REPORT OF THE

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

DATED MAY 30, 2000

On motion of Councillor Vandal, Clause 9 of the Report of the Standing Policy Committee on Property and Development, dated May 30, 2000, was considered.

Moved by Councillor Vandal,
That the Consent Agenda, Clause 9, be adopted.

Carried.

Riverbank Stability Characterization Study of City-owned Riverbanks
File E-5.1 (Vol. 19)

190 - 9. On May 18, 2000, the Riverbank Management Committee received as information the Riverbank Stability Characterization Study for City-owned Riverbanks dated May 2000, and forwarded the Study to the Standing Policy Committee on Property and Development for consideration.

On May 18, 2000, the Riverbank Management Committee also passed the following resolution, namely:

WHEREAS the mandate of the Riverbank Management Committee includes the responsibility to promote river related capital projects and programs in both the five-year capital works program and annual budgets;

WHEREAS Council has established a five-year capital program namely, the Riverbank Stabilization of City-owned Riverbanks Capital Works Program;

AND WHEREAS the Riverbank Stability Characterization Study for City-owned Riverbanks prepared by the Waterways Section, Planning, Property and Development Department has been completed and identifies stability conditions of 108 kilometres of City-owned riverbank property including those areas requiring immediate attention in respect to the maintenance of this valuable natural asset;

THEREFORE BE IT RESOLVED

A. That funding currently allocated in the Riverbank Stabilization of City-owned Riverbanks Capital Works Program be directed towards the stabilization of the twelve (12) first phase priority riverbank sites as identified in the report;

B. That as the current funding allocation and five-year capital works plan forecasts severely restrict the implementation of effective stabilization works of these twelve (12) sites over a reasonable time period, that the Planning, Property and Development Department in its review of the preliminary 2001 Annual Capital Estimates and 2002-2006 Five-Year Capital Forecast incorporate funding in the order of $2,000,000.00 per annum within the Riverbank Stabilization of City-owned Riverbanks Capital Works Program to effect implementation of riverbank stabilization at these twelve (12) sites over the next six years;

C. That the Riverbank Stabilization of City-owned Riverbank Capital Works Program allocate an annual portion of 2% or $40,000.00 (minimum) of the adopted budget for the ongoing monitoring of riverbank stability conditions for purposes of detection of further changes in riverbank conditions as may impact upon existing prioritization;

D. That any adjustments to the priority stabilization ratings identified in the Waterways Report as a result of the monitoring program identified in Resolution C. be reported back to the Riverbank Management Committee for its review;

E. That the Administration continue to pursue partnerships with the other levels of Government and with community organizations in respect to opportunities for effective protection of the City’s riverbanks for the common benefit of all its citizens;

Report of the Standing Policy Committee on Property and Development dated May 30, 2000

F. That the Administration be directed to investigate an implementation strategy for creek bank stabilization in partnership with other interests such as the community stewardship groups and other property owners; said strategy to incorporate opportunities for the application of bioengineering stabilization techniques;

G. That securance of low level aerial photography be scheduled for 2001 with funding contributions from budgets within Civic Departments who have responsibilities for administering maintenance of riverbank property.

On May 30, 2000, the Standing Policy Committee on Property and Development concurred, in principle, in the foregoing resolution of the Riverbank Management Committee, and submitted the matter to Council for consideration. The Standing Policy Committee on Property and Development also recommended that the matter be referred to the Standing Committee on Fiscal Issues for financial and funding considerations.

On June 15, 2000, the Executive Policy Committee laid over the matter and referred the Clause to its Preliminary 2001 Annual Capital Estimates and the 2002-2006 Five Year Capital Forecast deliberations.

On February 21, 2001, the Executive Policy Committee during its consideration of the 2001 Annual Capital Estimates and the 2002-2006 Five-Year Capital Forecast, referred back Clause 9 of the Report of the Standing Policy Committee on Property and Development dated May 30, 2000.

Pursuant thereto, the Standing Policy Committee on Property and Development again considered this matter on March 6, 2001, and now recommends:

I. That the matter be referred to Executive Policy Committee with a request that the Administration prepare an intergovernmental strategy with the intent of stabilizing City-owned riverbanks, and identifying the most critical riverbank areas to be repaired.

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

On April 25, 2001, Council, in accordance with Section 61.5 of the Procedure By-law, granted an additional extension of time of 120 days to allow the Administration to review and develop an Intergovernmental Policy.

On September 26, 2001, Council, in accordance with Section 61.5 of the Procedure By-law, granted an additional 120 day extension of time be granted for further deliberation.

The Executive Policy Committee recommends that Clause 9 of the Report of the Standing Policy Committee on Property and Development dated May 30, 2000, be filed, inasmuch as the matter has been referred to the Secretary of Intergovernmental Affairs for consultation with the Province of Manitoba.

Adopted by consent.

REPORT OF THE

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

DATED JANUARY 8, 2002

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development, dated January 8, 2002, was considered clause by clause.

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

Carried.

Proposed Subdivision and Rezoning - land located at 65 Halparin Drive - Riel Community
File DASZ 22/2001 [c/r DAV 653/2001D]

191 - 1. The Standing Policy Committee on Property and Development has been advised that an application has been received from Ronald S. Ade, 65 Halparin Drive, Winnipeg, 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-5" Agricultural District to an "RR-2" Rural Residential District. The applicant proposes to subdivide his existing lot into four lots, at least three of which are effectively created by the extensions of Ramblewood Road and Halparin Drive. The most westerly lot has an existing dwelling on it at the current time.

On November 13, 2001, a public hearing was held before the Riel Community Committee. One person appeared in support of the application and no one was registered in opposition thereto.

The Riel Community Committee concurred in part, in the recommendations contained in the report dated November 6, 2001, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The application complies with Plan Winnipeg Policy as, under the Perimeter South Area Action Plan, the area in question, which lies between Highway 59 and St. Anne's Road, can be subdivided into two-acre lots.

On January 8, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Subdivision and Zoning Change Report dated November 26, 2001, from the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 22/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2001 dated November 6, 2001, for registration in the Winnipeg Land Titles Office, subject to the following:

A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 5, 2001.

II. That the Director of Planning, Property and Development 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 shown on Schedule "A" for File DASZ 22/2001 dated November 6, 2001, to an "RR-2" Rural Residential District.

IV. That the applicant be required to enter into a Subdivision Agreement with the City of Winnipeg containing the following condition:

A. That the City will require a widening in the future to the Sioux Road right-of-way of 10.058 metres (33 feet), and no new buildings or other permanent structures shall be permitted within the area of the future widening.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

V. That the cash in lieu of dedication payable under this application to the Riel Community Committee Land Dedication Fund, be directed to the St. Germain/Vermette Parks and Recreation Fund.

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

VII. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

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

IX. 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 provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

X. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

XI. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Schedule "A" referred to in Clause 1 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002

By-law No.

File No. **DASZ 22/2001**

Atlas Sheet No.

N

AL31
RIEL
COMMUNITY

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a propsed zoning change to By-law No. 6400/94 by rezoning the land located on the east side of Prairie Grove Road north of Ramblewood Road North from an "A-5" AGRICULTURAL DISTRICT to an "RR-2" RURAL RESIDENTIAL DISTRICT as shown outlined below.



