REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

DATED NOVEMBER 23, 1993

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services, dated November 23, 1993, was considered clause by clause.

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

Councillor Golden requested that Clause 1 and 14 be pulled from the Consent Agenda.

Councillor O'Shaughnessy requested that Clause 6 be pulled from the Consent Agenda.

Councillor Hyman requested that Clause 8 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 2,3,4,5,7,9,10,11,12,13, and 15 was put and declared carried.

Her Worship the Mayor and Councillors:

Appointment of Council representatives and alternates to the Riverbank Management Committee
Files E-5.1 and GC-7

233 - 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 by By-law Nos. 4938/88 and 5448/90, established the Riverbank Management Committee.

Council at its Organizational Meeting held on November 3, 1993, 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 on the Riverbank Management Committee, namely:-

Committee	Representative
Committee on Planning and Community Services (2 representatives)	Councillor Prystanski Councillor Thomas
Committee on Finance and Administration	Councillor Reese
Committee on Protection, Parks and Culture	Councillor Hyman
Committee on Works and Operations	Councillor Murray

Your Committee on Planning and Community Services therefore recommends that the following Councillors and Councillor alternates be appointed to the Riverbank Management Committee, namely:-

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Committee	Representative	Alternate Member
Planning and Community Services (2)	Prystanski Thomas	Murray Golden
Finance and Administration	Reese	Lazarenko
Protection, Parks and Culture	Hyman	Boychuk
Works and Operations	Murray	Boychuk

effective from the date of Council's approval and that said Councillors hold office until their successors have been appointed.

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

Carried.

Christmas Allowance for City Social Assistance Recipients
File EH-2 (Vol. 17)

234 - 2. Your Committee on Planning and Community Services has been advised that in view of the transition to the provincial social allowances rate structure, it is necessary to review the City's current policy on Christmas Allowance for social assistance recipients.

The City of Winnipeg has provided a Christmas Allowance to each person in receipt of assistance at Christmas time for over 25 years.

The Christmas Allowance has traditionally been provided by the City of Winnipeg either in terms of a cash payment directly to the recipient, or in the form of a voucher which the family head takes to the Christmas Cheer Board and exchanges for a Christmas hamper. The decision regarding whether to accept a Christmas hamper from the Cheer Board, or a direct cash payment from the Department rests with the family head. In 1992, a total of $271,000 was provided for Christmas Allowances. Of that amount, approximately $90,000 was paid to the Christmas Cheer Board for hampers received by family heads in exchange for vouchers which have been provided by the Department. The Christmas allowance is indexed to our food rate increases. In 1992, the rates were as follows:

Family Size	Christmas Allowance
1	$13.60
2	21.85
3	30.10
4	38.35
5	46.60
6	54.85
7	63.10
8	71.35
9	79.60
10	87.85
11	96.10
12	104.35

Manitoba has never provided a Christmas Allowance to people receiving Provincial Social Allowances. Since this item is not incorporated in the Provincial policy, it would not qualify for cost-sharing; rather, it would be regarded as an excess allowance, and thus could only be cost-shared with the federal government on a 50/50 basis with the Province acting as a conduit for the cost-sharing process - in exactly the same fashion that has been established for the children's portion of our social assistance budget.

For this reason, the Administration is of the opinion that the City adhere to the provincial policy in this regard and eliminate the Christmas Allowance as an element of our budget. This would result in a net saving for the City of approximately $146,500.

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Ms. Brydye Beckel, Executive Director, Christmas Cheer Board, indicates that their organization will not be in a position to actually evaluate the impact of a discontinuance of the City's current policy in terms of Christmas Allowance. Should it be necessary, the Christmas Cheer Board will approach the community for additional funding to replace the approximately $90,000 the Board received from City social assistance recipients in 1992.

Should the City choose to continue to provide social assistance recipients, and indirectly the Christmas Cheer Board, with the established Christmas Allowance, the gross cost for 1993 would be approximately $293,000, based upon our caseload projection to date (Christmas Allowances for the cases we anticipate receiving due to the termination of the Student Social Allowances Program have been factored into the projection). The net cost to the City, after cost-sharing with the Federal Government, would be approximately $146,500.

Your Committee on Planning and Community Services submits draft By-law and therefore recommends:

I. That the current policy regarding the provision of a Christmas Allowance for social assistance recipients be continued.

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

III. That the City of Winnipeg approach the Province of Manitoba with a request that they cost-share the Christmas Allowance for City Social Assistance Recipients.

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

Adopted by consent.

Request for a Certificate of Suitability to demolish 545 Broadway - The Former Klinic Community Health Centre
File G-3.1.1

235 - 3. Your Committee on Planning and Community Services has reconsidered Clause 1 of its Report "A" dated June 29, 1993, which was referred back to it by Executive Policy Committee at its meeting held on September 10, 1993, namely:-

"1. On January 23, 1991, Council adopted Clause 8 of the Report of the Committee on Planning and Community Services dated January 7, 1991 listing the Klinic Community Health Centre Building located at 545 Broadway, on the Historical Buildings Conservation List as a Grade III designation.

For the information of Council, the Historical Buildings Committee evaluated the building on its age and architectural and historical significance on June 12, 1990 and recommended that the building be listed for the following reasons:

1. This building is a very good example of an early 20th century brick residence designed in the Queen Anne style of which only a few survive.

2. The Historical Buildings Committee considers that this is a particularly attractive building because of the excellence of the design and composition of the exterior.

3. The house was designed by one of Winnipeg's best known architects John H. G. Russell. He designed many monumental churches in the City as well as warehouses, office buildings and residences of which only a few remain.

The Historical Buildings Committee, at their meeting held on June 9, 1992, reviewed a request from the Smith Agency Limited to issue a Certificate of Suitability to demolish the above heritage building.

The Committee visited the structure on September 10, 1992 to review the amount of deterioration to the building from the time it was listed by City Council on January 23, 1991. Members of the Committee also advised Mr. Tom Smith of Smith Agencies, that City Council had just adopted in principle the "Heritage Support-Policy and Program" report and that incentives to rehabilitate the building would soon be forthcoming.

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The Committee hoped that the City would have a heritage incentive policy in place by the fall of 1992 in order to negotiate the retention of the former Klinic building. Since no policy is in place and since the Committee received another letter from The Smith Agency, dated November 13, 1992, urging a recommendation, the Historical Buildings Committee at its meeting on December 10, 1992 recommended that a Certificate of Suitability for demolition not be issued and that this matter be dealt with as a de-listing with a hearing at the Committee on Planning and Community Services and at Council.

Your Committee on Planning and Community Services concurs with the recommendation of the Historical Buildings Committee and recommends:

I. That a Certificate of Suitability for demolition of 545 Broadway not be issued and the building remain on the Historical Buildings Conservation List as a Grade III designation.

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

Your Committee on Planning and Community Services has given further consideration to the foregoing and reaffirms its recommendation as outlined above and resubmits said clause with a recommendation for its adoption.

Adopted by consent.

Approval of proposed listing of the Principal Sparling School, 1150 Sherburn Street, on the Buildings Conservation List under By-law No. 1474/77 and amendments thereto File G-3.1.1

236 - 4. Your Committee on Planning and Community Services has received a recommendation from the Historical Buildings Committee and recommends that the Principal Sparling School located at 1150 Sherburn Street and the following interior elements, namely, centre hallways, be listed on the Buildings Conservation List as a Grade II Building.

The Historical Buildings Committee visited and evaluated this building at their meeting on May 13, 1993 at the request of The Winnipeg School Division No. 1, copy of which is on file in the Office of the City Clerk. If the building is declared historical it cannot be demolished without the approval of City Council and alterations and additions to the exterior require design review to ensure they are appropriate. Building owners of structures that are declared historical by Winnipeg City Council are eligible to apply for grants from the Province of Manitoba to undertake repair and rehabilitation work to their heritage buildings. The Winnipeg School Division is looking to replace the windows in Principal Sparling School and to do some exterior repairs.

The Historical Building Committee is of the opinion that this building be designated historical for the following reasons:

1. The style of exterior ornamentation on this building is typical for schools built in Winnipeg prior to World War I but this school building serves as a very good design example and is important because of the small number of schools of this vintage that remain.

2. The building has suffered very little alteration and the majority of its original materials and significant features remain.

3. The use of cream-coloured, sand-lime brick is a departure from traditional division building materials. It gives this building a lighter appearance and allows it to blend into its residential surroundings yet it is a visual landmark for the neighbourhood.

Pursuant to the provisions of By-law No. 1474/77 and amendments thereto, the Committee on Planning and Community Services considered the appeal on October 26, 1993 and November 23, 1993.

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In this regard, representation was made by Guntis Rozitis, Architect, on behalf of The Winnipeg School Division No. 1, objecting to the listing of the Principal Sparling School Building as a Grade II Historical Building on the Buildings Conservation List and expressing support for listing of the Principal Sparling School as a Grade III building.

After considering all aspects of this matter and pursuant to the Historical Buildings By-law No. 1474/77 and amendments thereto, your Committee on Planning and Community Services recommends:

I. That the Principal Sparling School located at 1150 Sherburn Street, be listed as a Grade II Building on the Buildings Conservation List under By-law No. 1474/77 and amendments thereto.

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.

Scheduling of Meetings - Committee on Planning and Community Services
File GC-4

237 - 5. On November 17, 1993, Council adopted the Schedule of Meetings for 1994 for all Standing Committees and Council.

