# REPORT OF THE

# COMMITTEE ON FINANCE AND ADMINISTRATION

# DATED JULY 17, 1995

On motion of Councillor Eadie, the Report of the Committee on Finance and Administration, dated July 17, 1995, was considered clause by clause.

Moved by Councillor Eadie,

That the Consent Agenda, Clauses 1,2,3,4,5,6,7 and 8 be adopted.

Councillor Prystanski requested that Clause 3 be pulled from the Consent Agenda.

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

The motion to adopt the Consent Agenda, Clauses 1,2,4,5,6 and 8 was put and declared carried.

Her Worship the Mayor and Councillors**:**

**Appointment of Special Constables - Finance Department and Parks and Recreation Department**
**File GF-2.3 (Vol. 4)**

**997 -** 1. The Committee on Finance and Administration has been advised that the Enforcement Co-ordinator, Environmental Health Services Division of the Community Services Department has requested that the Manager of the Animal Services Branch, who will be required to perform by-law enforcement duties, be sworn in as a Special Constable, namely: Timothy Joseph Dack.

The Committee has also been advised that the Supervisor of Park Police, Regional Parks and Operations Division of the Parks and Recreation Department, has requested that a temporary Park Officer, who will be required to perform by-law-enforcement duties, be sworn in as a Special Constable, namely: Barry Gordon Giesbrecht.

The Committee on Finance and Administration recommends that the City Solicitor/Manager of Legal Services be authorized to make the necessary application to the Attorney-General's Department to have Mr. Dack and Mr. Giesbrecht sworn in as Special Constables.

The Committee on Finance and Administration also recommends that the Proper Officers of the City be authorized to execute the required Forms of Indemnity of whatsoever kind or nature arising out of the acts and conduct of anything done, said or written by the said Special Constables when they function as a Special Constable under the said appointment.

Adopted by consent.

**Recommendations for Amusement Tax Exemption FL-6 (Vol. 12)**

**998 -** 2. The Committee on Finance and administration has considered recommendations received from the Winnipeg Arts Advisory Council for exemption to the Amusement Tax By-law.

The Committee on Finance and Administration submits draft by-law and recommends:

I. That the following list of exemptions be added to subsection 7(6) of the Amusement Tax By-law No. 3107/81, namely:

**Report of the Committee on Finance and Administration dated July 17, 1995**

Manitoba Writers' Guild :
"The Writing Life" (annual literary conference) September 14 - 16, 1995 at Winnipeg Art Gallery and University of Winnipeg.

Manitoba Chamber Orchestra:
1995-96 Season: Christian Lindberg, trombone, September 26, 1995; Susan Hoeppner, flute, October 17, 1995; Wong, Berrick, November 15, 1995; Christmas Concert, December 13, 1995; Lacombe, Burashko, February 7, 1996; Benjamin Butterfield, tenor, February 27, 1996; Joanna McGregor, piano, April 17, 1996; MCO-Groundswell co-production, April 28 & 29, 1996; Connie Gitlin, clarinet; Vincent Ellin, bassoon; David Stewart, MCO concertmaster, May 22, 1996. All performances except April 28/29, 1996 at Westminster United Church. April 28/29, 1996 performance at centre culturel franco-manitobain.

Popular Theatre Alliance:
"Lonely Planet", October 25 - November 5, 1995 at the Gas Station Theatre and " Testing Ground III" April 10 - 13 and 17 - 29, 1996 at Venue VIII, 335 Donald.

Women's Musical Club of Winnipeg:
"Scholarship Winners Concert" on December 30, 1995 at the Winnipeg Art Gallery.

La Federation aines franco-manitobains inc.:
"Le Theatre des aines" on November 1, 2 & 3, 1995 at Le centre culturel franco-manitobain.

Le Cercle Moliere:
"Les Aiguilleurs", March 1 - 9, 1996; "Les Grandes chaleurs", April 12 - 20, 1996; "Le Faucon", May 22 - June 1, 1996. All plays are at the Franco-Manitoban Cultural Centre except "Le Faucon" which is at Theatre de la chapelle.