Schedule "A" for
File DASZ 22/01
Riel Community Committee
November 6, 2001

THIRD READING :

EFFECTIVE DATE :

ZONING AGREEMENT : YES ☐ NO ☐

CAVEAT No.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Subdivision and Rezoning - land located on Gablehurst Crescent, Julia Road, Ashworth Street, Abbotsfield Drive, Aldgate Road
File DASZ 26/2001 [c/r DAV 751/2001D]

192 - 2. The Standing Policy Committee on Property and Development has been advised that an application has been received from Qualico Developments (Winnipeg) Inc. 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-5" Agricultural District to an "R1-3.5" Residential District, an "R1-4" Residential District and an "RM-2" Residential Multiple-Family District.

The applicant proposes to rezone and subdivide the subject lands for future residential development. The subject 15.3 acres is one of the last infill areas between Dakota Street and St. Anne's Road. The proposed zonings are consistent and in character with similar adjacent subdivisions previously approved in the area.

On November 13, 2001, a public hearing was held before the Riel Community Committee. Six people appeared in support of the application and no one registered in opposition thereto.

The Riel Community Committee concurred in the recommendations contained in the report dated November 6, 2001, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reasons:

1. The application fully complies with Plan Winnipeg Policy as the area is a designated neighbourhood policy area under Plan Winnipeg.

2. It is the view of the Planning, Property and Development Department that the proposed housing development is consistent and in character with the previously approved applications for rezoning in adjacent areas to the north and south.

On January 8, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Subdivision and Zoning Change Report dated November 13, 2001, from the Riel Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That the plan of subdivision proposed under File DASZ 26/2001 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 26/2001 dated November 6, 2001, for registration in the Winnipeg Land Titles Office, subject to the following:

   A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in the report of the Administrative Coordinating Group dated November 2, 2001.

II. That the minimum setback of sixteen (16) metres be established for all residential development abutting St. Anne's Road.

III. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith.

IV. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 26/2001 dated November 6, 2001, to "R1-3.5" and "R1-4" Residential Districts and an "RM-2" Residential Multiple-Family District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject site to include the following conditions:

   A. That final site plans for the proposed "RM-2" Multiple-Family site at the northwest corner of St. Anne's and Aldgate Roads showing building locations building profiles, approaches, parking areas, landscaping, fencing, exterior lighting and garbage receptacle locations shall be submitted and approved by the Riel Community Committee prior to the issuance of any building permits.

V. That the ten (10) percent dedication customarily made by a sum of money to the City in lieu of the requirement for land dedication is not applicable in this instance as it was covered under File DASZ 31/84.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

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

VII. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above.

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

IX. 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 when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office against those lands provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

X. The Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law.

XI. In the event that the necessary City of Winnipeg mylar approval signatures have not been secured within 24 months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Schedule "A" referred to in Clause 2 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002

By-Law No. _____

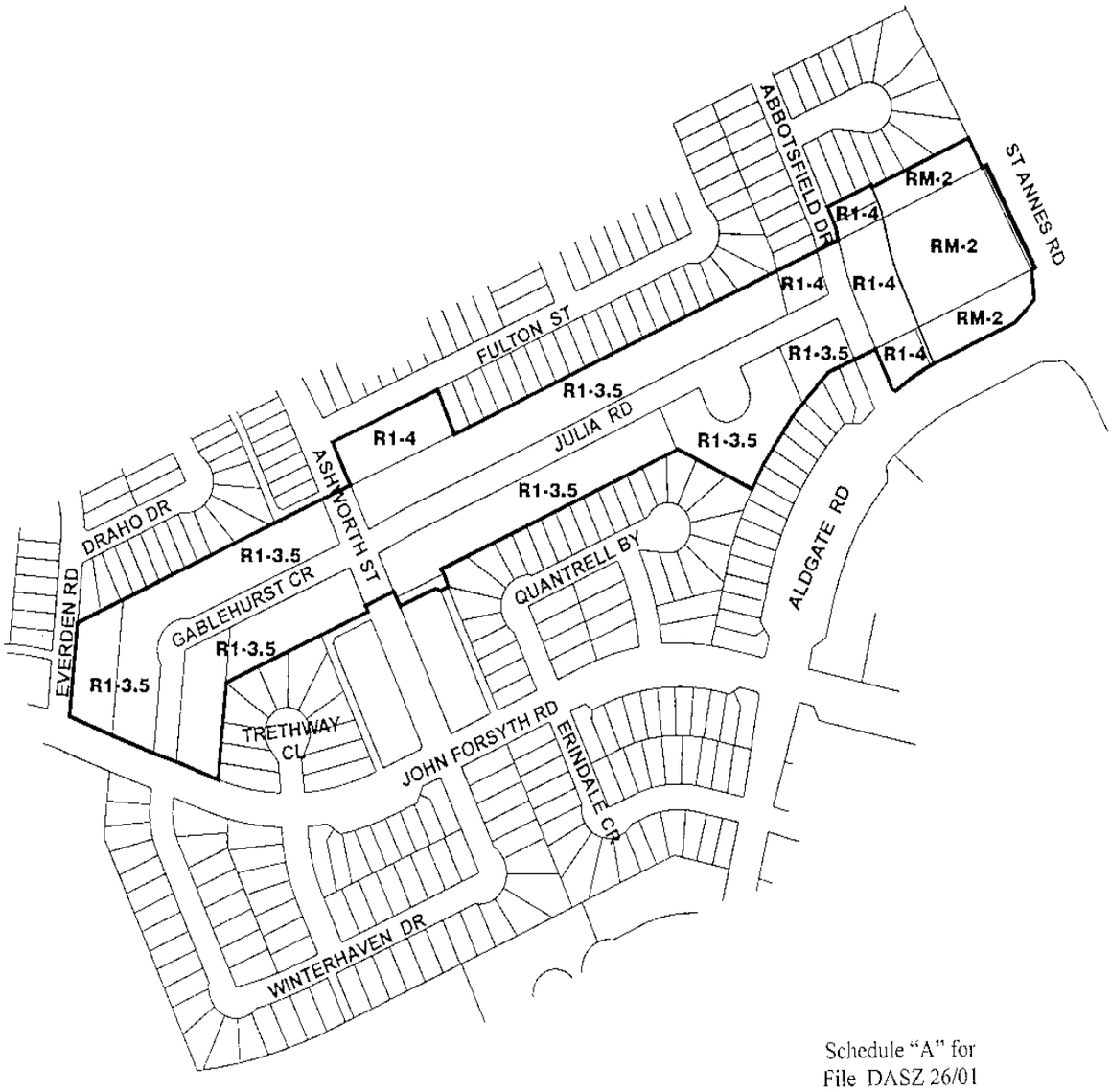
File No. DASZ 26/2001

Explanation

An application for the approval of the plan of subdivision shown outlined below and for a proposed zoning change to By-law No. 6400/94 by rezoning the land north of John Forsyth Road between St. Anne's Road and Everden Road from an "A.5" AGRICULTURAL DISTRICT to an "R1-3" SINGLE-FAMILY DISTRICT, AN "R1-4" SINGLE-FAMILY DISTRICT and an "RM-2" MULTIPLE-FAMILY DISTRICT as shown outlined below.

Atlas Sheet No. AJ29 RIEL COMMUNITY

N



Schedule "A" for
File DASZ 26/01
Riel Community Committee
November 6, 2001

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Rezoning - land located at 348 Young Street - City Centre Community File DAZ 220/2001 [c/r DAV 814/2001D]

193 - 3. The Standing Policy Committee on Property and Development has been advised that an application has been received from Bryan Pragides, 158 Barnham Crescent, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the subject lands from a "R2-T" Transitional District to a "C2" Commercial District to allow for the establishment of a non-accessory parking area.