Council also passed the following motion with respect to the meeting date of the Committee on Planning and Community Services, namely:

"Moved by Councillor Boychuk,
Seconded by Councillor Lazarenko,
WHEREAS January 7, 1994, is a religious holiday for the Ukrainian Community - "Christmas Day";
BE IT RESOLVED that there be no meeting of the Committee on Planning and Community Services and that said meeting be rescheduled by the Committee."

Your Committee on Planning and Community Services therefore recommends:

I. That the Committee on Planning and Community Services reschedule its January 7, 1994 meeting to January 5, 1994 commencing at 9:00 a.m.

II. That the Committee on Planning and Community Services commence Public Hearings to consider Appeals at 1:00 p.m. instead of 6:00 p.m.

Adopted by consent.

Reconstitution/Composition of Council Members to Civic Boards and Commissions - The Winnipeg Public Library Board File GC-7

238 - 6. Council on November 3, 1993, referred to the Committee on Planning and Community Services, the matter of recommendation for appointment for a one year term to The Winnipeg Public Library Board as follows:

One Councillor from the City-at-large; and

One Councillor from the Committee on Planning and Community Services

Your Committee on Planning and Community Services recommends that Councillor Thomas be appointed as the member of the Committee on Planning and Community Services to serve a one year term on The Winnipeg Public Library Board.

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

In amendment,

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

WHEREAS on November 23, 1993, the Committee on Planning and Community Services appointed Councillor L. Thomas as its representative on The Winnipeg Public Library Board for a one year term;

AND WHEREAS the Committee was also to have appointed on Councillor from the City-at-large;

THEREFORE BE IT RESOLVED that Clause 6 of the Report of the Committee on Planning and Community Services dated November 23rd, 1993 be amended by adding at the end of the recommendation "and Councillor Fraser be appointed as the Councillor representative for the City-at-large to serve on The Winnipeg Public Library Board for one year term."

Carried.

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

Amendment to By-law No. 4334/86 - Winnipeg Public Library Board and Library Board Advisory Committees
File L-1

239 - 7. Your Committee on Planning and Community Services has reconsidered Clause 6 of its report dated April 6, 1993, which was referred back to it by Council at its meeting held on September 22, 1993, namely:-

"6. On June 12, 1986, Council passed By-law No. 4334/86, establishing The Winnipeg Public Library Board, whose function is to advise and report to the Committee on Planning and Community Services on library policy and budgets, and on administrative matters to the extent that they have significant policy or service implications.

By-law No. 4334/86 further stipulated the following:-

(4) The City Librarian shall provide the Board with facilities and support staff within the existing staff complement of the Library System, as reasonably required, as will enable the Board to carry out its duties.

When the Library Board was initially established in 1978 by By-law No. 2165/78 (which by-law was repealed by By-law No. 4334/86), clerical support to the Board was also provided by a member of the Library Department staff.

As a board established by a Standing Committee, The Winnipeg Public Library Board reports directly to the Committee on Planning and Community Services. The Board meets on the second Tuesday of each month.

Since its formation in 1978, secretarial duties (preparation of agendas, recording of minutes) of the Board have been performed by a staff member of the Library Department, unlike other Ad Hoc Committees established by the Committees of Council for which the City Clerk's Department provides support.

The City Clerk's Department presently serves thirty-two (32) Ad Hoc Committees, which may or may not be active at this time. Some Committees meet as often as once a week, for which an agenda must be prepared and a Clerk must be available to record minutes. The Department must also be prepared to provide support to any new Ad Hoc Committees as they are established. These requirements are over and above the normal responsibilities of the City Clerk's Department to provide support to Executive Policy Committee, Standing Committees and Community Committees.

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In recent years, the City Clerk's Department has reduced the number of Clerks in its service, yet has provided for an increased level of service as a whole. This has resulted in a heavier workload for remaining employees.

The City Clerk's Department is prepared to provide clerical support to The Winnipeg Public Library Board, however, due to extremely-taxed personnel resources, the Department must insist that meetings of the Board be held at City Hall during normal works hours (8:30 a.m. - 4:30 p.m.), to ensure staff availability.

On June 29, 1993, the Committee on Planning and Community Services concurred with the request from The Winnipeg Public Library Board, namely:

"That clerical support be provided through the City Clerk's office for the taking of Board Minutes at regular meetings of the Board at City Hall or in Branch Libraries during working hours between 8:30 a.m. and 4:30 p.m."

On August 31, 1993, your Committee on Planning and Community Services considered representation from the Chairperson of The Winnipeg Public Library Board advising that due to the employment commitments of members of The Winnipeg Public Library Board, they would be unable to attend meetings of The Winnipeg Public Library Board during the hours of 8:30 a.m. - 4:30 p.m.

Your Committee on Planning and Community Services is of the opinion that The Winnipeg Public Library Board should hire outside clerical support for the balance of 1993, and that the issue of clerical support for The Winnipeg Public Library Board be reconsidered during the 1994 budget deliberations.

Your Committee on Planning and Community Services recommends:

I. That for the balance of the 1993 fiscal year, The Winnipeg Public Library Board hire outside clerical support, to be funded out of their current budget.

II. That By-law No. 4334/86, being a By-law of the City of Winnipeg in respect to The Winnipeg Public Library Board and Library Advisory Committees of The City of Winnipeg, be amended by deleting the requirement that the City Librarian provide the Board with clerical support staff to enable the Board to carry out its duties.

III. That the City Solicitor be requested to prepare the necessary amending by-law to effect the intent of the foregoing."

Your Committee on Planning and Community Services has further considered the foregoing and reaffirms its recommendations as outlined above and resubmits said clause with a recommendation for its adoption.

Adopted by consent.

Fundraising Policies for The Library Department File L-1

240 - 8. Your Committee on Planning and Community Services, on January 28, 1993 directed "that the City Librarian, within six months, submit a report to the Committee on Planning and Community Services, as it relates to marketing/revenue options/corporate involvement."

The Library Department has advised that in view of declining resources and increasing demands for services, the department can no longer solely rely on traditional sources of funding, and therefore proposes to establish guidelines which will govern its fundraising efforts. The Library's fundraising strategies will concentrate on soliciting monetary donations from corporations, foundations, governments, and individuals. The Library will solicit monetary donations to supplement the materials, program, equipment, and facilities budgets.

1. Corporate Fundraising

1.1 The Library will endeavour to establish long term relationships with corporations to the advantage of both parties.

1.2 The Library will solicit corporate funding for projects which have a clear beginning and end.

1.3 The Library will give large, high profile companies primary consideration for corporate sponsorships.

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2. Foundations

2.1 The Library will solicit funds from appropriate foundations.

3. Government Funding

3.1 The Library will solicit funds in the form of grants from all levels of government.

3.2 The Library will concentrate on grants which do not require matching funds.

4. Individuals

4.1 The Library will actively seek monetary donations and bequests from individuals.

4.2 The Community Relations Department of the Library will produce and distribute brochures soliciting funds from the public.

4.3 The City will issue income tax receipts for monetary donations.

5. Recognition

The Library may recognize its donors in any or all of the following ways:

5.1 The Library may publish the names of its donors in its publications.

5.2 The Library may inscribe donors' names in a "donors book" which will be displayed at the Centennial Library.

5.3 The Library may inscribe donors' names in bookplates which will be attached to the appropriate material.

5.4 The Library may inscribe donors' names on plaques when appropriate.

5.5 The Library will thank donors in a personalized letter.

5.6 The Library may hold media events for donors, when deemed appropriate.

5.7 The Library may hold receptions for its benefactors, when applicable.

5.8 The Library may include corporate logos in its publications, when appropriate.

Your Committee on Planning and Community Services recommends:

I. That the framework outlined herein be approved as the basis for Library Department fundraising.

II. That the Administration encourage citizen participation in these fundraising efforts.

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

Moved by Councillor Hyman,
Seconded by Councillor Reese,
THAT Clause 8 of the Report of the Committee on Planning and Community Services dated November 23, 1993, be referred back.

The motion to refer was put.

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

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Yea: Councillors Reese, Hyman, Lazarenko and Angus. 4

Nay: Councillors Boychuk, Clement, Golden, Murray, O'Shaughnessy, Prystanski, Silva and Thomas. 8

and the motion to refer was declared lost.

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

Proposed Amendment to Servicing Agreement AG 215/87 with McDiarmid Lumber Ltd., Lord Selkirk-West Kildonan Community File DAZ 215/87

241 - 9. Your Committee on Planning and Community Services has been advised that on January 8, 1988 the City executed Servicing Agreement AG 215/87 with McDiarmid Lumber Ltd. in connection with the rezoning of 7.99 acres of land located on the west side of McPhillips Street between Court Avenue and Templeton Avenue. Under the terms of the Servicing Agreement McDiarmid Lumber Ltd. constructed a land drainage trunk sewer in Templeton Avenue connecting to the North West District Operations yard retention pond. The Agreement also provided that McDiarmid Lumber Ltd.'s share of that sewer would be $70,627.04 and that any costs incurred by McDiarmid Lumber Ltd. in excess of that amount would be reimbursed by the City "as and when and to the extent that the City collects from adjoining benefiting lands". McDiarmid Lumber Ltd.'s Consulting Engineer, G. A. Pratt & Associates has provided information to the City that the cost of installing the land drainage trunk sewer in Templeton Avenue was $93,589.18 which results in the City's share of the cost being $22,962.14. To date the City has not collected any money from the adjoining lands.