Royal Winnipeg Ballet:
"Made in Canada", March 7 - 9, 15 - 17, 1996; and "Romeo and Juliet" May 8 - 11, 17 - 19, 1996. Performances are at the Centennial Concert Hall.

Winnipeg Symphony Orchestra:
"Mad About Italian Opera" January 12, 1996; "Mad About Romantic Russia" February 23, 1996; "Mad About Fairy Tales" March 22, 1996; "A Brass Spectacular" February 15, 17, 18, 1996; "Your Hundred Best Tunes" March 21, 23, 24, 1996; "Mrs. Schumann plays the piano, too" April 14, 1996. Classic Gold Series: February 22 - 24, March 28 - 30, May 2 - 4, Classics Debut Series: January 19 and 20, March 1 and 2, April 12 and 13, Recital: May 14, 1996, Choral Special II: February 3, 1996, New Music Festival: January 19 - 27, 1996, Elementary School Concert: May 13 - 14, 1996, Concerts for Kids: January 14, February 4, March 3, 1996. All performances are at the Centennial Concert Hall.

Manitoba Theatre Centre:
"Dr. Jekyll & Mr. Hyde" on January 3 - 27, 1996, "Angels in America" on January 17 - February 10, 1996, "Atlantis" on February 7 - March 2, 1996, "Les Belles Soeurs" on February 21 - March 16, 1996, "Cyrano de Bergerac" on March 6 - 30, 1996, "Lady Day at Emerson's Bar and Grill" on March 27 - April 20, 1996, and "Little Shop of Horrors" on April 10 - May 4, 1996. All performances are at the MTC Warehouse Theatre.

Prairie Theatre Exchange:
"The League of Nathans" on January 31 - February 17, 1996; "fareWel" on March 6 - 23, 1996. All performances are at Prairie Theatre Exchange.

Manitoba Opera:
"Nosferatu" on February 10, 13, 16, 1996 at the Pantages Playhouse; "Turandot" on April 20, 23, 26, 1996 at the Centennial Concert Hall.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

**Report of the Committee on Finance and Administration dated July 17, 1995**

**472, 480, 482 and 484 McDermot Avenue**
**File FI-2(32) (Vol. 2)**

**999 -** 3. Council on June 14, 1995, ruled automatic referral of the following motion to the Committee on Finance and Administration under Rule 16.1 of the Procedure By-Law No. 5400/90 namely:
*"Moved by Councillor Prystanski,*
*Seconded by Councillor Silva,*

*WHEREAS the property commonly known as 472, 480, 482 and 484 McDermot Avenue has been at the centre of controversy between the residents and businesses in the inner Winnipeg area;*

*AND WHEREAS the issues surrounding Zoning Application DAZ 252/91 are still outstanding, and in need of resolution for the inner Winnipeg's neighbourhoods;*

*AND WHEREAS there is an outstanding property matter before the Committee on Finance and Administration;*

*AND WHEREAS the need to resolve this issue is of great importance as the houses are in deteriorating state as they are sitting vacant;*

*AND WHEREAS several of the issues of the surrounding businesses have changed;*

*AND WHEREAS the state of these houses has raised problems for homeowners' insurance policies;*

*AND WHEREAS the community itself wants a resolution to their position of rebuilding the subject homes;*

*THEREFORE BE IT RESOLVED that this issue be resolved by the Committee on Finance and Administration in favour of the residents within 60 days, and these homes be restored to residential use".*

The Committee on Finance and Administration has requested a further update concerning this issue and requests a 90 day extension of time within which to report back to Council.

Moved by Councillor Prystanski,
That the Clause be tabled until later in the meeting.

Carried.

(See Minute No. 1082 for disposition of this matter.)

