REPORT OF THE

COMMITTEE ON FINANCE AND ADMINISTRATION

DATED SEPTEMBER 27, 1993

On motion of Councillor Eadie, the Report of the Committee on Finance and Administration, dated September 27, 1993, was considered clause by clause.

Moved by Councillor Eadie,
That Consent Agenda items, Clauses 1,2,3, and 4 be adopted.

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

Her Worship the Mayor and Councillors:

Appointment of Special Constable - Operations Department
File GF-2.3 (Vol. 4)

1070 - 1. Your Committee on Finance and Administration has been advised by the Law Department that the Supervisor of Emergency Services, Regional Services Branch of the Operations Department, has requested that the following employee of the Operations Department, who may be required to perform by-law enforcement duties, be sworn in as a Special Constable, namely:-

WILLIAM EDMUND KEEGAN

Your Committee on Finance and Administration recommends that the City Solicitor be authorized to make the necessary application to the Attorney-General's Department to have the above-named employee from the Operations Department sworn in as a Special Constable.

Your Committee also recommends that the Proper Officers of the City be authorized to execute the required Forms of Indemnity of whatsoever kind or nature arising out of the acts and conduct of anything done, said or written by the said Special Constable when he functions as a Special Constable under the said appointment.

Adopted by consent.

Expropriation - Proposed Dualling of Pembina Highway from rue Des Trappistes to the South City Limit
File FI-2(35) (Vol. 1)

1071 - 2. Your Committee on Finance and Administration has been advised that the subject properties are required for the proposed widening of Pembina Highway from rue Des Trappistes to the South City Limit. Funding for construction is proposed to be budgeted in the 1994, 1995 and 1996 Capital Estimates. Construction of this project, a portion of which is scheduled to begin in May of 1994, cannot commence until lands required for the right-of-way widening are acquired. Authorization to expropriate is required immediately to ensure that the City has a legal interest in all property required in order to permit advertising of the construction tender in March, 1994, and to ensure possession of the right-of-way for the 1994 construction season.

An anticipated flow of events required in connection with the proposed expropriation is as outlined in Exhibit "A".

On July 6, 1993, the Committee on Works and Operations approved the recommended plan for the Pembina Highway Dualling Project.

Report of the Committee on Finance and Administration dated September 27, 1993

On July 22, 1993, Council approved the following:

- the recommended plan for the Pembina Highway Dualling Project from rue Des Trappistes to the South City Limit;
- that land acquisition negotiations be commenced to acquire all properties required for the project;
- that an environmental licence and other approvals be obtained in order for the project to proceed to construction.

The Land Surveys and Real Estate Department has initiated contact with the property owners. It is too early in the process to speculate as to the degree of success these negotiations will produce. However, based on previous projects requiring this number of properties, it is highly unlikely all the negotiations would be successful by the spring of 1994, thus making it necessary to proceed with an expropriation immediately.

The particulars of the properties required for this project as identified on the Misc. Plan Nos. Riel 8916/A and Riel 8916/B (Exhibit "B") are as follows:

Holdings "A", "B" and "C"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size: Total Site	13.27 ha (32.805 acres)
Part Required	3824.51 m² (41,166.64 sq.ft.) - approximate
Description of Property:	Forms a small portion of a large acreage property used in connection with the Floodway Water Control Work.

Holdings "D" and "E"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size: Total Site	.743 ha (1.836 acres)
Part Required 1088.81 m²	(11,719.84 sq.ft.) - approximate
Description of Property:	Forms part of a vacant parcel.

Holding "F"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size: Part Required	100 m² (1,082 sq.ft.) approximate
Description of Property:	Forms a small portion of a street right-of-way existing under the jurisdiction of the City. This parcel is already legally opened as street right-of-way and is described here for information only.

Holding "G"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size: Total Site	3.12 ha (7.710 acres)
Part Required 1219.40 m²	(13125.50 sq.ft.) - approximate
Description of Property:	Forms a small portion of a power transmission line right-of-way,a portion of which is used as a baseball diamond and playing field.

Holding "H"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size: Total Site	2.456 ha (6.07 acres)
Part Required 1,182.66 m²	(12,730.03 sq.ft.) - approximate
Description of Property:	Forms a small portion of a large residential holding.