Approximately 45% of the land on the north side of Templeton Avenue abutting the subject sewer is owned by the Seven Oaks School Division No. 10 and is the site of its Maintenance/Transportation/ Custodial Service Centre. The remaining 55% is owned by the City and forms part of the North West Operations District Yards. In 1987 Council approved the rezoning (DAZ 245/87) of approximately 0.5 acres (100 feet of frontage on Templeton Avenue) of land at the rear of the McPhillips Lincoln Mercury auto dealership but the application has not been finalized to date. If and when DAZ 245/87 is finalized McPhillips Mercury Sales Ltd. will be required to pay $4,461.00 as its share of the cost of the land drainage trunk sewer installed by McDiarmid Lumber Ltd. in Templeton Avenue. Also on the south side of Templeton Avenue abutting the subject sewer there are 3 homes built on lots having frontages ranging from 100 feet to 171 feet. No development applications have been filed to date for the balance of the land located on the south side of Templeton Avenue west of McPhillips Lincoln Mercury.

The subject sewer and the various land holdings are outlined on Schedule "A" dated September 27, 1993.

In a letter dated September 14, 1993, Mr. T. Matthews, President of McDiarmid Lumber Ltd., requested that consideration be given for the reimbursement of the outstanding amount owed them by the City. Mr. Matthews rational is as follows:

"Due to circumstances beyond our control, the three lot, 7.99 acre area did not proceed with. We therefore have not made use of the trunk sewer, which we installed. We are aware, however, that the City has installed the approximately 113 metres of trunk sewer from the termination of our trunk sewer to the City's trunk sewer at McPhillips Street. This connection has, in our opinion, greatly benefited the City in the operation of their drainage facility."

The Land Development Department and the Waterworks, Waste & Disposal Department, have considered Mr. Matthew's request and are of the opinion that it is reasonable and equitable for the following reasons:

1. The City is deriving immediate benefit from the land drainage trunk sewer constructed by McDiarmid Lumber Ltd. in that the City has connected the subject sewer to the land drainage trunk sewer in McPhillips Street to provide an outfall for the North West District Operation yard retention pond.

2. The City will not be able to collect from the property on the north side of Templeton Avenue until property is rezoned which event will not occur for decades.

3. The City owns approximately 100 metres (328 feet) of land fronting the north side of Templeton Avenue abutting the subject sewer.

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4. The balance of the property on the south side of Templeton Avenue from the rear of the McPhillips Lincoln Mercury auto dealership will probably not be rezoned or subdivided for some time as the street is not serviced other than by land drainage sewers.

Your Committee on Planning and Community Services therefore recommends:

I. That Servicing Agreement AG 215/87, Finance Department No. 7138 between the City and McDiarmid Lumber Ltd. be amended to provide that the Developer shall be reimbursed "subject to the approval of capital funding therefor by City Council" rather than "as and when and to the extent that the City collects from adjoining benefiting lands" as currently stipulated.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including but not limited to the execution of any amending agreement.

Adopted by consent.

(See Minute No. 250 for attachment)

Request for refund of money paid for asphalt roadway on Charlotte Road, Riel Community File DAZ 225/88

242 - 10. Your Committee on Planning and Community Services has been advised that on November 10, 1988 the City executed Servicing Agreement AG 225/88, Finance Department No. 7544 with Jacob Giesbrecht Thiessen and Susie Thiessen in connection with the subdivision of land located at 2650 St. Mary's Road (backing onto Charlotte Road) under File DAZ 225/88. The subject Agreement provides that the Thiessens pay the sum of $8,835.40 as their share of the cost of upgrading Charlotte Road to an asphalt roadway based on the frontage of the new lot being created on Charlotte Road calculated as follows:

200.8' x $44.00 per foot = $8,835.40

The requirement that Developers establishing two acre lots on existing gravel roadways pay their share of the cost of upgrading these roadways to "RR-2" standards, i.e. asphalt, is in accordance with the Development Agreement Parameters. If the upgrading requirement were to be waived, the Administrative Co-ordinating Group recommends that the Developers pay for the cost of maintaining the existing gravel roadways instead.

On November 10, 1993, the Riel Community Committee considered the matter and recommended:

1. That Servicing Agreement AG 225/88 be amended by deleting Clause 2 "Roadway" of the Agreement in its entirety and replacing same with the following:

   "The Developer shall make a payment to the City equivalent to one-third (1/3) of the estimated cost of upgrading Charlotte Road to an asphalt roadway. The payment shall be based on $44.00 per foot being the estimated local improvement rate for 1988 and shall constitute payment in full for the share of the cost of any future gravelling and dust inhibitor (oil treatment) attributable to the subdivision frontage."

2. That the Proper Officers of the City do all things necessary to implement the above including obtaining Mr. & Mrs. Thiessens' consent that the reimbursement be made to the current registered owners of Lot 1, Plan 23244 i.e. the lot fronting on Charlotte Road established by Mr. & Mrs. Thiessen.

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

I. That Servicing Agreement AG 225/88 be amended by deleting Clause 2 "Roadway" of the Agreement in its entirety and replacing same with the following:

   "The Developer shall make a payment to the City equivalent to one-third (1/3) of the estimated cost of upgrading Charlotte Road to an asphalt roadway. The payment shall be based on $44.00 per foot being the estimated local improvement rate for 1988 and shall constitute payment in full for the share of the cost of any future gravelling and dust inhibitor (oil treatment) attributable to the subdivision frontage."

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II. That the Proper Officers of the City do all things necessary to implement the above including obtaining Mr. & Mrs. Thiessens' consent that the reimbursement be made to the current registered owners of Lot 1, Plan 23244 i.e. the lot fronting on Charlotte Road established by Mr. & Mrs. Thiessen.

Adopted by consent.

Request for Waiver of Dedication Fees from Villa Tache Inc., Riel Community Files DAZ 202/93 & DAZ (Gen.)

243 - 11. On November 23, 1993, your Committee on Planning and Community Services considered a request from the President, Villa Tache Inc. (a non-profit Senior Citizens Home), located at 400 Des Meurons Street, for the waiver of the 10 percent cash in lieu of land dedication fee in the amount of $8,000.00 plus $560.00 G.S.T. imposed by the City of Winnipeg on approval of their application to rezone the lands under File DAZ 202/93, approved by Council on June 23, 1993.

Subsequent to the request, Council on September 22, 1993 approved Clause 11 of the Report of the Committee on Planning and Community Services dated August 31, 1993 which recommended "That a policy be established to waive the 10 percent cash in lieu of land dedication fee for all non-profit Senior Citizen Homes."

Your Committee on Planning and Community Services therefore recommends:

I. That the 10 percent cash in lieu of land dedication fee in the amount of $8,000.00 plus $560.00 G.S.T. imposed by the City of Winnipeg on approval of the application by Villa Tache Inc. to rezone lands under File DAZ 202/93, which was approved by Council on June 23, 1993 **be waived**.

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

Adopted by consent.

Rezoning - 264 Gordon Avenue, located on the south side, between Stadacona and Brazier Streets, East Kildonan-Transcona Community File DAZ 214/93

244 - 12. Your Committee on Planning and Community Services has been advised that an application has been received from the Commissioner of Planning and Community Services and R.E.S. Installations Ltd., c/o Mr. William A. Payne Ltd., 19 Pekary Place, Winnipeg, R2K 4H4 to amend By-law No. 4440/86 by rezoning land located at 264 Gordon Avenue from a "PR" Park and Recreation District, an "R1-2.5" Single-Family District and an "M2" Industrial District to either a "C2" General Commercial District or an "M1" Industrial District to reflect the existing land use (heating air conditioning and refrigeration contractor).

The subject site consists of three registered lots contained within two titles. Together, the lots constitute an irregular shaped site approximately 15.4 m (50.6 ft.) by 20.3 m (66.65 ft.). The subject site abuts land zoned "PR" to the south, "M2" to the east, and "R1-2.5" to the west; the abutting lands being developed for a community centre, lumber yard and single-family housing respectively. The site is presently occupied with a two-storey metal clad industrial workshop/office type building. The major part of the subject site is presently zoned "R1-2.5" Single-Family Residential District. This zoning was placed upon the site in 1986 as part of the adoption of the East Kildonan-Transcona Zoning By-law No. 4440/86.

In 1989, R.E.S. Installations Ltd. applied for a Variance (DAV 645/89) to permit the redevelopment of the site with a two-storey industrial-type building in order to accommodate the non-conforming "heating contractors establishment" use which at that time occupied the site. File DAV 645/89 was approved at the meeting of the East Kildonan-Transcona Community Committee on August 23, 1989. At that meeting, the Community Committee further requested that the Planning Department initiate a rezoning for the site to a "C2" Commercial District to accommodate the approved use. However, the rezoning was not undertaken, and the owner has now requested that the present zoning be reviewed, particularly in light of the fact that the property is now for sale.

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The Planning Department, under the subject file, has advertised a rezoning of the site to provide for either a "C2" General Commercial District or "M1" Industrial District. Although the Community Committee in 1989 requested that a "C2" zoning be initiated for this site, the Planning Department is of the opinion that an "M1" Industrial Zoning is more appropriate. An "M1" zoning will be consistent with the use of "Contracting establishment", as approved by File DAV 645/89. An "M1" zoning is also considered appropriate since it will provide for an interface between the "M2" lands to the east and the single-family dwelling to the west.

The Planning Department is of the opinion, a "C2" zoning would not be appropriate since the lands are not located on a major thoroughfare and many of the uses permitted with the "C2" district would be incompatible with the adjacent residential area due to higher traffic generation potential. The location and type of building on the site is, in the opinion of this department, also more appropriate for uses within the "M1" district of the Zoning By-law than the "C2" district.

Prior to the City of Winnipeg rezoning the lands "R1-2.5" in 1986, the lands were zoned "M2" Industrial District. The Planning Department is of the opinion that the 10% dedication be waived in this instance.