**Civic Charities - Applications and Permits**
**File GL-5.2 (Vol. 13)**

**1000 -** 4. Council on March 22, 1995 adopted Clause 1 of the Report of the Committee on Finance and Administration, dated February 27, 1995, recommending appropriate legislative amendment to effect the dissolution of the Civic Charities Endorsement Bureau; and directed the City Clerk to establish criteria to administer applications for permits for charitable fundraising.

The Charities Endorsement Act provides that an authorization can be given to a person(s) or corporation, to solicit money for charitable purposes for a stipulated time period or until revoked by the authority. The Act requires that any organization using the services of a promotional agency must disclose the terms of any contract, as well as the remuneration paid, and the promotional agency must submit an audited financial statement upon completion of the promotion.

By-law 350/73 outlines certain conditions that must be met before a Certificate of Endorsement or Permit can be issued to an organization as follows:

1. Every charitable concern must have responsible and satisfactory local management and an administrative committee or board of managers

**Report of the Committee on Finance and Administration dated July 17, 1995**

2. Accounts may be required to be audited by competent accountants when required by the Civic Charities Endorsement Bureau

3. A Fund Raising report must be filed within 90 days of the collection event, showing the total receipt of monies collected and expenses incurred, including expenses for advertising, wages, rent, etc.

The City Clerk's Department has updated the Permit Application form which should be more user friendly to volunteers and will be required to be fully completed. The latest audited financial statement must be submitted by an organization that was issued a previous charitable fundraising permit prior to the approval of a further application. All applications will be reviewed by the Administrator, a Permit issued, and the application together with all required information, filed in the City Clerk's Department. The Administrator will issue a monthly statement to the Winnipeg Police Service, the License Branch, and Health and Zoning personnel, as well as members of the media, identifying all permits issued, which is the current practice. In addition, a Statement of Fund Raising Report will be compiled by the Administrator and submitted each year for the information of Council.

The Civic Charities Endorsement Bureau's 1994 Fund Raising Report indicates that there were 392 organizations that received permits in 1994--of those 79 generated net revenues of over $5,000.00 (20%). Many of the organizations that generated a profit over $5,000.00 are major charitable corporations which must submit their financial statements to Revenue Canada within 6 months of the organization's year-end, portions of which are available to the public on request. If a corporation does not meet these obligations, it may lose its registered charity status wherein it can issue official donation receipts for income tax purposes.

The Committee on Finance and Administration is recommending that should an Applicant be denied a charitable fundraising permit by the Administrator, that an appeal process be approved to the Committee on Finance and Administration for a final decision. Inasmuch as the required provincial amendments to the Civic Charities Endorsement Act and The City of Winnipeg Act will be made in the near future, the current membership of the Civic Charities Endorsement Bureau is recommended to be retained.

The Committee on Finance and Administration recommends:

I. That pursuant to the approval of the amendments to the Civic Charities Endorsement Act and The City of Winnipeg Act by the Provincial Government, as previously requested by Council on March 22, 1995, that By-law No. 350/73, a by-law to regulate and control the Civic Charities Endorsement Bureau, be renamed the Civic Charities Applications and Permits By-law and be further amended as follows:

   A. That Section 2 be deleted in its entirety, and the following be substituted therefore:-

      1. That the power to endorse applications be delegated to the appropriate administrator where:

         i) the solicitation is local in nature and confined to the City of Winnipeg, and

         ii) the application complies with The Charities Endorsement Act, and

         iii) all fund-raising reports required by The Charities Endorsement Act have been filed.

   B. That all references in the By-law to "the Civic Charities Endorsement Bureau" be deleted and references to the "Secretary of the Bureau" be changed to "the appropriate administrator".

   C. That Section 12 be deleted in its entirety.

   D. That the Standing Committee on Finance and Administrations be the appeal body for applicants denied permits.

II. That the applicants be required to verify approval of all matters pertaining to zoning, licensing and health regulations, at the time of application.

III. That the administrator issue a monthly statement identifying all permits issued, and submit such information to the appropriate administrative branches including; License, Zoning and Health.