The property consists of two 30-foot lots under one title. The southerly lot (Lot 3, Plan 310) is used for parking. The northerly lot (Lot 4, Plan 310) contains a 1.5 storey house that is fire damaged and in the process of being demolished. The proposal is to convert the entire holding into commercial parking.

Public Hearings were held on November 6 and December 4, 2001, before the City Centre Community Committee. Three persons appeared in support of the application and no one was registered in opposition thereto.

The City Centre Community Committee concurred in part, in the recommendations contained in the report dated November 27, 2001, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended that the proposed rezoning be approved for the following reasons, namely:

1. The application complies with Plan Winnipeg insofar as commercial rezoning is permitted within Neighbourhood Policy Areas.

2. This block of Young Street between Portage and Ellice Avenues has lost much of its residential character over the years with the establishment of the CBC complex and the demolition of houses for the establishment of parking lots.

3. The Planning, Property and Development Department is prepared to support this application given the current lot is already used for parking, and, as the house was destroyed by fire, maintenance and expansion of the parking lot would not be detrimental to the area or adjacent properties.

4. The University of Winnipeg creates a high parking demand, which, short of constructing a parkade, must be satisfied through surface lots and on-street parking, and as the subject site has been used for parking for some time, continuation will not be harmful to the neighbourhood.

5. The subject block of Young Street has evolved into the role of providing parking for students, area employees and businesses and, in many respects, residential development is not compatible with the existing character of the street and the activity generated by the University and the CBC.

6. It will be more productive to acknowledge the current status of Young Street and concentrate revitalization efforts on parts of the neighbourhood where the residential character has not been eroded to such a great extent.

7. The approval of a temporary rezoning will provide an opportunity to review the situation in ten (10) years to determine whether or not continuation of the parking lot use is still compatible with the surrounding area**.**

On January 8, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Zoning Change Report dated December 13, 2001, from the City Centre Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land as outlined on Schedule "A" for File DAZ 220/2001 dated October 31, 2001, to a "C2" Commercial District, subject to the following:

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

1. That the use of the land be limited to the following:
   a. accessory and non-accessory parking lot
   b. office
   c. dwelling units
   d. medical/dental or similar office

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

e. trade school, business college
f. university, college, technical school

2. That, prior to the issuance of a development permit, plans showing the lot layout, fencing, landscaping, surfacing, drainage, access, signage, parking, garbage enclosures, building elevations, exterior materials, and site lighting be submitted for the approval by the City Centre Community Committee.

3. That the zoning on the subject property shall revert to "R2-T" Two- Family Transitional Residential District, ten (10) years from the date of enactment of the zoning by-law.

II. That a ten (10) percent 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 the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (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/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall come into effect 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 twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

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

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Schedule "A" referred to in Clause 3 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002

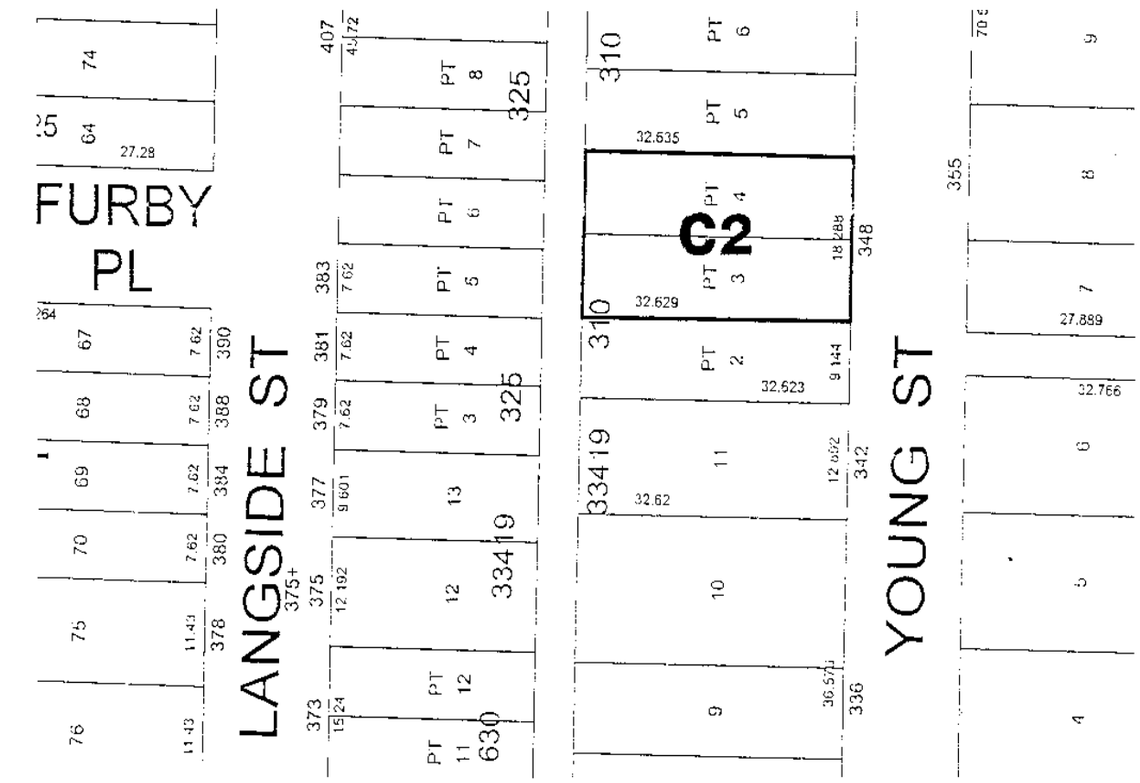
By-Law No. _____

File No. **DAZ 220/2001**

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located at 348 Young Street from a "R2-T" TRANSITIONAL DISTRICT to a "C2" COMMERCIAL DISTRICT as shown outlined below.

Atlas Sheet No. AA23 CITY CENTRE COMMUNITY



Schedule "A" for
File DAZ 220/01
City Centre
Community Committee
October 31, 2001

THIRD READING : _____ EFFECTIVE DATE : _____

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. _____

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Rezoning - land located at 447 Ferry Road - southeast corner Ferry Road and Silver Avenue
File DAZ 224/2001 (c/r DAV 829/2001D)

194 - 4. The Standing Policy Committee on Property and Development has been advised that an application has been received from Susan Haywood, 447 Ferry Road, Winnipeg, to amend Zoning By-law No. 6400/94 by rezoning the land from a "R1-5A" Residential District to a "C1" Commercial District to maintain an existing beauty salon and a single-family dwelling.

The property is an older storefront consisting of a one storey, 567 square foot commercial component and an attached, one-and-a-half storey house with a main floor area of 686 square feet. Also on the property is a double garage with a floor area of 576 square feet and surface parking for four cars off the back lane. The commercial component originally contained a grocery store and has housed several businesses over the years including an electronic repair shop, a sporting goods store, a window and door dealer, and a caterer. The present use as a three-chair hair salon was approved under Variance Order DAV 171/94C for a period of two (2) years. The property has to be rezoned in order for the commercial use to continue.

On November 20, 2001, a public hearing was held before the Assiniboia Community Committee. One person appeared in support of the application and no one registered in opposition thereto.