Public Hearings were held before the East Kildonan-Transcona Community Committee on September 14 and October 12, 1993.

The following persons appeared and/or registered in support of the application:

Mr. D. Nelson, District Planner, Planning Department, 395 Main Street, Winnipeg, R3B 3E1(appearing on behalf of the Commissioner of Planning and Community Services)
Mr. William A. Payne, President, R.E.S. Installations Ltd., c/o Pekary Place, Winnipeg, R2K 4H4.
No one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1. The residential zoning designation was placed upon the site in 1986 as part of the adoption of the East Kildonan-Transcona Zoning By-law No. 4440/86, however, previous to that the subject property was designated industrial.

2. The proposed zoning change will reflect the existing land use, a contracting establishment subject to conditions which are incorporated in the following recommendation.

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

I. That By-law No. 4440/86 be amended by rezoning the subject land outlined on Schedule "A" for File DAZ 214/93 dated November 1, 1993, to an "M1" Industrial District subject to the following:

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

      1) That the following uses shall <u>not</u> be permitted on the subject lands:

-Automobiles,
Sales or Rental,
Glass and Mirror, sales and installation,
Supplies and Parts, sales and installation,
Tire Sales and Auxiliary Services,
Autobody Repairs and Painting,
Service Station or Public Garage,
Towing Service, limited or unlimited,
Washing or Cleaning Establishment,
-Restaurant, take-out or delivery;

II. That the 10% dedication be waived as the lands were previously zoned industrial.

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III. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 12 months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IV. That the 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.

VI 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. 251 for attachment)

Zoning Agreement Amendment, 22 Optimist Way, Assiniboia Community
File DASZ 9/86 (ZAA 7/93)

245 - 13. Your Committee on Planning and Community Services has been advised that an application has been received from Norbert and Lillian Moszynski, 22 Optimist Way, Winnipeg, R2Y 2J4, to amend the Zoning Agreement affecting 22 Optimist Way to permit the construction of an addition to a single-family dwelling to provide a 36.5 foot rear yard, instead of 45 feet as permitted by the Agreement.

The subject property is located on a single-family residential street. The development, known as the St. Charles West Subdivision, was approved with the condition that a 45 foot setback from the Perimeter be maintained for houses to aid in sound attenuation. The applicant wishes to construct a family room addition which would reduce the required setback to 36.5 feet.

The Planning Department supports the application as the reduced setback is to a family room which will contain activity less likely to be affected by traffic noise.

The Streets and Transportation Department is on record as opposing the application in that noise complaints may arise from the development in future.

The Provincial Highways Department has no objections to the proposal and has advised that a Traffic Board Permit is required for construction within the 45 foot setback.

A Public Hearing was held before the Assiniboia Community Committee on October 12, 1993.

Mr. and Mrs. N. Moszynski, 22 Optimist Way, Winnipeg, R2Y 2J4, appeared in support of the application.

No one appeared in opposition thereto.

The Assiniboia Community Committee recommended that the zoning agreement amendment be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1. The reduced setback is to a family room which will contain activity less likely to be affected by traffic noise.

2. The Provincial Highways Department has no objections to the proposal.

3. No one appeared in opposition to the application.

Your Committee on Planning and Community Services concurs in the recommendation of the Assiniboia Community Committee and recommends:

Report of the Committee on Planning and Community Services dated November 23, 1993

I. That Clause 2 of Zoning Agreement DASZ 9/86 dated June 11, 1986 be amended as follows:

A. That the required housing setback on Lot 31, Block 1, Plan 20236 be reduced from 13.7 metres/45 feet to 11.1 metres/36.5 feet.

II. That the City Solicitor be requested to prepare the necessary amending agreement to Zoning Agreement DASZ 9/86 dated June 11, 1986 as approved in aforesaid Clause I.

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

Proposed Subdivision and Rezoning of land located on rue Youville and Bertrand Street between rue Des Meurons and the Seine River File DASZ 11/92

246 - 14. Your Committee on Planning and Community Services has been advised that on January 27, 1993 Council amended and adopted Clause 10 of the Report of the Committee on Planning and Community Services, dated January 15, 1993, which gave approval in principle of application File DASZ 11/92. This approval in principle included, among other conditions, the following:

"That third reading not be given to the by-law unless and until the City establishes a program for overall residential redevelopment of the area (Hamel Avenue on the north, Goulet Street on the south, rue Des Meurons on the west and the Seine River on the east), including the following:

A. Negotiations between the Land Surveys and Real Estate Department and the owners of lands on the west side of rue Youville occupied by Macaw and Macdonald and Davey Auto Body, concerning possible relocation of in-compatible industrial uses;

B. A report by the Land Surveys and Real Estate Department on the terms and conditions of relocation by April 30, 1993;

C. Transfer of relevant lands to the City."

The following two further conditions were also included in the approval:

- That the Administration commence negotiations with the developer with regard to recovery of acquisition/relocation costs.

- That the Administration be directed to identify sources of funding available to finance any settlements which might be negotiated.

Section 618(2) of Part 20 of The City of Winnipeg Act states that "Council shall not approve an application for a subdivision unless the land that is proposed to be subdivided is, in the opinion of Council, suitable for the purpose for which the subdivision is intended."

The land proposed to be subdivided is currently owned by the Province of Manitoba and the developer has an option to purchase it from the Province. The land is situated on the east side of rue Youville and has for many years been leased from the Province by Macaw and Macdonald Limited, a heavy construction company. It has been learned that underground fuel storage tanks at one time existed on Macaw and Macdonald Limited's property on the west side of rue Youville. The full extent to which the land proposed to be subdivided has been used over the years is not presently known. However, since much of the land in this area has been used for industrial purposes it is possible that soil contamination could have occurred.

Report of the Committee on Planning and Community Services dated November 23, 1993

At its meeting on January 7, 1993 the Board of Commissioners approved a report from the Director of the Land Surveys and Real Estate Department which recommended the following policy statement:

"For the purpose of identifying risk of liability arising from ownership of land or any interest in land due to the existence or possible existence of air, soil or water contaminants which are or have the potential to be harmful to human health, the City shall, prior to transacting in interests in land, conduct an environmental assessment of such risk where there is a reasonable expectation that such contaminants exist."

In the case of the subject proposed subdivision it is recommended that final approval not be given until the developer provides confirmation from the Province of Manitoba that the condition of the land does not present a threat to human health and that it is suitable for residential and public purposes.

Your Committee on Planning and Community Services recommends that the subdivision and rezoning by-laws for application File DASZ 11/92 proceed to Council for all three readings without acquiring the Macaw and Macdonald Properties subject to the developer, St. Boniface Development Corporation, providing the City with written confirmation from the Province of Manitoba that the condition of the land to be subdivided is suitable for use for residential and public purposes.

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

Carried.

Subdivision and Rezoning - Land located on the east side of Charlotte Road, North of Brentwood Avenue - Riel Community
File DASZ 15/93 (c/r DAV 539/93D)

247 - 15. Your Committee on Planning and Community Services has reconsidered Clause 7 of its report dated October 26, 1993, which was referred back to it by Executive Policy Committee at its meeting held on November 10, 1993, namely:-

"7. Your Committee on Planning and Community Services has been advised that an application has been received from the property owner, Mary Rektor, for approval of a plan of subdivision and related zoning change to the St. Vital Town Planning Scheme 1951 by rezoning the lands located on the east side of Charlotte Road, North of Brentwood Avenue from an "A1" Agricultural District to a "RR-2" Rural Residential District to permit the establishment of three (3) single-family residential lots.

The land use is existing one-family dwelling and consists of 22,346 m² (240,555 ft² or 5.52 acres).
To the north are vacant lands and the Perimeter Highway, zoned "A1"; to the east lands are large lot residential, zoned "RR-2" and "A1". To the west are large lot residential, zoned "RR-2" and "A1" and to the south are large lot residential, zoned "RR-2" and "A1".

The applicant/owner proposes to establish three "RR-2" single-family lots, with one lot containing the existing single-family dwelling. While the three lots proposed are somewhat smaller in size, the lot size deficiencies were approved under related variance application Order DAV 539/93D.

This proposal is entirely consistent with the St. Vital Perimeter South Secondary Plan, and with existing large lot residential development in this area. The creation of two additional lots of 1.84 acres would be expected to have no significant effect on existing housing.

The Charlotte Road right-of-way is recommended to be widened to allow improvement and road maintenance at an appropriate standard.

A public hearing was held before the Riel Community Committee on September 15, 1993.

The following persons appeared and/or registered in support of the application:

Report of the Committee on Planning and Community Services dated November 23, 1993

Mary Rektor, Box 119, St. Germain, Manitoba, R0G 2A0
Edward Rektor, 15 James Carleton Drive, Winnipeg, R2P 0T6
Mrs. R. M. Gregory, Box 231, St. Germain, Manitoba, R0G 2A0

No one appeared in opposition thereto.

The following persons appeared for information purposes:

Glen Hewitt, Residents' Advisory Group, 604 St. Mary's Road, Winnipeg, R2M 3L5
Georgina Jarema, Box 176, St. Germain, Manitoba, R0G 2A0

The Riel Community Committee recommended that:

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

    A. The proposal is consistent with the St. Vital Perimeter South Secondary Plan, and with existing large lot residential development in this area.

    B. The Riel Community Committee is of the opinion that the upgrading of Charlotte Road should be done by way of local improvement rather than paid for by small developers.

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

I. That the plan of subdivision proposed under File DASZ 15/93 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 15/93 dated October 14, 1993 for registration in the Winnipeg Land Titles Office subject to the following:

    A. that the plan be amended to provide a 2.134 m (7 ft.) widening to the Charlotte Road right-of-way.

    B. that the Developer be required to pay to the City 10% cash dedication in lieu of land dedication, to be calculated on the basis of two additional building sites being created.