**Report of the Committee on Finance and Administration dated July 17, 1995**

IV. That all of the current members of the Civic Charities Endorsement Bureau previously appointed by Council remain as members of the Bureau until the Civic Charities Applications and Permits By-law is amended as outlined above.

V. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

Adopted by consent.

**Charleswood Bridge Project & Birchwood Motors/Holiday Inn Airport West - Leave and License Agreement Pending a Street Closure - Part South Side Portage Avenue, East of Moray Street**
**File SB-19 (Vol. 3)**

**1001 -** 5. A portion of the south side of Portage Avenue, east of Moray Street, shown as 'Proposed Street Closing 203.8 m² (2194 sq.ft.)' on the Misc. Plan No. ASBA 9468/1 is surplus to the Charleswood Bridge project and the Streets and Transportation Department intends to utilize this portion of the street to be closed as partial settlement for the expropriation of part of the adjoining owner's lands required for the widening on the east side of Moray Street at Portage Avenue. The proposal is being circulated in the usual way, however, enactment of the requisite By-Law is not expected before the end of the 1995 summer construction season.

The existing parking lot situated on the expropriated adjoining owner’s lands has been redesigned with the City's assistance, and administrative approval of this proposed redesign, which utilizes the subject portion of Portage Avenue proposed to be closed, is currently being sought. It is an imperative that the works on the subject site be carried out concurrently with the roadworks presently underway on Portage Avenue at this location.

In view of the foregoing, a Leave and License Agreement is proposed for a term not expected to exceed six months, however, more particularly, to last only until the requisite street closing By-Law is enacted by Council. The rental under the Leave and License is proposed to be a $1.00 nominal consideration plus an amount equivalent to realty taxes, in view of the fact that this property will form part of the due compensation arising out of the expropriation of part of the adjoining owner's property. The adjoining owner will be required to provide public liability insurance of at least $1,000,000.00 naming the City as additional insured and containing a cross-liability clause.

The Committee on Finance and Administration recommends:

1. That a Leave and License be granted to 2108500 Manitoba Limited and 2108496 Manitoba Limited (Birchwood Motors and Holiday Inn Airport West) in accordance with the City's standard terms and conditions.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto.

A copy of Misc Plan No. ASBA 9468/1 is on file in the office of the City Clerk.

Adopted by consent.

**Loan Guarantee - Springers Gymnastics Club Inc File PR-2 (Vol. 79)**

**1002 -** 6. On April 12, 1995, the Assiniboia Community recommended, "that a loan guarantee be approved for the building at Marj Edey Park, not to exceed 50% of construction costs of approximately $400,000.00, subject to the approval of the Springers Gymnastics Club's construction and business plans".

**Report of the Committee on Finance and Administration dated July 17, 1995**

Section 313 of The City of Winnipeg Act states the following:

> "Subject to the approval of the Minister of Finance, the City, may on such terms and conditions as the Minister of Finance may approve, make loans and grants for, and guarantee indebtedness incurred for, any community undertaking not otherwise authorized under this Act, and the Minister of Finance may refer any application for approval under this section to The Municipal Board for its advice and recommendation."

As at December 31, 1994, the City of Winnipeg was the guarantor of ten different loans in the total amount of $2,869,000. The City has been concerned that there has been an increasing number of requests for loan guarantees over the past few years, as loan guarantees do, in fact, constitute meaningful commitments by the City. These commitments have to be recorded in the notes to the City's financial statements and are factors in determining the City's potential liabilities, with the possibility of ultimately negatively affecting the City's credit rating. As a result of its concern, the City adopted a "Policy and Criteria to be used as a Guideline in the Consideration of Requests for Loan Guarantees", on June 17, 1992.

The Springers Gymnastics Club is endeavouring to build a new building for recreational and competitive gymnastics at Marj Edey Park in Charleswood. This loan guarantee request is somewhat similar to the loan guarantee that City Council approved in 1994 for the East Side Eagles Football Club. The Springers Gymnastics Club will construct and operate the gymnastics facility, but it will be on City of Winnipeg land and owned by the City. A Management Agreement is currently being prepared by the City's Law Department that will document all of the details of these arrangements.