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Holding "J"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size:Total Site	.076 ha (.188 acres)
Part Required	30.68 m² (330.24 sq.ft.) - approximate
Description of Property:	Forms a small portion of a very narrow strip of City-owned land existing under the jurisdiction of the Land Surveys and Real Estate Department.

Holding "K"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size:Total Site	.804 ha (1.987 acres)
Part Required	405 m² (4,359.38 sq.ft.) - approximate
Description of Property:	Forms a part of a vacant parcel.

Holding "L"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size:Total Site	985.52 m² (10,608 sq.ft.) - approximate
Description of Property:	The part required for the widening of the street comprises a substantial portion of the property and brings the new property limit to within very close proximity to the front of the house. Consequently it is considered appropriate to acquire the total holding.

Holding "M"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size: Total Site	603.87m² (6,500 sq.ft.) - approximate
Description of Property:	The part required for the widening comprises a substantial portion of the property and will result in an encroachment of the house into the proposed street right-of-way. Consequently it is considered appropriate to acquire the entire holding.

Holding "P"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size:Total Site	.639 ha (1.58 acres)
Part Required 374.25 m²	(4,028.39 sq.ft.) - approximate
Description of Property:	Forms a small portion of a single-family dwelling site. The dwelling fronts onto and receives access from Turnbull Drive.

Holding "Q"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size:Total Site	.329 ha (.814 acres)
Part Required	422.24 m² (4,544.95 sq.ft.) - approximate
Description of Property:	Forms a part of a vacant parcel.

Holding "R"

Location:	East side Pembina Highway, South of Turnbull Drive
Site Size:Total Site	.840 ha (2.076 acres)
Part Required	804.51 m² (8,659.66 sq.ft.) - approximate
Description of Property:	Forms a part of a large single-family dwelling site that fronts onto and receives access from Turnbull Drive.

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Holdings "S" and "T"

Location:	East side Pembina Highway at the intersection of Turnbull Drive
Site Size: Total Site	.589 ha (1.456 acres)
Part Required	1590.44 m² (17,119.34 sq.ft.) - approximate
Description of Property:	Forms a part of a vacant parcel.

Holding "U"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	1.533 ha (3.788 acres)
Description of Property:	Only a portion of this riverbank parcel is required for the widening. The balance however is required for riverbank stabilization and therefore the entire parcel is being required.

Holdings "V" and "W"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	1226.28 m² (13,200 sq.ft.)
Description of Property:	The part required for the widening brings the new property limit to within very close proximity of the front of the house. Due to the apparent impracticability of relocating the house further back on the site, it is considered appropriate to acquire the entire property.

Holding "X"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	4.208 ha (10.40 acres)
Part Required	±1,000 sq.m. (10,764 sq.ft.) approximate
Description of Property:	Forms a small portion of an acreage property used for residential and agricultural purposes.

Holding "Y"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	2.42 ha (6 acres)
Part Required	± 710 sq.m. (7,642 sq.ft.) approximate
Description of Property:	Forms a small part of an acreage used for residential and agricultural purposes.

Holding "Z"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	2.424 ha (5.992 acres)
Part Required	± 3,350 sq.m. (36,059 sq.ft.) approximate
Description of Property:	Forms a small part of a vacant acreage partly used for agricultural purposes.

Holding "AA"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	.512 ha (1.265 acres)
Part Required	612.14 m² (6,589.01 sq.ft.) - approximate
Description of Property:	Forms a part of a vacant single-family dwelling site.

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Holding "BB"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	.554 ha (1.37 acres)
Part Required	744.59 m² (8,014.69 sq.ft.) - approximate
Description of Property:	Located within the proposed taking is an older single-family dwelling. It would appear the balance of the site has sufficient room to which the dwelling may be relocated or alternatively sold as a building site after

subsequent demolition by the City. Consequently only a portion of the property is recommended for expropriation.

Holding "CC"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	.45 ha (1.113 acres)
Part Required	571.103 m² (6,147.30 sq.ft.) - approximate
Description of Property:	The widening requirement exists across a portion of the septic field of a recently constructed house. Relocation of the septic field may be necessary.

Holding "DD"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	.476 ha (1.177 acres)
Part Required	612.14 m² (6,589.01 sq.ft.) - approximate
Description of Property:	The widening requirement forms a portion of a single-family dwelling site.