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

III. That the St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land outlined on Schedule "A" for File DASZ 15/93 dated October 14, 1993 to a "RR-2" Rural Residential District.

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

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

VI. That the zoning section of the by-law shall come into force and effect when the plan of subdivision has been registered in the Winnipeg Land Titles Office.

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

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

IX. That the 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."

Your Committee on Planning and Community Services has further considered the foregoing and recommends the following recommendation be incorporated therein, namely:

Report of the Committee on Planning and Community Services dated November 23, 1993

"That the Applicant enter into a Servicing Agreement with the City containing the following provisions:

1. The Applicant shall make a payment to the City equivalent to one-third (1/3) of the estimated cost of upgrading Charlotte Road to an asphalt roadway. The payment shall be based on the estimated local improvement rate current at the time of payment *and shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to the subdivision frontage.

   * the rate for asphalt roadways for 1993 is $60.00 per front foot.

2. The Applicant shall pay $500.00 to defray the City's administration and related costs associated with the preparation of the Servicing Agreement."

Note: The applicant has paid an application fee of $600.00. Of this amount, $500.00 shall be credited against the above Servicing Agreement administration charge.

Adopted by consent.

(See Minute No. 252 for attachment)

Subdivision and Rezoning - land located on the south side of Taylor Avenue opposite Lindsay Street, City Centre Community
File No. DASZ 18/93
(c/r DAZ 254/84B and DASZ 7/92)

248 - 16. Your Committee on Planning and Community Services has been advised that an application has been received from Levcan Development Inc., 1212 - One Lombard Place, Winnipeg, R3B 0X3, for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 1800 by rezoning the subject lands from an "R1-4" Single-Family District to an "RM-1" Multiple Family District to permit the construction of a multiple family project on proposed Lot 2.

The site is zoned "R1-4" Single-Family District and comprised of a total of 4.2 acres with proposed Lot 1 being comprised of 0.7 acres and proposed Lot 2 being comprised of 3.5 acres. The easterly portion of the site (proposed Lot 1) contains the Burlington Northern Spur Line and the Buggy Bath car wash. The westerly portion of the site (proposed Lot 2) is vacant.

Lands to the north are zoned "R1-4" Single-Family Residential District and bounded on the north by Taylor Avenue, which intersects Lindsay Street about midway along the north limit of the site. West of Lindsay is the Burlington Northern rail yard; east of Lindsay is single-family residential development in South River Heights.

Lands to the east are zoned "MP-S" Special Industrial Park, to accommodate recreational related establishments such as racquet clubs and the Kinsmen Reh-Fit Centre.

The site is bounded on the west by the CPR La Riviere subdivision serving the St. James Industrial Area. Beyond the rail line is two-family and multi-family residential development fronting Renfrew Bay, zoned "R2" and "RM-2".

To the South there exists the CN Mainline (Rivers Subdivision) and lands are zoned "M2" Limited Industrial District.

There are two relevant, previous applications dealing with the subject lands. Firstly, under File DAZ 254/84B the Commissioner of Environment initiated an application covering all lands in River Heights to delete the lands in River Heights from Zoning By-law No. 16502 and to add them to Zoning By-law No. 1800 in order to consolidate all lands in Assiniboine Park-Fort Garry under one zoning by-law. At this time all the Burlington Rail lands including the subject site were also rezoned from an "M1" Light Industrial District to an "R1-4" Single-Family Residential District. This "R1-4" District zoning reflected the predominant zoning in the area and was used to ensure that any redevelopment of the Burlington lands would be subject to a public hearing.

In 1992, an application was made to subdivide the lands into 2 lots and to establish a self storage locker facility on the vacant lands under related File DASZ 7/92, which application was denied.

Report of the Committee on Planning and Community Services dated November 23, 1993

The applicant is now proposing to subdivide the site into two (2) lots and to construct a 36 unit townhouse development on the westerly portion of the property. This site is separated from the easterly portion, which is developed with a car wash, by a railway spur line. It is proposed that the car wash site would remain zoned "R1-4" and an "RM-1" Multiple Family District zoning is requested for the vacant parcel (proposed Lot 2) to accommodate the proposed housing construction.

Preliminary plans of the proposed housing development indicated 36 dwelling units (18 - 2 bedroom + 18 - 3 bedroom units) located in 8 building clusters. Each dwelling unit has a single attached garage and an additional 18 parking spaces are provided on site. Vehicular access is to be from an approach on Taylor Avenue.

While the Planning Department considered the storage locker development proposed under File DASZ 7/92 to be an appropriate use of this land noting the low traffic generation associated with these uses and the relationship of this site to the rail lines; the present proposal represents an extension of the residential area located to the west and is also an acceptable land use. Of primary concern is the provision of noise and vibration attenuation from the rail lines, particularly the CNR main line located to the south.

The Canadian National Railway Company has objected to this application and have indicated that they discourage residential development adjacent to an operated rail line. The adjacent residential uses to the west provide a minimum 45' yard set back from the dwelling units to the CNR & CPR rights-of-way. In this particular instance the applicant proposed setbacks from the rail lines to the dwellings of approximately 25 feet. The Planning Department recommended that the developer provide a detailed noise and vibration attenuation program which attempts to comply with CMHC guidelines. This issue was addressed by the developer's representative at the public hearing and to the satisfaction of the Community Committee. The developer plans to erect noise attenuation berming and fencing where necessary.

The application has been circulated to the usual administrative agencies for comment. No other objections were indicated, however it has been recommended that the applicant be required to enter into a Development Agreement to provide site servicing and upgrading of the Taylor Avenue right-of-way.

A Public Hearing was held before the City Centre Community Committee on October 19, 1993.

The following persons appeared and/or registered in support of the application:

Roy Lev, Levcan Development, 1212 - One Lombard Place, Winnipeg, R3B 0X3
Bruce Syme, 800 Borebank Street, Winnipeg, R3N 1G4

The following persons appeared and/or registered in opposition thereto:

Sharon Caton, 930 Lindsay Street, Winnipeg, R3N 1H9
Yvette Gerbasi, 934 Lindsay Street, Winnipeg, R3N 1H9
Linda Bodnaruk, 920 Lindsay Street, Winnipeg, R3N 1H9

The City Centre Community Committee recommended that:

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

   A. The proposal represents an extension of the residential area located to the west and is an acceptable land use.

   B. Noise and vibration attenuation measures as well as setbacks from the dwelling units to the rail lines have been adequately addressed.

   C. The applicant has been sensitive to the concerns of the residents and there is a positive feeling about what the development will bring to the area.

   D. The development is very progressive in light of the current economic time and is a good example of infill housing.

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

Report of the Committee on Planning and Community Services dated November 23, 1993

Your Committee on Planning and Community Services concurs in the recommendation of the City Centre Community Committee and recommends:

I. That the plan of subdivision proposed under File DASZ 18/93 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated November 12, 1993, for registration in the Winnipeg Land Titles Office subject to the following:

A) The Developer enter into a Development Agreement with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group dated September 28, 1993, designated as Schedule "B" and dated November 12, 1993 with the following amendment thereto:

(i)"That Paragraph 2 be amended by deleting the word "Borebank" in the second line thereof and substituting therefor the word "Lindsay".

B) That the developer be required to pay to the City 10% cash dedication in lieu of land dedication to be calculated on the basis of the one additional "RM-1" building site being created.

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

III. That Zoning By-law No. 1800 be amended by rezoning the subject lands outlined on Schedule "A" for File DASZ 18/93, and dated November 12, 1993, to an "RM-1" 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 provide for the following:

A. That no more than 36 dwelling units be located on the land.

B. That no building or structure be located on the land exceeding 2½ storeys or 30 feet in height;

C. That a minimum of 1.5 parking spaces be provided and maintained on the land for each dwelling unit established;

D. That final construction plans indicating the design and location of proposed buildings including elevations and exterior finishing materials, site access, accessory parking areas, fencing, landscaping, including details of all noise and vibration attenuation measures, garbage enclosures and signage be subject to the approval of the City Centre Community Committee and the Commissioner of Planning and Community Services prior to the issuance of a building permit.

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

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

VI. That the zoning section of the by-law shall come into force and effect when the plan of subdivision has been registered in the Winnipeg Land Titles Office and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office.

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

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

IX. That the 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. 253 for attachment)

Report of the Committee on Planning and Community Services dated November 23, 1993

Subdivision and Rezoning - land located on the south side of Regent Avenue West running through to Pandora Avenue West, West of Plessis Road, East Kildonan-Transcona Community
File DASZ 20/93 (c/r DAV 535/93C)

249 - 17. Your Committee on Planning and Community Services has been advised that an application has been received from Basarab Associates Architecture Inc., 201 - 140 Bannatyne Avenue, Winnipeg, R3B 3C5, for approval of a plan of subdivision and related zoning change to Zoning By-Law No. 4440/86 by rezoning proposed Lot 2 from a "C3-1" Highway Commercial District to a "C2" Commercial District. The plan of subdivision will allow for the establishment of proposed Lot 2 as a separate commercial site. Proposed Lot 1 will contain the existing hotel complex.

There exists a hotel complex on proposed Lot 1, proposed Lot 2 being vacant, for a total site area of 3.26 ha (8.059 acres). Lands to the north are zoned "M1" Light Industrial District with commercial development on the north side of Regent Avenue. To the east there exists an automobile sales building and lot zoned "C3-1" Highway Commercial District.