The Assiniboia Community Committee concurred in the recommendations contained in the report dated November 13, 2001, from the Manager of Planning and Land Use, Planning, Property and development Department. The Community Committee recommended approval of the proposed rezoning for the following reasons:

1. The building has a history of commercial use.
2. The subject application will not be detrimental to the adjacent area.

On January 8, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Zoning Change Report dated November 25, 2001, from the Assiniboia Community Committee.

I. That Zoning By-law No. 6400/94 be amended by rezoning the subject land outlined on Schedule "A" for File DAZ 224/2001 dated November 13, 2001, to a "C1"Commercial District, subject to the following:

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

1. That the use of the property be restricted to the following uses including accessory and secondary uses:
   a. art/antique sales, service
   b. barber shop, beauty salon
   c. bed and breakfast
   d. book sales
   e. clothing alteration, repair, sales
   f. dressmaker, furrier, tailor
   g. dwelling units
   h. florist
   i. gift store
   j. jeweler, watchmaker
   k. office, excepting insurance or real estate
   l. personal service

2. That prior to the issuance of a development permit or occupancy permit, plans showing the site layout, parking, fencing, landscaping, signage, external lighting, and exterior building elevations and materials be submitted for the approval of the Assiniboia Community Committee.

3. That no free-standing or pylon signs, poster boards, mobile or temporary signs be permitted on the property and that facia or awning signage be limited to a maximum of twelve (12) square feet with the location restricted to the north wall of the building.

4. That the hours of public operation be limited to between the hours of 9:00 a.m. and 9:00 p.m. Monday through Friday, 9:00 a.m. to 6:00 p.m. on Saturday, with Sunday closings.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

5. That should the existing buildings be destroyed or demolished, any new commercial building on the site be limited to a height of one (1) storey and provide a minimum front yard of twenty (20) feet (against Ferry Road), a minimum rear yard of twenty-five (25) feet, a minimum interior side yard of ten (10) feet, and a maximum main floor area of 2,480 square feet.

II. That a ten (10) percent 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 twenty-four (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/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

V. That the rezoning by-law shall come into effect 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 twenty-four (24) months from the date that the said rezoning by-law is adopted by Council.

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

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

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Schedule "A" referred to in Clause 4 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002

By-Law No. ....

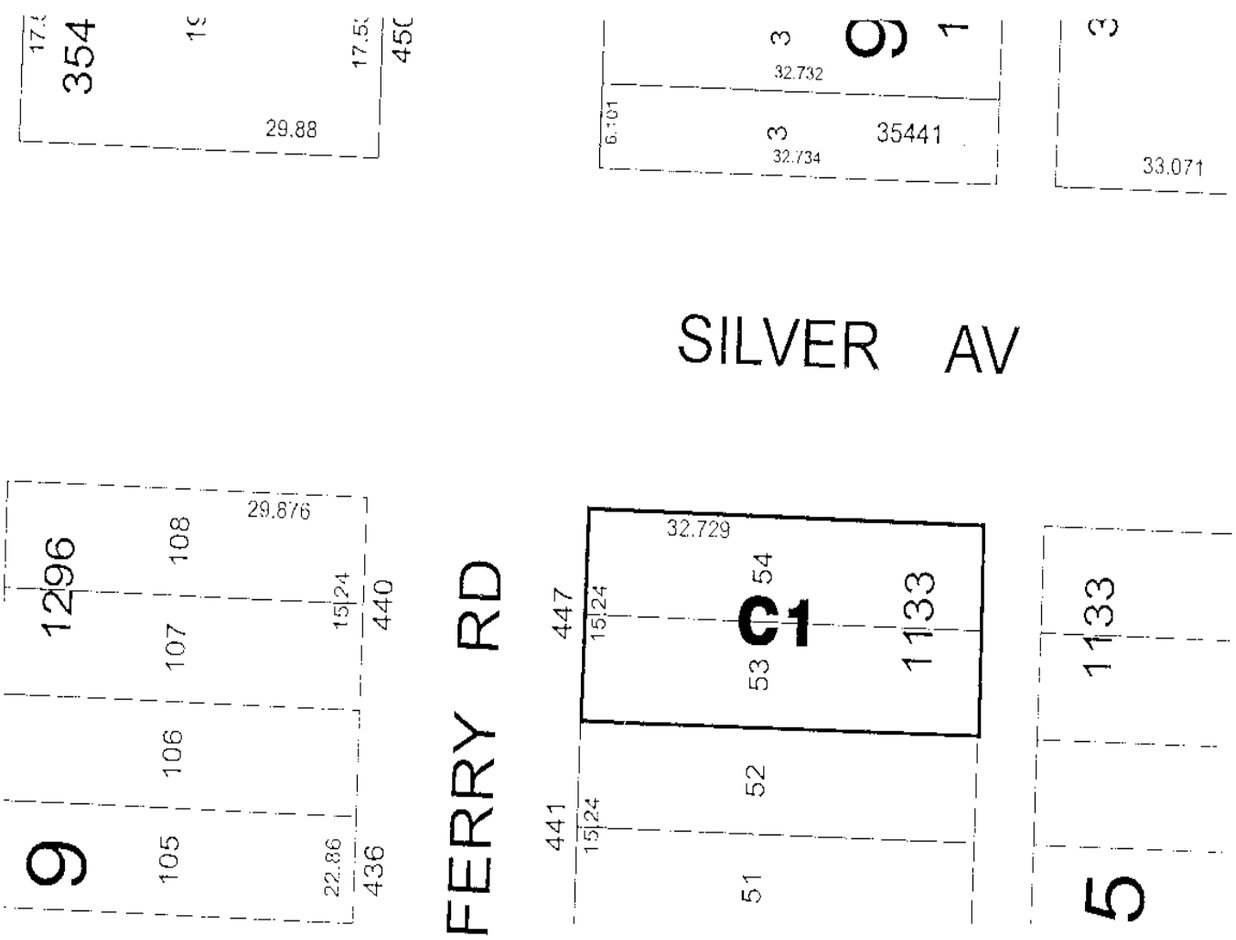
File No. DAZ 224/2001

Explanation

A proposed zoning change to By-law No. 6400/94 by rezoning the land located on the southeast corner of Ferry Road and Silver Avenue from an "R1-5A" SINGLE-FAMILY DISTRICT to a "C1" COMMERCIAL DISTRICT as shown outlined below.

Atlas Sheet No. AA19 ASSINIBOIA COMMUNITY

N



Schedule "A" for
File DAZ 224/01
Assiniboia Community Committee
November 13, 2001

THIRD READING : .... EFFECTIVE DATE : ....

ZONING AGREEMENT : YES ☐ NO ☐ CAVEAT No. ....

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Zoning Agreement Amendment - 3584 and 3586 Portage Avenue
File ZAA 16/2001[c/r DCU 240/2001D, DAV 904/2001D, and DASSF 551/2001]

195 - 5. The Standing Policy Committee on Property and Development Department has been advised that an application has been received from the Army, Navy and Air Force Veterans of Canada, Assiniboia Unit 283 (Fred Stevens), to amend the Zoning Agreement affecting the property at 3584 and 3586 Portage Avenue by amending Clause 4, to permit parking or loading spaces within 200 feet of the southerly limit of Portage Avenue.