The Springers Gymnastics Club has submitted a comprehensive information package which includes a history of their organization, the rationale behind their proposal, a description of the project, financial statements, projected budgets and plans for the repayment of the loan. The information package has been reviewed by the Parks and Recreation Department and it has endorsed the project and believe that it meets the requirements of its Strategic Plan.

The information package has also been reviewed by the Corporate Finance Department and based on this review and discussions with representatives of the Springers Gymnastics Club and staff members from the Parks and Recreation Department, it would appear that the loan guarantee request meets the guidelines that Council established on June 17, 1992. The one area of concern is the registration revenue projections for the new facility. While the registration revenues for the past three years have averaged $60,000.00, their business plan anticipates registration revenue of $122,000.00 in Year 1, $139,000.00 in Year 2 and $157,000.00 in Year 3. Although these registration revenues appear to be somewhat optimistic, the Springers Gymnastics Club believes that they have been quite conservative.

The Club has considered the demographics of the west end of Winnipeg, the positive effect of the new Charleswood Bridge and registration revenue information from gymnastic clubs that have their own facilities, to develop their revenue projections. The Springers Gymnastics Club has also demonstrated strong registration revenue growth in the past as they went from $11,000.00 in 1988, to $22,000.00 in 1989 and then to $31,000.00 in 1990. Although it is impossible for anyone to know for sure that these registration revenue projections will be achieved, the staff of the Parks and Recreation and Corporate Finance Departments believe that they are reasonable.

The loan that the City is being asked to guarantee represents approximately 45% of the total project cost of $530,000.00. It should be noted that while the construction costs were initially estimated to be approximately $400,000.00, the total project cost (construction, utility hook-ups, paving, landscaping, lighting, spring floor and training pit) is now estimated to be $530,000.00. The balance of the funding will be provided as follows:

| | | |
|---|---|---|
| Federal Government - Section 25 Grant | (21%) | $113,480.00 |
| Provincial Government - Community Places Program Grant | (10%) | 50,000.00 |
| City of Winnipeg - Community Incentive Grant | (19%) | 100,000.00 |
| Springers Gymnastics Club - Building Fund | ( 5%) | 26,520.00 |
| | | 290,000.00 |
| Loan Guarantee | (45%) | $240,000.00 |
| Total Project | (100%) | $530,000.00 |

**Report of the Committee on Finance and Administration dated July 17, 1995**

The Springers Gymnastics Club plans to repay the loan over a period of not more than 15 years and intend on obtaining fixed rate financing for the first five year period.

The Committee on Finance and Administration therefore recommends:

I. That the request from the Springers Gymnastics Club that the City guarantee its proposed loan financing in the amount of $240,000.00, to allow the club to proceed with the construction of a new building at Marj Edey Park in Charleswood, be approved.

II. That the Proper Officers of the City be instructed to take all the necessary steps to give effect to the above recommendation, including obtaining approval from the Minister of Finance in accordance with Section 313 of The City of Winnipeg Act.

Adopted by consent.

**Proposed Sidewalk Cafe Adjoining 159 Osborne Street - Bistro Bohemia**
**File ED(32) (Vol. 1)**

**1003 -** 7. The City has received a request from Bohemia Investments Co. Ltd. (Mr. J. Vocadlo) wishing to establish a sidewalk cafe encroachment as shown on Misc. Plan No. CC 9433/1, within the Public Lane adjoining its establishment known as Bistro Bohemia.

On May 25, 1995 the Committee on Finance and Administration considered a Leave and License to Bohemia Investments Co. Ltd. to permit a sidewalk cafe in an adjoining public lane to the north of Bistro Bohemia, 159 Osborne Street. The matter was referred to the administration to address the concerns articulated by the adjoining property owner, Baked Expectations, 161 Osborne Street, for the provision of access, garbage pick-up and safety issues.