Holding "EE"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size:Total Site	.947 ha (2.34 acres)
Part Required	2,047.73 m² (22,041.56 sq.ft.) - approximate
Description of Property:	The widening requirement forms a part of what appears to be a market gardening operation.

Holdings "FF" and "GG"

Location:	2,444.5 m² (26,313 sq.ft.) - approximate
Description of Property:	Located within the proposed taking is a single-family dwelling and consequently acquisition of the entire property is recommended.

Holding "HH"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	743.5 m² (8,003 sq.ft.) - approximate
Description of Property:	Located within the proposed taking is a single-family dwelling and consequently acquisition of the entire property is being recommended.

Holding "JJ"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	1161.29 m² (12,500 sq.ft.) - approximate
Description of Property:	Located within the proposed taking is a single-family dwelling, consequently acquisition of the entire property is being recommended.

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Holding "KK"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	.413 ha (11.02 acres) - approximate
Description of Property:	The widening requirement comprises a significant portion of a single-family dwelling site. After the taking there will be insufficient room for the placement of a house and consequently acquisition of the total property is being recommended.

Holding "LL"

Location:	Between Pembina Highway and the La Salle River
Site Size: Part Required	1,040 m^2 (11,195 sq.ft.) approximate
Description of Property:	The widening requirement forms part of a street right-of-way presently physically unopened in this location.

Holding "MM"

Location:	Between Pembina Highway and the La Salle River, South of rue Des Trappistes
Site Size: Total Site	.797 ha (1.97 acres)
Part Required	5,500 m^2 (59,201 sq.ft.) approximate
Description of Property:	The part required for the widening forms a substantial portion of this vacant parcel.

Holding "NN"

Location:	Existing on the East and West sides of Pembina Highway, existing North and South of La Salle River, in the area South of rue Des Trappistes
Site Size:Total Site	.934 ha (2.31 acres)
Part Required	7,000 m^2 (75,347 sq.ft.) approximate
Description of Property:	The subject lands are presently used in connection with a bridge crossing of the La Salle River.

Holdings "PP" and "QQ"

Location:	East side Pembina Highway, South of avenue De L'Eglise
Site Size: Total Site	3682.5 m^2 (39,639.6 sq.ft.)
Part Required	1,107.56 m^2 (11,921.71 sq.ft.) - approximate
Description of Property:	The part required for the widening forms a portion of a vacant parcel.

Holding "RR"

Location:	South-west corner rue Des Trappistes and Pembina Highway
Site Size:Total Site	.297 ha (.735 acres)
Part Required	363 m^2 (3,907 sq.ft.) approximate
Description of Property:	The widening forms part of a vacant parcel.

Holdings A, B, C, F, G, S, T, LL and NN cannot be expropriated from HMQ (Manitoba) or from the Manitoba Hydro Electric Board, but can be included in the road opening plan upon the consent of the Province of Manitoba and Manitoba Hydro. This consent is expected prior to Council's Confirmation of the Expropriation.

Certain portions of this project will be subject to an Environmental Impact Assessment. It is anticipated that a licence will be granted to the City in December of 1993. The granting of an Environmental Impact Assessment Licence could result in altered property requirements perhaps necessitating a second expropriation where additional properties are required or alternatively, depending on timing, an amendment to this proposed expropriation. In the event a licence is not granted, then Council may decide to not Confirm the Expropriation.

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Funding for this acquisition program is available from Account No. 03-118117-5193030701.

In order to facilitate the necessary approvals in accordance with the projected time-line outlined in Exhibit "A", your Committee on Finance and Administration has requested the Committee on Works and Operations to consider this matter "In Camera" and approve the need for the proposal and instruct the City Solicitor to prepare the necessary street opening By-law in accordance with the Misc. Plans, as outlined in Exhibit "B", for submission to Council, and that the cost of the By-law be charged to Capital Account No. 03-118117-5193030701, which matter will be considered at its October 5, 1993 meeting.

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

I. That the City initiate expropriation proceedings in the acquisition of the holdings herein identified and required by the City for the widening of Pembina Highway.

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

Copy of the Misc. Plan Nos. Riel 8916/A and Riel 8916/B (Exhibit "A" & Exhibit "B") regarding this proposal together with additional details of the properties required for this project are on file in the office of the City Clerk.

Adopted by consent.

