alternates be appointed to the Riverbank Management Committee, effective from the date of Council's approval and that said Councillors hold office until their successors have been appointed.

Adopted by consent.

Appointments to the Winnipeg Housing Rehabilitation Corporation
File EX-9 (Vol. 5) & GC-7 (Vol. 25)

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

119 - 2. By-law No. 1 of the Winnipeg Housing Rehabilitation Corporation established the Winnipeg Housing Rehabilitation Corporation to consider the acquisition, improvement and rehabilitation of existing buildings for, and the conversion thereof to, housing accommodation of all kinds for sale or rent to persons of low or modest income.

Report of the Committee on Planning and Community Services dated November 22, 1995

Council on November 8, 1995, referred to the Committee on Planning and Community Services the matter of the appointment of four Council representatives to the Winnipeg Housing Rehabilitation Corporation.

The Committee on Planning and Community Services recommends:

I. That the following Councillors be appointed for a one-year term to the Winnipeg Housing Rehabilitation Corporation, namely:-

Councillor Golden
Councillor Murray
Councillor Phillips
Councillor Thomas

II. That Councillor Silva, Chairperson of the Committee on Planning and Community Services, be appointed as an Ex Officio Member of the Winnipeg Housing Rehabilitation Corporation and that the said Corporation be requested to amend its By-laws in accordance therewith.

LAID OVER BY THE EXECUTIVE
POLICY COMMITTEE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

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

By-law No. 6716/95, a By-law of the City of Winnipeg to close the first east/west lane, south of Portage Avenue between Windham Road and lake Street. File DAC 2/94

By-law No. 6717/95, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the south side of Red River Boulevard between Rivergrove Drive and the Red River in the Lord Selkirk-West Kildonan Community. File DASZ 11/95

By-law No. 6718/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land bounded by Pembina Highway, Stafford Street, Corydon and Grant Avenues (Earl Grey Neighbourhood) in the City Centre Community. File DAZ 213/95

By-law No. 6719/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 2419 Ferrier Street in the Lord Selkirk-West Kildonan Community. File DAZ 215/95

By-law No. 6720/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 565 Pembina Highway in the City Centre Community. File DAZ 218/95

By-law No. 6721/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the East side of Henderson Highway between Knowles Avenue and Bunn's Creek in the East Kildonan-Transcona Community. File DAZ 205/95

By-law No. 6722/95, a By-law of the City of Winnipeg to amend Zoning By-law No. 6400/94 for the enactment of a zoning change at 1650 Waverley Street in the Assiniboia Community. File DAZ 227/91

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

By-law No. 6723/95, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the east side of Brazier Street between Oakland Avenue and Devon Avenue in the East Kildonan-Transcona Community. File DASZ 4/94

By-law No. 6724/95, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located between Dakota Street and St. Anne's Road, south of Warde Avenue and north of John Forsyth Road in the Riel Community. File DASZ 8/94