The property is owned by the Army, Navy and Air force Veterans in Canada. The Association owns the veterans' hall at 3584 Portage Avenue on Lot 2, Plan 27064. The Association also owns the adjacent lot to the west (Lot 2, Plan 29887). This lot contains a building at 3586 Portage Avenue, originally a restaurant and currently leased to CKVN radio station, and a large vacant area to the west of the radio station with the address 3590 Portage Avenue. The applicant is proposing to subdivide the property into two lots under File DASSF 551/2001. Proposed Lot 1 will be sold off for development purposes. Purchased from Imperial Oil, the property was previously approved for multiple-family housing under File DASZ 10/99 with no opposition. The development was not proceeded with and the site retains its "R1-5.5" Residential District and "C4" Commercial District zoning. Proposed Lot 2, containing the radio station will be retained for the time being. The entire site is bounded on the west by an Esso Gas Bar and Cam Clark Ford, on the north by a vacant restaurant and Boyd Auto Body head office, on the east by the vacant Canadian Tire Store and on the south by single-family housing.

The easterly portion of the site was originally rezoned from residential to "C2" Commercial District under File DAZ 228/79 to permit the construction of a roller rink, now the veterans' hall. The present application is required as the Zoning Agreement under File DAZ 228/79 prohibited parking within 200 feet of Portage Avenue. There is no information in the file pointing to the rationale for the condition.

The driveway is to be reconfigured to provide parking along the east side. A sidewalk will be provided down the west side of the driveway and landscaping is proposed for both east and west property limits. The driveway is located on Proposed Lot 2 containing the radio station. The parking is located on the lot containing the veteran's hall. Proposed Lot 1 has no frontage on a public street. Cross-access agreements will ensure that all lots have access to Portage Avenue.

The Assiniboia Community Committee concurred in the recommendations contained in the report dated November 7, 2001, from the Manager of Planning and Land Use, Planning, Property and Development Department. The Community Committee recommended approval of the proposed subdivision and rezoning for the following reason:

1. The subject application will not be detrimental to the adjacent area.

On January 8, 2002, the Standing Policy Committee on Property and Development concurred in the recommendations of the Zoning Agreement Amendment Report dated November 25, 2001, from the Assiniboia Community Committee.

The Standing Policy Committee on Property and Development recommends:

I. That Zoning Agreement DAZ 228/79 (By-law No. 2330/79) dated May 2, 1979, be amended by deleting Clause 4 and replacing it with the following:

"4. No building entrance except emergency exits shall be permitted in the southerly wall of any structure abutting the fifty (50) foot landscaping strip referred to in Clauses 2 and 3 above."

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 228/79 (By-law No. 2330/79) dated May 2, 1979, as approved in aforesaid Recommendation I.

III. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.

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

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Street Name Change - Sparling Avenue to Harrow Street
File SC-3.14(32) (Vol. 2)

196 - 6. The Standing Policy Committee on Property and Development has been advised that the street name (Sparling Avenue) at this intersection is incongruous with the adjoining street name (Harrow Street), and the Planning, Property and Development Department recommends that the balance of Sparling Avenue east of Harrow Street as outlined on Misc. Plan 11321 be changed to Harrow Street.

As background history, in 1913, By-law No. 8135 widened the east side of Harrow Street north of Sparling Avenue by 17 feet (5.182 metres). In 1961, a portion of Sparling Avenue east of Harrow Street was declared surplus, closed by By-law 18640 and sold. In order to be consistent with the width of Harrow Street to the north, the street closing left a 5.182 metre wide strip of Sparling Avenue open.

On December 4, 2001, the City Centre Community Committee concurred in the recommendation contained in the report dated November 8, 2001, from the Subdivision Officer, Planning, Property and Development Department, and recommended that the currently street name “Sparling Avenue” be renamed to “Harrow Street” as outlined on Misc. Plan No. 11321.

The Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and recommends:

I. That the currently registered street name “Sparling Avenue” as outlined on Misc. Plan No. 11321 dated November 8, 2001 be changed to “Harrow Street” and that Council authorize the following:

A. That the Director of Planning, Property and Development be requested to provide the necessary legal description to the City Solicitor/Manager of Legal Services for the purpose of preparing a by-law.

B. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that street name change become effective upon third reading.

C. That the City Solicitor/Manager of Legal Services, 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.

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

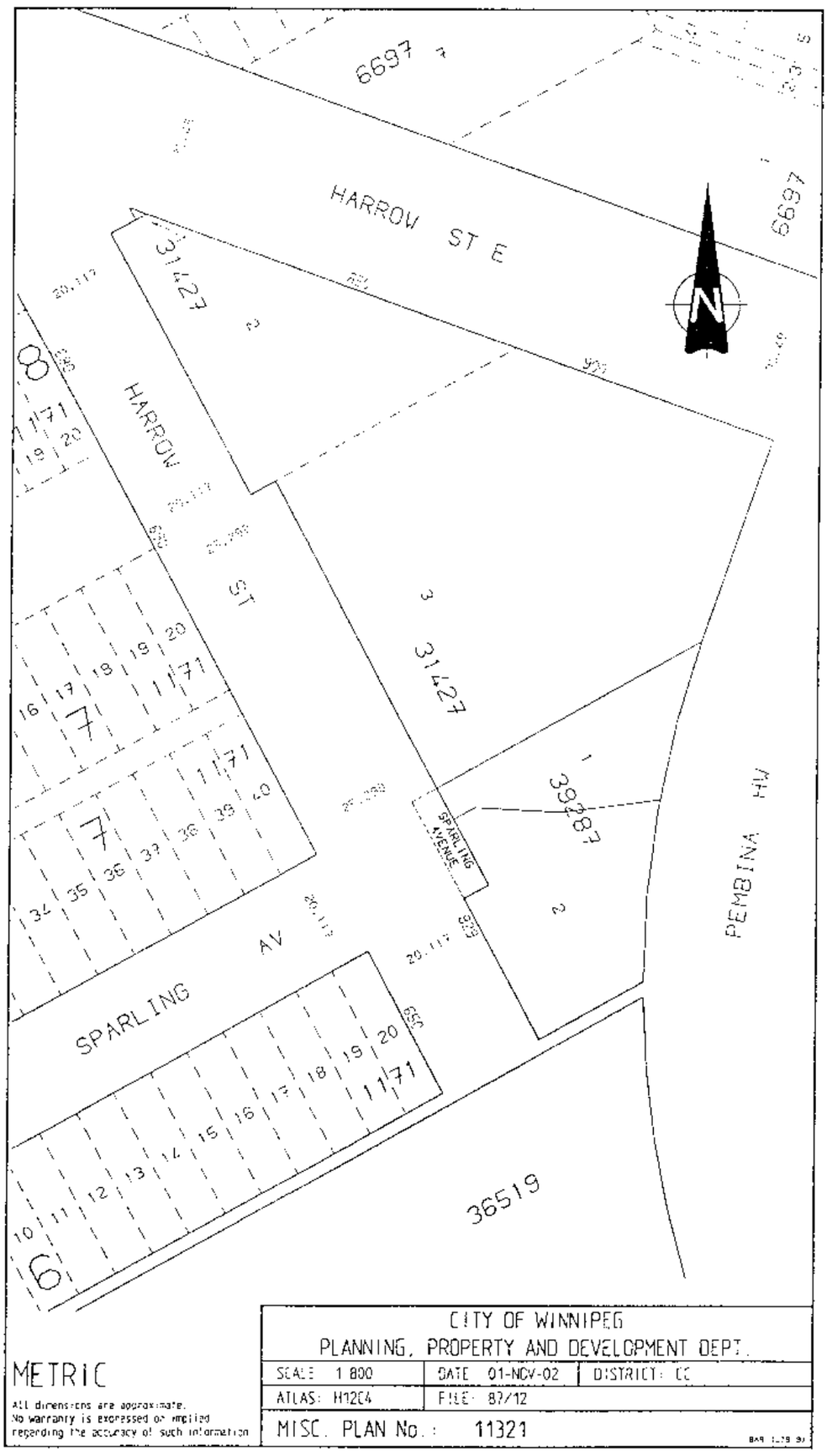
II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Appendix "A" referred to in Clause 6 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002