As part of the Osborne Streetscaping project, it was proposed that modifications be made to the public land adjacent to Bistro Bohemia whereby the access to Osborne Street would be eliminated and a portion of the lane would be closed to vehicular traffic to provide space for an outdoor cafe for the adjoining restaurant while retaining a pedestrian walkway.

During administrative review of the encroachment application and Leave and License, concern was expressed about these lane modifications taking place without a formal lane closing. A lane closing application was initiated under file DAC 14/95. A public hearing on DAC 14/95 was held by the City Centre Community Committee on July 4, 1995. Issues of safety for pedestrians and access to garbage bins at 161 Osborne and the adjacent apartment building were discussed. The recommendation of the City Centre Community Committee was that the lane closing be approved.

The issues of access to loading areas, garbage pick-up and vehicular circulation are being addressed in conjunction with the lane closing application. There is no doubt that loading and delivery for the restaurants and the adjacent apartment building will become more difficult, however, the City Centre Community Committee has considered these inconveniences as tolerable given the offsetting benefits to the aesthetic enhancement of Osborne Street.

**Report of the Committee on Finance and Administration dated July 17, 1995**

In regards to safety, it is important the patio enclosure is of a height to allow patrons of the patio to view the lane area. The terms and conditions of the Leave and License are briefly outlined as follows:

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|---|---|
| Location: | Public Lane, west side of Osborne Street adjoining 159 Osborne Street |
| Area: | 40 m² (430 ft²) shown shaded and identified as "Leave and License" on Misc. Plan No. CC 9433/1 |
| Term: | From May 15th or the date spring clean-up is completed, whichever is the later, to September 30th during each year |
| Hours: | 11:00 a.m. to 11:00 p.m. |
| Rental: | $580.00 payable in advance of each season, plus an initial administrative fee of $250.00. Rental is subject to annual review by the City but in no event will it be less than that paid in the previous year |
| Insurance: | Public Liability Insurance of at least $1,000,000.00 naming the City as additional insured and containing a cross-liability clause |
| Cancellation: | Upon 10 days notice by either party; immediate upon default |

In addition, the Applicant has advised it wishes to play background music at a low level within the cafe area. Council, has recently approved similar cafe agreements which included the provision for background music subject to the addition of the following terms:

1. Licensee agrees that the sound pressure level resulting from any activity or emanating from the premises shall not exceed 67 (db) (average conversation).

2. That should the Commissioner of Planning and Community Services determine in his sole discretion that the music is causing a disturbance to adjacent properties, the provision of music within the leased area will be discontinued on demand.

The Land and Development Services Department has negotiated among others the foregoing terms and conditions of leave and license in accordance with the direction of the Committee on Planning and Community Services which are outlined on Schedule "A", attached. The terms negotiated are consistent with agreements of a similar nature.

The Committee on Finance and Administration recommends:

I. That a Leave and License be granted to Bohemia Investments Co. Ltd. in accordance with the terms and conditions outlined in Schedule "A", and in a form satisfactory to the City Solicitor/Manager of Legal Services.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including the execution of any documents related thereto

A copy of Misc. Plan No. CC 9433/1 and Schedule "A" is on file in the office of the City Clerk.

Moved by Councillor Murray,
That the Clause be tabled until later in the meeting.

Carried.

(See Minute No. 1083 for disposition of this matter.)

**Report of the Committee on Finance and Administration dated July 17, 1995**

**Proposed Sale of City Property - S.W. Corner of Waverley Street and Taylor Avenue - Short Game Golf Training Centre Development**

**File FI-2.2(32) (Vol. 2)**

**1004 -** 8. The City has received a proposal from McGowan Design Group Inc. (Mr. Ross. McGowan) in conjunction with the Manitoba Cardiac Institute Inc. (Mr. Don. Fletcher, Kinsmen Reh-Fit Centre) wishing to develop a Short Game Golf Training Centre on City-owned property at the Southwest corner of Waverley Street and Taylor Avenue. The subject City property adjoins lands currently leased to the Kinsmen Reh-Fit Centre as indicated on Misc. Plan No. CC 6794/3.