An Automobile Gas Kiosk, Car Wash and Convenience Store exists to the west and lands are zoned "C2" General Commercial District. To the south there is residential development on the south side of Pandora Avenue West which lands are zoned "R1-5" and vacant lands zoned "AR-4" for future housing which is presently zoned "AR-4".

The applicant is proposing to create two lots from the present commercial site. The easterly lot, Lot 1 would have 160.357 metres (526.10 feet) frontage on Regent Avenue, and be 2.263 ha (5.59 acres) in area. Lot 1 would include all of the buildings of the existing hotel operation.

Proposed Lot 2 would have 67.068 metres (220.03 feet) frontage on Regent Avenue and be 0.90 ha (2.44 acres) in area. Proposed Lot 2 is presently vacant, however under File DAV 535/93C, the Board of Adjustment recently granted approval for the construction and establishment of a "Video Rental" store. The rezoning of proposed Lot 2 to "C2" will permit the maintenance of a video store on this lot beyond the 5 year time limit as presently dictated by The City of Winnipeg Act for "use" variances.

The Planning Department has no objection to the subdivision component of this application as both lots will have substantial frontage and area. The District Engineer has noted that a lot grading plan showing independent drainage for each lot will be necessary. This information is now in the process of being provided by the applicant to the District Engineer.

The rezoning component of the subject application from a "C3-1" to a "C2" designation will result in a wider range of commercial uses being permitted on the lands in proposed Lot 2. The Planning Department considers the proposed rezoning to be compatible with the uses and character of Regent Avenue in this general vicinity.

However, in order that development under the proposed "C2" zoning for the proposed Lot 2 be consistent with established yard requirements under the "C3-1" zoning which exists on much of Regent Avenue, it is proposed that a minimum front yard of 7.5 m (25.0 feet) be required along Regent Avenue as a condition of approval. The proposed front yard requirement would be established within the "special yard" section of By-law No. 4440/86, Appendix B. Additionally, because the subject site is a "through-lot", a 7.5 metre (25.0 feet) front yard should apply also to the Pandora Avenue West frontage in order to ensure that a set back equivalent to the rear yard requirements of the "C2" zoning district is provided in that location.

Consistent with the above, it is also recommended that the applicant be required to enter into a zoning agreement with the City to restrict development height and density on the proposed "C2" lands to that of the adjacent "C3-1" zoning district. The recommended conditions affecting yards, height and development density are identical to conditions imposed by Council under a similar rezoning application from "C3-1" to "C2" on the adjacent lands to the west, under File DAZ 220/92.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on October 12, 1993.

The following persons appeared and/or registered in support of the application:

Ronald Basarab, Basarab Associates Architecture Inc., 201 - 140 Bannatyne Avenue, Winnipeg, R3B 3C5
Leo Ledohowski, President, Hospitality Corporation of Manitoba Inc., 302 - 930 Jefferson Avenue, Winnipeg, R2P 1W1

Report of the Committee on Planning and Community Services dated November 23, 1993

No one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that:

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

   A. The proposed rezoning will allow a wider range of commercial uses on the land, and is deemed to be compatible with the use character of Regent Avenue in this general vicinity.

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

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

I. That the plan of subdivision proposed under File DASZ 20/93 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 20/93 dated November 12, 1993 for registration in the Winnipeg Land Titles Office.

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

III. That By-law 4440/86 be amended by rezoning the subject land outlined on Schedule "A" for File DASZ 20/93 and dated November 12, 1993, to a "C2" General Commercial 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:

   (1) Maximum height of any buildings on Lot 2, shall not exceed 9 metres (30.0 feet);

   (2) Maximum floor area ratio applicable to Lot 2, shall be 0.5.

IV. That By-law 4440/86 (special yard provisions appendix B) be amended to establish the following special alignments:

   (1) Lot 2 front yard Regent Avenue 7.5 metres (25.0 feet);

   (2) Lot 2 front yard Pandora Avenue West 7.5 metres (25.0 feet);

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

VI. That the zoning section of the by-law shall come into force and effect when the plan of subdivision has been registered in the Winnipeg Land Titles Office and when the Zoning Agreement has been filed by caveat as a first charge in the Winnipeg Land Titles Office.

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

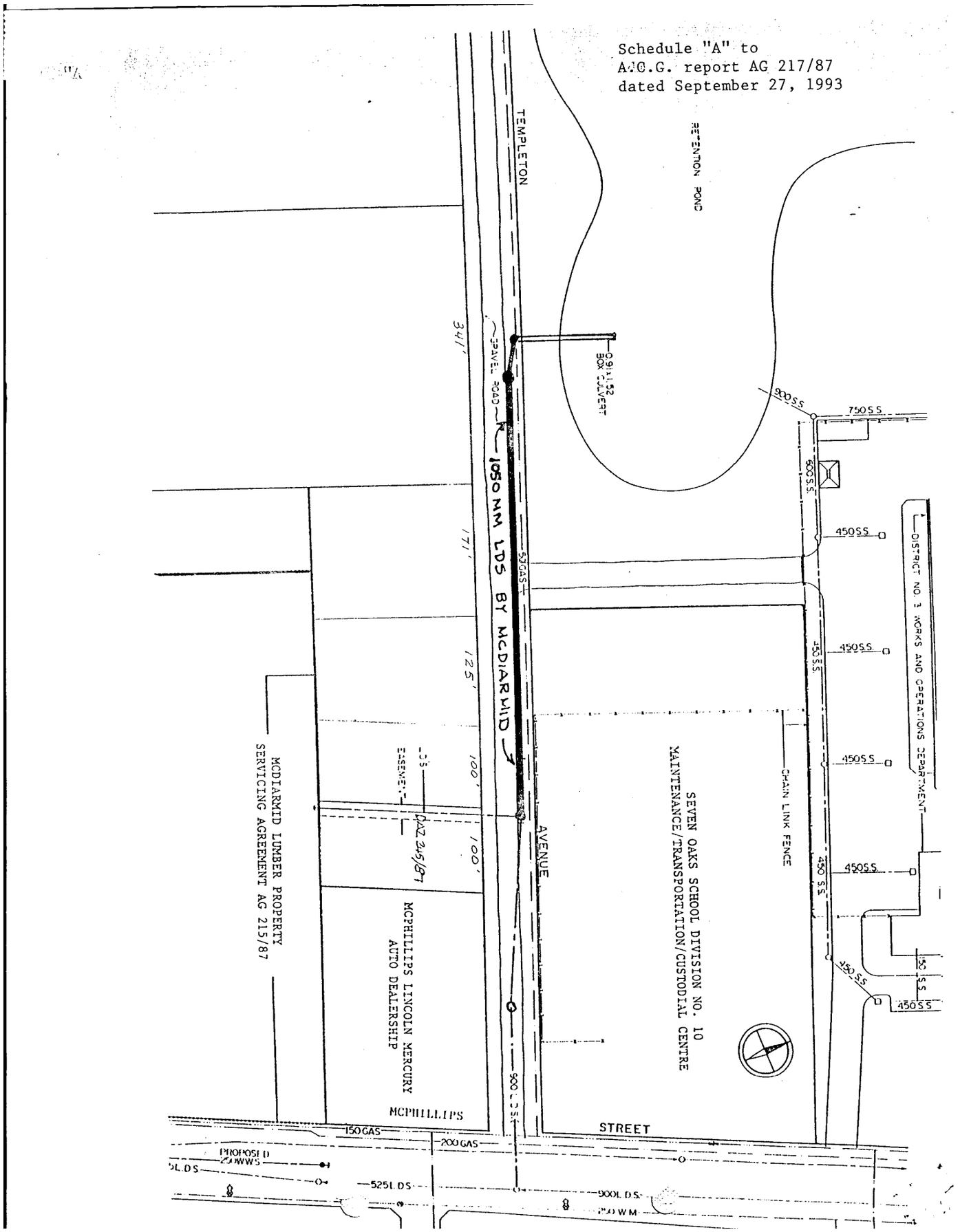
VIII. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 24 months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

IX. That the 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. 254 for attachment)

250 - Schedule "A" referred to in Clause 9 of the Report of the Committee on Planning and Community Services dated November 23, 1993



251 - Schedule "A" referred to in Clause 12 of the Report of the Committee on Planning and Community Services dated November 23, 1993