Schedule "A" to Street Name Report
dated November 8, 2001 (Sparling/Harrow)

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Street Name Change - Monaco Bay East and West to Monaco Bay File SC-3.14(35) (Vol. 2)

197 - 7. The Standing Policy Committee on Property and Development has been advised that a subdivision created in 1960 by Plan No. 7422 named the subject street Monaco Bay East and Monaco Bay West. It appears that the designations “East and West” have never been applied to the street. The street signs at both ends of the street refer to Monaco Bay and random searches of the Assessment Rolls and the telephone directory also refer to Monaco Bay. Therefore it is now necessary to rename “Monaco Bay East and West” to “Monaco Bay” to reflect it's existing use.

On December 11, 2001, the Riel Community Committee concurred in the recommendation contained in the report dated November 13, 2001, from the Subdivision Officer, Planning, Property and Development Department, and recommended that the currently registered street name “Monaco Bay East and West” be changed to “Monaco Bay” as outlined on Misc. Plan No. 11344.

The Standing Policy Committee on Property and Development concurred in the recommendation of the Assiniboia Community Committee and recommends:

I. That the currently registered street name “Monaco Bay East and West” as outlined on Misc. Plan No. 11344 dated November 13, 2001 be changed to “Monaco Bay” and that in doing so, Council authorize the following:

A. That the Director of Planning, Property and Development be requested to provide the necessary legal description to the City Solicitor/Manager of Legal Services for the purpose of preparing a by-law.

B. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that street name change become effective upon third reading.

C. That the City Solicitor/Manager of Legal Services 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.

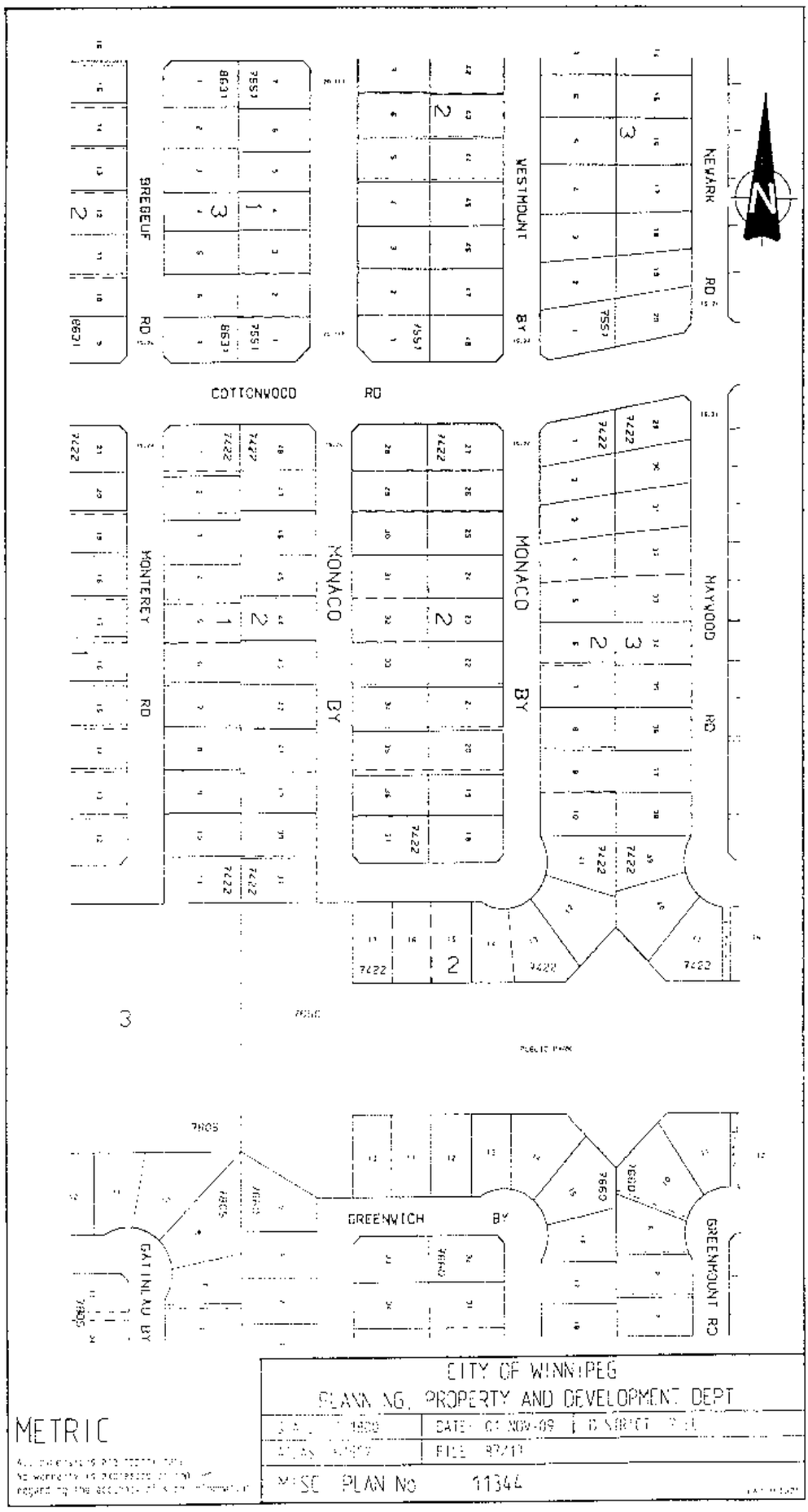
D. That the City Clerk be requested, upon passage of the by-law, to provide the relevant Community Clerk with a copy of the by-law and this report for the purpose of changing all pertinent records and notifying all persons affected by the by-law.

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

Adopted by consent.

Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Appendix "A" referred to in Clause 7 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002



Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Proposed Street Name Change - Ashworth Street to Ashworth Street South File SC-3.14(35) (Vol. 2)

198 - 8. The Standing Policy Committee on Property and Development has been advised that it has recently been brought to the attention of the Planning, Property and Development Department that the east side of Ashworth Street in the blocks north and south of Southglen Boulevard that the street is defined as Ashworth Street South.

The Assessment Rolls confirm that the 20 residences fronting on this portion of the street are addressed as such. There are no residences fronting on Ashworth until the block on the west side of the street, south of Coombs Drive. The street in this area is known as Ashworth Street. The Assessment Rolls confirm that the 16 residences fronting on this portion of the street are addressed as such. There are no other addresses on Ashworth at this time, however, when the blocks under File DASZ 26/2001, immediately north of John Forsyth Road are further subdivided, they will receive Ashworth addresses. A visual inspection of the street signs has indicated that all segments of Ashworth Street are signed with the designation "South" and it is believed that residents are also using the "South" designation.

On December 11, 2001, the Riel Community Committee concurred in the recommendation contained in the report dated November 13, 2001, from the Subdivision Officer, Planning, Property and Development Department, and recommended that the currently registered street name “Ashworth Street” be changed to “Ashworth Street South”.