The McGowan Group has provided the following information about its proposal:

> *"The Short Golf Training Centre, a first of its kind in North America is a seasonal operation running from May 1 - October 31 with the focus on promotion and training related to the short game component of the game golf...from 65 yards in to the hole. Being destination oriented, the siting of the Short Game Facility is less critical than for other commercial ventures and we are currently investigating several alternatives should the above noted site not be secured."*

The Streets and Transportation Department has advised that it has no objections to the development proposal provided that the portion of the subject property required for street purposes as indicated on the said miscellaneous plan be available to the City within one year of its intent to construct the Waverley Street/Taylor Avenue grade separation.

The subject property's present zoning of "MP-S" - Industrial District restricts development to an industrial recreational nature as witnessed by such facilities along Taylor Avenue as the Reh-Fit Centre, Sports Courts, and the Unicity Racquet Club. The Zoning Development Branch has confirmed that the proposal would conform with zoning requirements.

The Land and Development Services Department recommended that a proposed lease agreement be entered into between the City as Lessor, and the McGowan Group and the Reh-fit Centre as Lessee, under the proposed terms and conditions of a lease agreement as outlined on Schedule 'A'.

In addition, the Land and Development Services Department believed it was imperative that the following information and documentation be provided by the McGowan Group before any lease agreement could be finalized:

- Written conformation that McGowan Design Group Inc., or its nominee (to be approved by the City) agrees to enter into a formal lease agreement which shall incorporate those terms and conditions set out in Schedule 'A',

- In the event the lease agreement is to be entered into by the nominee the City shall require the full true and correct name of the nominee, and if a corporation, a certificate of status, and the names and addresses of all directors.

- A financial analysis/business plan which shall include projected income, expense, profit, funding, and other pertinent information for the proposed venture.

- Proposed terms and conditions of sub-lease as agreed between McGowan Design Group Inc. (or its nominee) and the Manitoba Cardiac Institute Inc. for access and parking over and upon adjoining City lands which are currently the subject of a lease between the City as Lessor and the Manitoba Cardiac Institute Inc. as Lessee.

The Committee on Finance and Administration does not concur in the recommendation of the Land and Development Services Department that the property be leased and recommends that the subject property be sold to McGowan Design Group Inc.

**Report of the Committee on Finance and Administration dated July 17, 1995**

The Committee on Finance and Administration therefore recommends:

I. That the subject City-owned property at the Southwest corner of Waverley Street and Taylor Avenue as outlined on Misc. Plan No. CC 6794/3 be declared surplus to the City's needs and be sold to McGowan Design Group Inc. or its nominee, for $50,000.00, in accordance with the following terms and conditions, namely:

A. Registration of a Caveat outlining the City's reversionary rights if part of the property is reacquired for transportation purposes specifically with the removal of improvements to be at the purchaser's expense

B. The McGowan Group entering into an Agreement with the Kinsmen Reh-Fit Centre and the City of Winnipeg respecting the use of the parking lot and the access which services the Reh-Fit property

C. Registration of a Caveat which would require the McGowan Group to renegotiate the purchase price should the McGowan Group propose an alternate use for the property

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing including the execution of any documents related thereto.

Copy of Misc. Plan No. CC 6794/3 and Schedule "A" are on file in the office of the City Clerk.

Adopted by consent.

## COMMITTEE ON FINANCE AND ADMINISTRATION

## CONSIDERATION OF BY-LAWS

**1005 -** On motion of Councillor Eadie, 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. 6672/95, a By-law of the City of Winnipeg to enter into an Agreement with Ronald Emerie Stock and Rita Pat Stock to redeem certain property from Tax Sale by instalments in accordance with Section 255 of The City of Winnipeg Act. File FL-2.4 (Vol. 11)

By-law No. 6673/95, a By-law of the City of Winnipeg to amend the Amusement Tax By-law No. 3107/81. File FL-6 (Vol. 12)