By-Law No. _____

_____

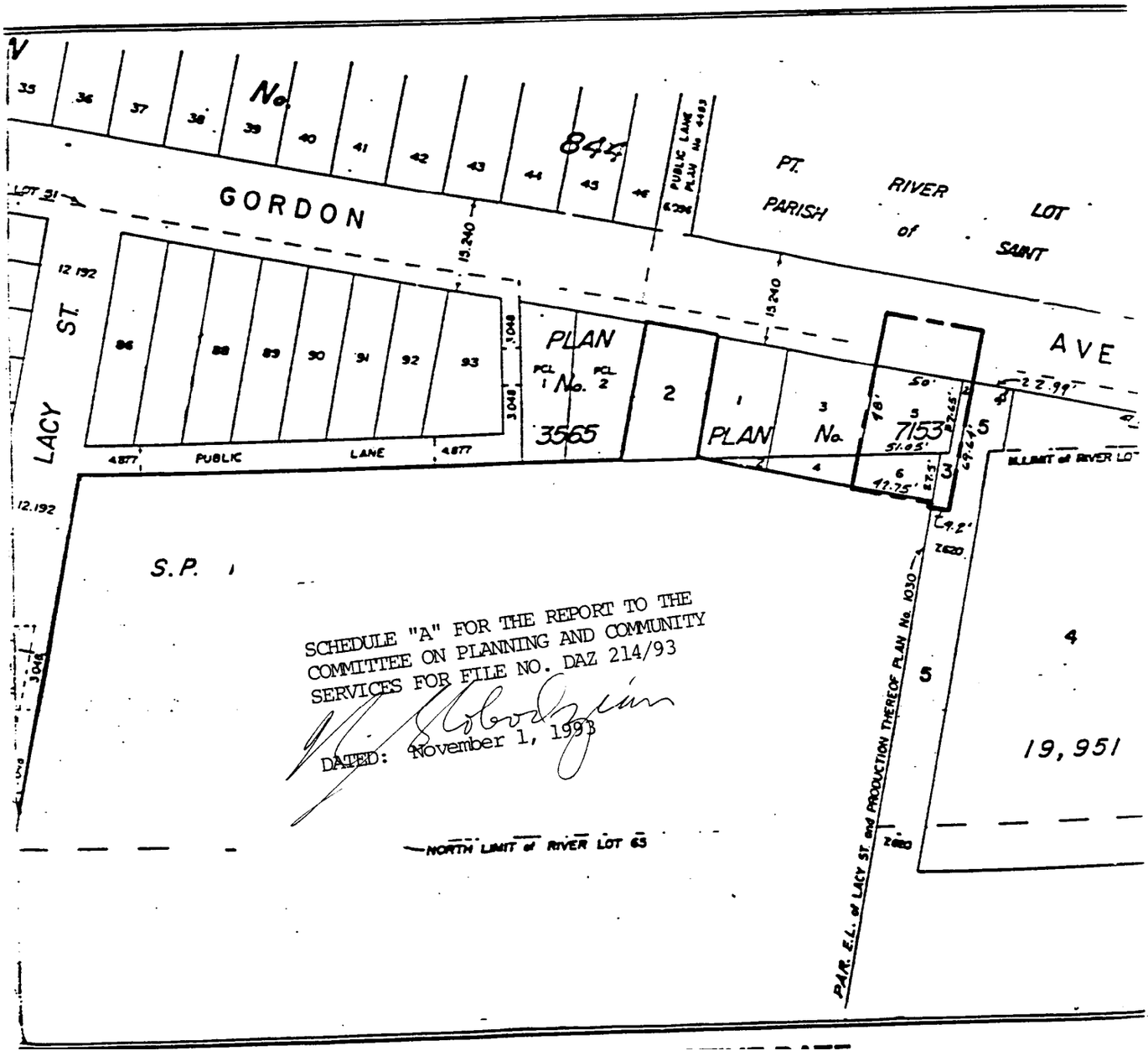
FILE No. DAZ 214 / 93

ATLAS SHEET No. X 27

EAST KILDONAN
TRANSCONA
COMMUNITY

EXPLANATION:

A proposed zoning change to By-law No. 4440/86 by rezoning the land at 264 Gordon Avenue from a "PR" PARK AND RECREATIONAL DISTRICT, an "R1-2.5" SINGLE-FAMILY DISTRICT and an "M2" INDUSTRIAL DISTRICT to either a "C2" GENERAL COMMERCIAL DISTRICT or an "M1" INDUSTRIAL DISTRICT as shown outlined below.



252 - Schedule "A" referred to in Clause 15 of the Report of the Committee on Planning and Community Services dated November 23, 1993

By-Law No. _____

_____

ATLAS SHEET No. A M 26

EXPLANATION:

A proposal to subdivide the land at 30 Charlotte Road and rezone it from an "A1" AGRICULTURAL DISTRICT to an "RR-2" RURAL RESIDENTIAL DISTRICT as shown outlined below.

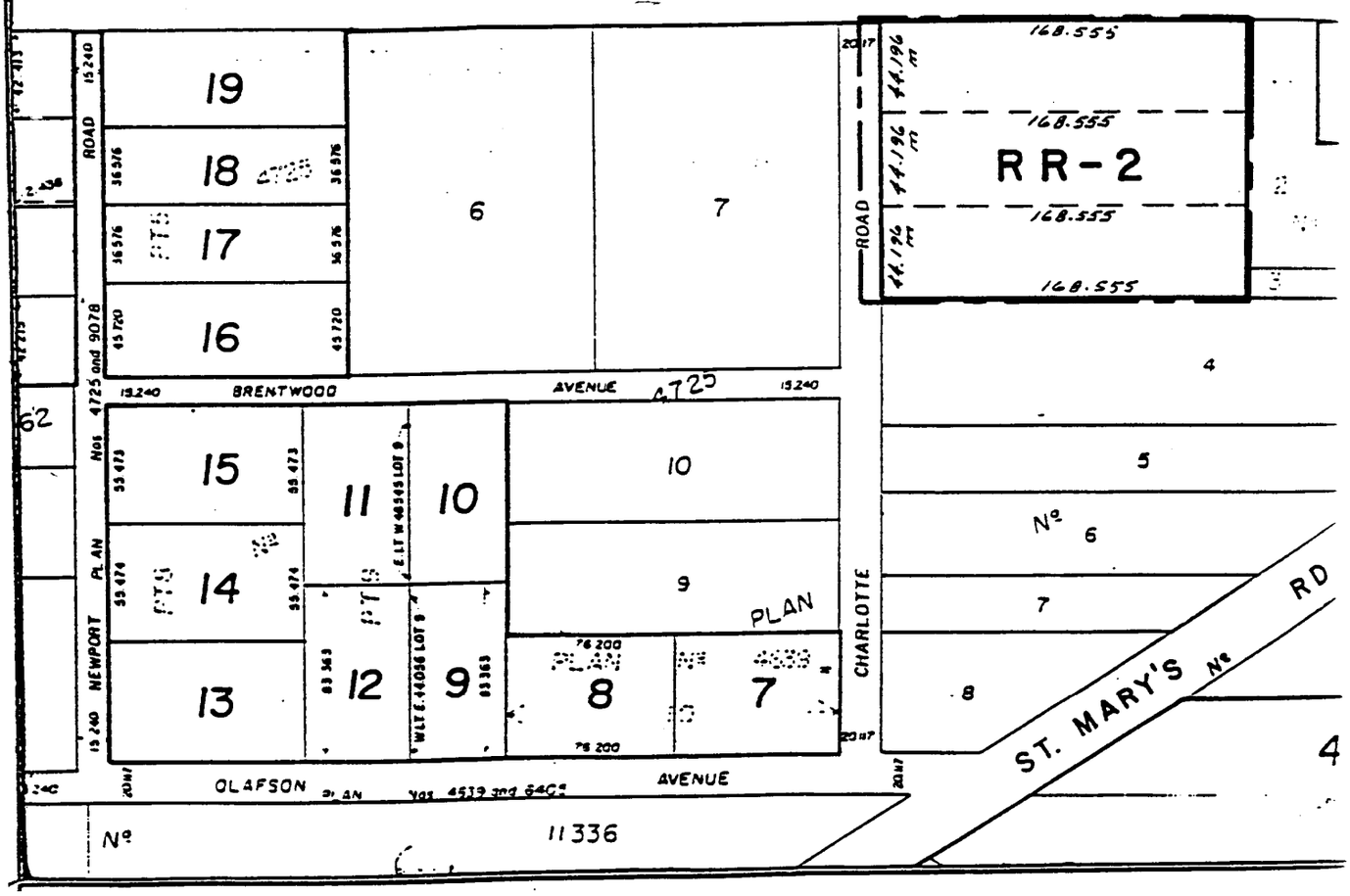
RIEL COMMUNITY

PERIMETER

SCHEDULE "A" FOR THE REPORT TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES FOR FILE NO. DASZ 15/93

DATED: OCTOBER 14, 1993

PLAN



253 - Schedule "A" referred to in Clause 16 of the Report of the Committee on Planning and Community Services dated November 23, 1993

By-Law No. _____

_____

FILE No. DASZ 18 / 93

EXPLANATION:

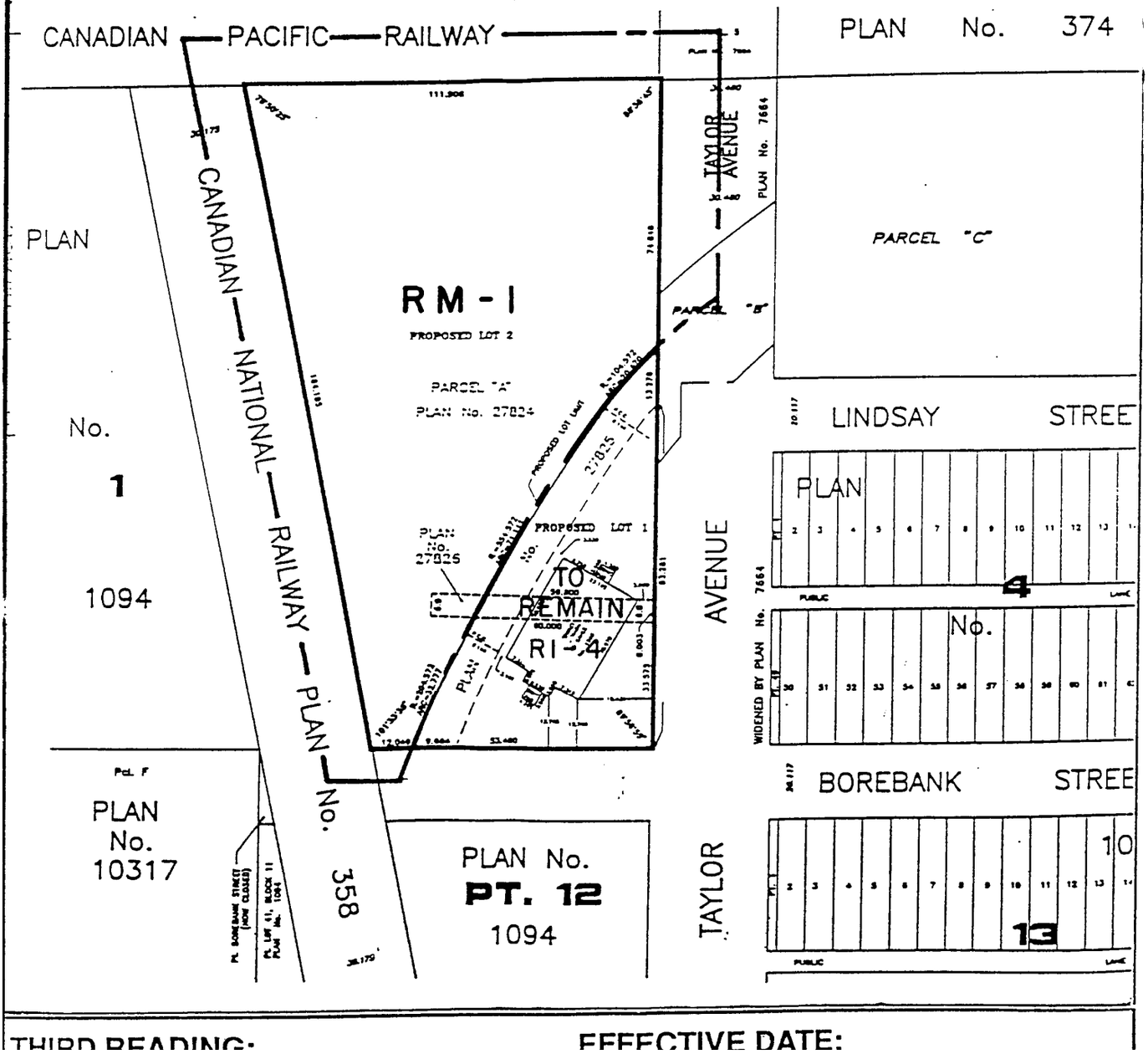
A proposal to subdivide the land at 1560 Taylor Avenue and rezone it from an "R1-4" SINGLE-FAMILY DISTRICT to an "RM-1" MULTIPLE-FAMILY DISTRICT as shown outlined below

ATLAS SHEET No. A E 21

SCHEDULE "A" FOR THE REPORT TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES FOR FILE NO. DASZ 18/93

DATED: November 12, 1993

CITY CENTRE COMMUNITY



THIRD READING: EFFECTIVE DATE:

254 - Schedule "A" referred to in Clause 17 of the Report of the Committee on Planning and Community Services dated November 23, 1993

By-Law No. _____

_____

FILE No. DASZ 20/93

EXPLANATION:

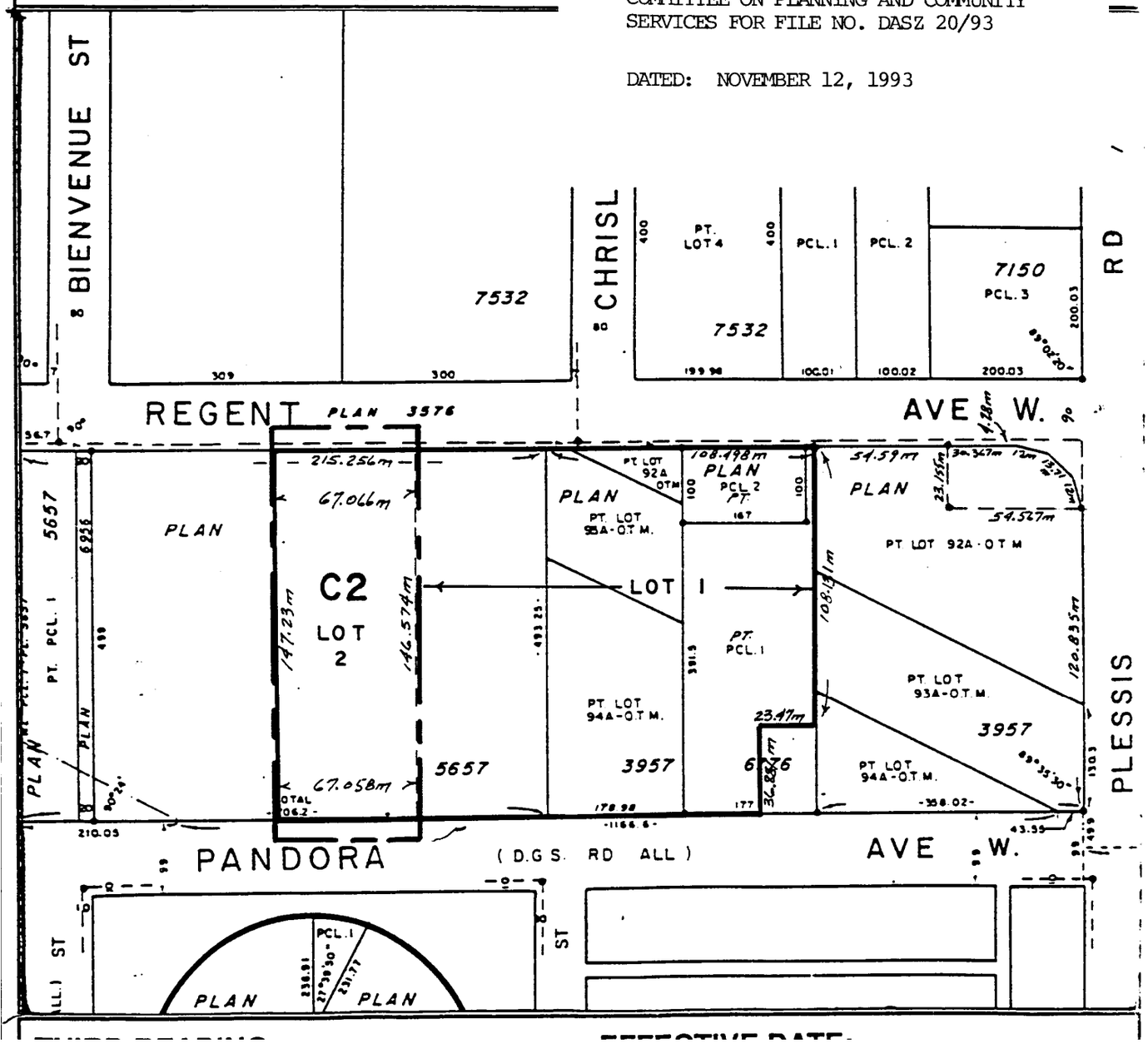
A proposal to subdivide the land shown outlined below and rezone Lot 2 from a "C3-1" HIGHWAY COMMERCIAL DISTRICT to a "C2" GENERAL COMMERCIAL DISTRICT as shown outlined below.

ATLAS SHEET No. Z 33

EAST KILDONAN
TRANSCONA - COMMUNITY

SCHEDULE "A" FOR THE REPORT TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES FOR FILE NO. DASZ 20/93

DATED: NOVEMBER 12, 1993



COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

255 - On motion of Councillor O'Shaughnessy, the following By-laws were each 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. 6209/93, being a By-law of the City of Winnipeg to amend The Residential Buildings Fire Safety By-law No. 4304/86. File EB-1 (RBFS) (Vol. 4).

By-law No. 6280/93, being a By-law of the City of Winnipeg to amend typographical error in amending By-law No. 6255/93, which amends The Winnipeg Building By-law No. 4555/87. Files EB-1.1 (Vol. 8) and EB-1.4 (1993).

By-law No. 6281/93, being a By-law of the City of Winnipeg to amend Zoning By-law No. 1800 for the enactment of a zoning change on the north-west corner of Pembina Highway and Chancellor Drive, in the Riel Community. File DAZ 250/92.

By-law No. 6282/93, being a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 4450/86 for the enactment of a zoning change on land located on the north side Court Avenue between Pipeline Road and McPhillips Street in the Lord Selkirk - West Kildonan Community. File DASZ 13/93.

256 - On motion of Councillor O'Shaughnessy, the rule was suspended and By-law No. 6289/93, a By-law of the City of Winnipeg to amend The Municipal Assistance By-law No. 6162/93 and to provide for the payment of Christmas Allowances, was read a first, second and third time, the rule being suspended for the third reading and was passed and ordered to be signed and sealed. File EH-2 (Vol. 17)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

QUESTION PERIOD

257 - Councillor Murray noted that the Provincial Government had cut 18 percent from child/family support income, saving $4 million, and that they further added $4 million to rent support for single persons which in turn was cut, and that the $4 million should have been reinstated for child/family support, and requested clarification on the City of Winnipeg's policy on social assistance rates.

Councillor O'Shaughnessy noted that the current City of Winnipeg policy on social assistance rates was to parallel the rates of the Province, with the exception of items noted in the 1993 Current Estimates, as approved by Council on March 22, 1993, and that these items would be reviewed in the 1994 Current Estimates.

Councillor Murray questioned what actions had been taken to request that the Provincial Government reinstate the $4 million in funding.

Councillor O'Shaughnessy noted that it had not been an item on the Committee's agenda, in that a related request had never been made and further noted that the reinstatement of the $4 million would not necessarily result in any savings for the City of Winnipeg.

Councillor Murray noted that related requests had been made by the City Centre Community Committee and a motion from the Standing Committee on Planning and Community Services requesting that Executive Policy request the transfer of the $4 million in question.

Councillor O'Shaughnessy stated that he would take the matter up with Executive Policy Committee.