The Standing Policy Committee on Property and Development concurred in the recommendation of the Riel Community Committee and recommends:

I. That the currently registered street name “Ashworth Street”, as outlined on Misc. Plan No. 11322 dated November 5, 2001, be changed to “Ashworth Street South” and that in doing so, Council authorize the following:

A. That the Director of Planning, Property and Development be requested to provide the necessary legal description to the City Solicitor/Manager of Legal Services for the purpose of preparing a by-law.

B. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law for approval by Council for registration in the Winnipeg Land Titles Office and that street name change become effective upon third reading.

C. That the City Solicitor/Manager of Legal Services, 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.

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

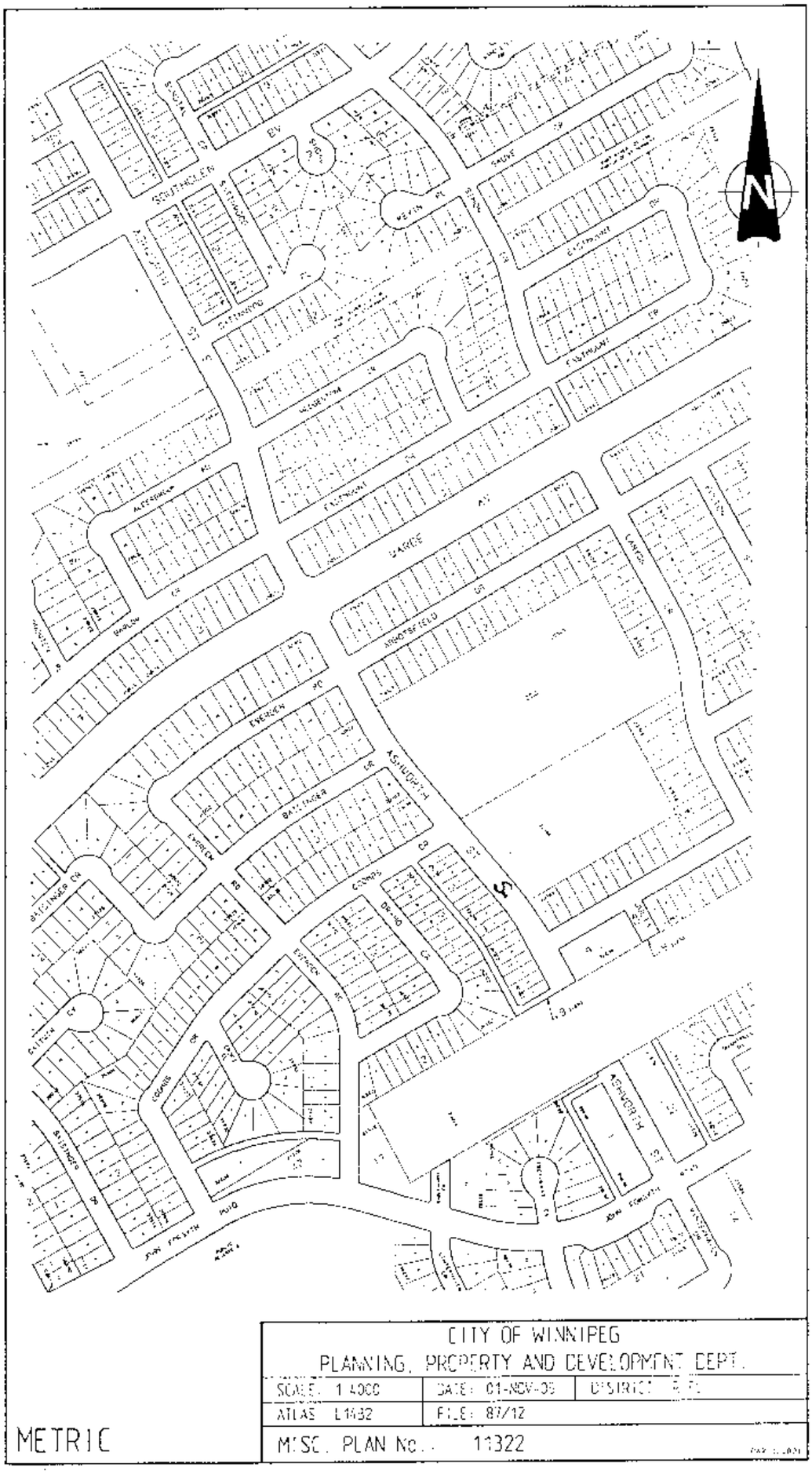
II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the execution of any documents related thereto.

Copies of the documents referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

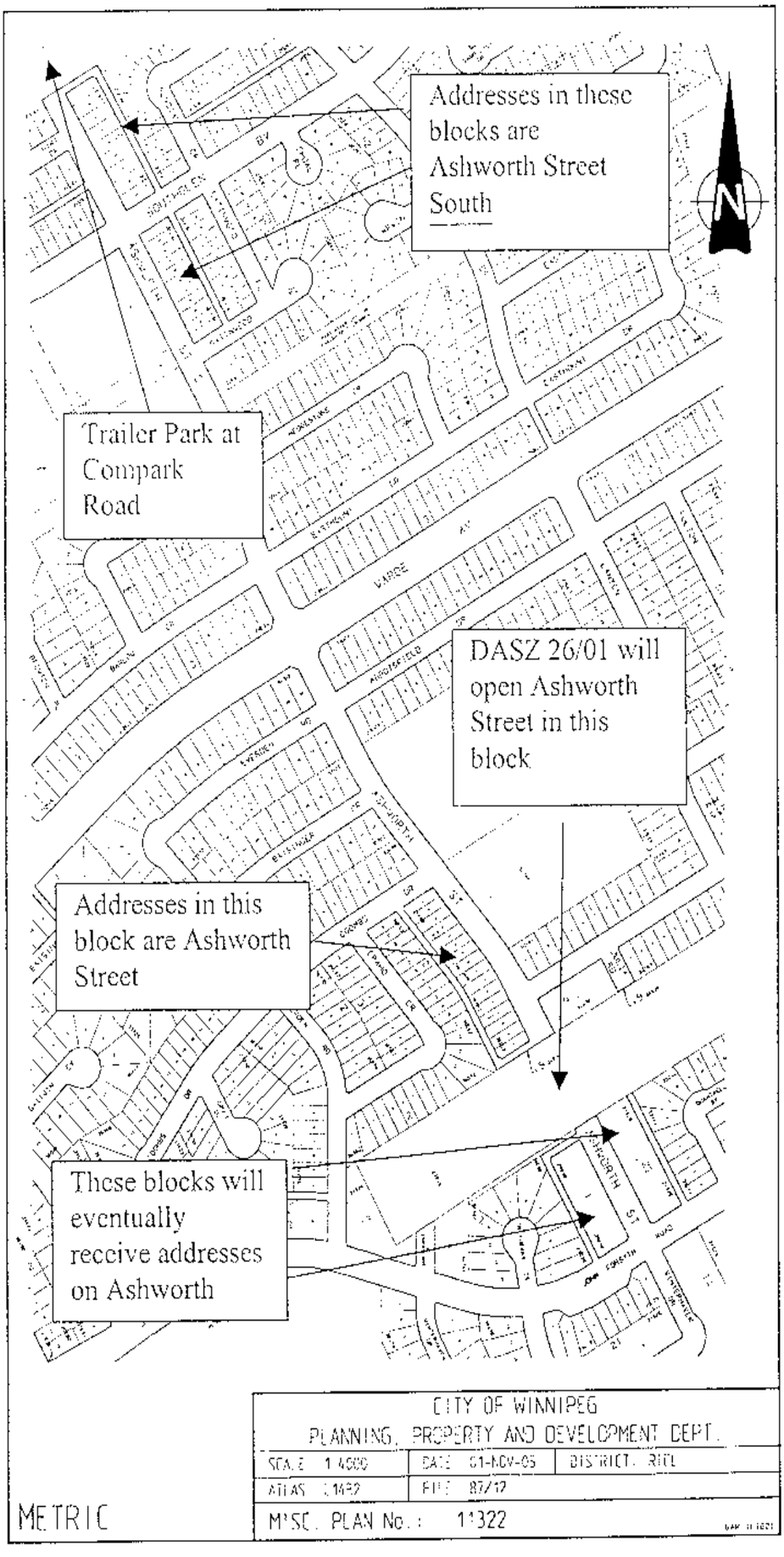
Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Appendix "A" referred to in Clause 8 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002



Report of the Standing Policy Committee on Property and Development dated January 8, 2002

Appendix "B" referred to in Clause 8 of the Report of the Standing Policy Committee on Property and Development dated January 8, 2002



REPORT OF THE

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

DATED JANUARY 10, 2002

On motion of Councillor Vandal, the Report of the Standing Policy Committee on Property and Development, dated January 10, 2002, was considered.

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

Carried.

Proposed Acquisition of 72 Inkster Boulevard for the expansion of the Luxton Community Centre
File FI-2(32) (Vol. 6)

199 - 1. The Standing Policy Committee on Property and Development has been advised that the subject property at 72 Inkster Boulevard is one of three remaining properties required for the Phase I expansion of the Luxton Community Club. The Planning, Property and Development Department has negotiated the purchase of the subject property and is recommending the price and associated terms of sale for its acquisition.

On April 6, 2000, the Standing Policy Committee on Property and Development considered the recommendation from the Lord Selkirk-West Kildonan Community Committee and subsequently instructed the Director of Planning, Property and Development to negotiate offers to purchase the remaining required properties on Inkster Boulevard, to enable the expansion of the Luxton Community Centre field, subject to the identification of funding.

The proposed expansion of the Luxton Community Centre Phase I, Phase II and the future lane closure is outlined on Misc. Plan No. 11100. The plan also indicates the existing City-owned property in this area, as well as the subject property.

On September 9, 1992, the former Committee on Finance and Administration considered the recommendation from the former Committee on Protection, Parks and Culture advising that it had approved as to need the acquisition of lands for expansion of the Luxton Community Centre and recommended that Phase I and Phase II as outlined on the Misc. Plan 11100 be considered by the former Committee on Finance and Administration. The former Committee on Finance and Administration recommended approval of this design for the expansion of the Luxton Community Centre.

Subsequently, the Planning, Property and Development Department negotiated, and Council approved, the acquisition of three properties along Inkster Boulevard for Phase I.

The Planning and Land Use Division of the Planning, Property and Development Department advised “the Luxton neighbourhood is in a serious deficit situation in regards to open space and is one of the most deficient neighbourhoods in the City in regards to open space”.

The subject property was first offered to the City for $75,000.00 in January 2001. In December 2001, the owner was prepared to sell the subject property to the City for $57,500.00 and in accordance with the terms and conditions as negotiated. The particulars of the subject property are as follows:

Location:	72 Inkster Boulevard
Legal Description:	Lot 34, Block D, Plan 728
Certificate of Title:	1484437
Registered Owner:	Beverly J. Traverse
Realty Roll No.:	14-070144000
Assessment:	$53,700.00 (1999)
Zoning:	“R-2” Residential District
Description:	A two-storey single-family dwelling with a full basement and in fair condition.

Report of the Standing Policy Committee on Property and Development dated January 10, 2002

The subject property is one of three remaining properties required along Inkster Boulevard for the expansion of the Luxton Community Centre. Until the last property is acquired and development of the expansion is scheduled, the subject property may be placed in a rental program.

The proposed purchase price of $57,500.00 includes $550.00 that is required to discharge the owner's mortgage. Although the proposed purchase price is at the high range of the City's appraised market value, it is supported by external and in-house appraisals. The Real Estate Division of the Planning, Property and Development Department considers the proposed purchase price to be fair and reasonable.

Funding for this acquisition has been allocated from the Land Acquisition for General Unspecified Purposes Account.

The Standing Policy Committee on Property and Development recommends:

I. That the proposed acquisition of 72 Inkster Boulevard, identified as subject property on Misc. Plan No. 11100, be approved at a purchase price of $57,500.00, and in accordance with the terms and conditions as negotiated.

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

Adopted by consent.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

MOTIONS

Moved by Councillor Vandal,
Seconded by Councillor Eadie,
200 - WHEREAS:

(a) Pursuant to its By-law No. 7900/2001, The City of Winnipeg authorized the expropriation of the lands and interests described therein and executed a Declaration of Expropriation dated the 15th day of November, 2001; and

(b) Notice of the intended expropriation was served by The City of Winnipeg upon the owner of the lands and interests intended to be expropriated, and was published in a newspaper having general circulation in the locality in which the expropriated lands and interests are situate, pursuant to section 1 of Schedule "A" to The Expropriation Act; and

(c) The confirming authority has not been served with any notices of objection to the intended expropriation.

BE IT RESOLVED that the Declaration of Expropriation dated the 15th day of November, 2001, executed pursuant to By-law No. 7900/2001 and expropriating the following lands and interests, lying south of William Avenue and east of Tecumseh Street, in the City of Winnipeg, in Manitoba:

LOT 29 BLOCK A PLAN 901 WLTO
EXC FIRSTLY: SLY 63 FEET
SECONDLY: WLY 31.8 FEET AND
THIRDLY: ELY 25 FEET
IN RL 7 PARISH OF ST. JOHN,

The land described above is expropriated free and clear of all encumbrances.

The land described above excepts mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under The Real Property Act or are not owned by the owner of the surface under The Registry Act, and excepts reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of The Real Property Act.

IS HEREBY CONFIRMED.

Carried.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

CONSIDERATION OF BY-LAWS

201 - On motion of Councillor Vandal, 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. 7959/2002, a by-law of The City of Winnipeg to close part and to open an alternate part of the public lane south of Portage Avenue, west of Spence Street. File DAOC 4/2000

By-law No. 7960/2002, 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 348 Young Street, in the City Centre Community. File DAZ 220/2001

By-law No. 7961/2002, 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 447 Ferry Road in the Assiniboia Community. File DAZ 224/2001

By-law No. 7963/2002, 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 at 270 Armstrong Avenue in the Lord Selkirk-West Kildonan Community. File DASZ 20/2001

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

QUESTION PERIOD

202 - Councillor Steek questioned if there have been, or will be, meetings with administration to address the deficiencies in Section 5 of By-law No. 7870/2001, regarding reasonable measures being taken to preclude the drifting of second hand smoke, to which Councillor Vandal replied that he was not aware of any and agreed to take the question under advisement.

Councillor Steek questioned if the Legal Services Division had been approached for an interpretation on that section of the by-law as to what would constitute reasonable measures, to which Councillor Vandal agreed to take the question under advisement.

Councillor Steek questioned if a meeting could be held with administration and Legal Services Division on the enforcement and legal interpretation of the issue, for interested Councillors, to which Councillor Vandal agreed to take the question under advisement.