Expropriation - Main Street/Norwood Bridges Project

File FI-2(32) (Vol. 1)

1072 - 3. Your Committee on Finance and Administration has been advised that the subject properties are required for the proposed reconstruction of the Main/Norwood Bridges and associated right-of-way realignments. Construction of this project, a portion of which is scheduled to begin in May of 1994, cannot commence until lands required for the right-of-way widening are acquired. Authorization to expropriate is required immediately to ensure that the City has a legal interest in all property required in order to permit advertising of the construction tender in March, 1994, and to ensure possession of the right-of-way for the 1994 construction season.

An anticipated flow of events required in connection with the proposed expropriation is as outlined in Exhibit "A".

On July 8, 1993, City Council adopted the Recommended Plan (an eight-lane divided facility), including the Bell Avenue Option 2B, the St. Mary's Road Terminus at Tache Avenue and the five-span concrete C.N. Rail Mainline grade separation structure as identified in the Report of the Committee on Works and Operations dated May 25, 1993.

The construction phase for the recommended plan (8 lane divided facility) spans a period of 6 years from the Fall of 1993 to the Fall of 1999. Several of the stages last more than one construction season. A summary of the proposed project construction works on a year-by-year basis is as follows:

1993 - Commencement of the utility relocation works necessary for the reconstruction of the C.N. Rail Mainline grade separation (No property required).

1994 - Completion of the utility relocation works near the grade separation structure; commencement of the C.N. Rail Mainline grade separation structure; other utility works including, relocation of the waste water lift station, and relocation of the flood pump station, and the construction of retaining walls to contain the railway embankments.

1995 - Completion of the C.N. Rail Mainline grade separation; commencement of the northbound river bridges across the Red and the Assiniboine Rivers; utility works including, the watermain renewal on Main Street, the sewer renewals south of the Red River, and the relocation of other miscellaneous utilities.

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1996 - Completion of the northbound river bridge; commencement of the reconstruction of roadway pavements on Main Street between Broadway and the Assiniboine River; commencement of the reconstruction of pavements at the Marion Street/Goulet Street/St. Mary's Road intersection; and opening of the new northbound river bridges and roadway facility to two-way diversion traffic.

1997 - Demolition of the existing river bridges; completion of the Marion Street/Goulet Street/St. Mary's Road intersection; "The Island" roadworks including, construction of Bell Avenue, reconstruction of roadway pavements on Harkness Street and Mayfair Avenue, and modification of Stradbrook Avenue.

1998 - Commencement of construction of the southbound Red River and Assiniboine River bridges and the southbound roadway through "The Point" area.

1999 - Completion of the southbound river bridges; completion of miscellaneous roadworks and full opening of the complete facility to traffic.

In a memorandum dated July 22, 1993, the Streets and Transportation Department instructed the Land Surveys and Real Estate Department to do all things necessary, including proceeding expropriation to acquire all properties essential to the time implementation of the Recommended Plan of the Main Street/Norwood Bridges Project by the required dates.

The particulars of the properties required for this project are as outlined in Exhibit "B".

Property Nos. 3, 4, 8, 55 and 62 are owned variously by the Forks Renewal Corporation, the Canadian National Railway and Petro Canada Inc. The Manitoba Liquor Control Commission has a lease registered against property number 30. These properties and interests cannot be expropriated by the City but can be included in the road opening plan upon the consent of the governmental agencies. This consent is expected prior to Council's Confirmation of the Expropriation.

Property Nos. 2, 9, 18, 21, 23, 25, 31, 35, 49, 52, 53, 54 and 63 are already owned by the City. The appropriate Civic Departments who have jurisdiction of these properties will be approached to ensure that there are no objections to a proposed transfer of jurisdiction.

In order to ensure possession of all outstanding properties required for this project and to establish one common date for evaluation purposes, thus fixing the circumstances under which value is to be determined for the remaining properties yet to be acquired, it is the consensus of the Land Surveys and Real Estate Department and the Streets and Transportation Department that expropriation proceedings commence at the present time.

This project will be subject to an Environmental Impact Assessment. It is anticipated that an Environmental Licence to construct will be granted to the City in August of 1994, after Council will have "Confirmed" the expropriation pursuant to the schedule as outlined in Exhibit "A". The granting of an Environmental Licence to construct could result in altered property requirements perhaps necessitating a second expropriation if there are property additions. A partial abandonment of the expropriation could be required if the licence specifies a deletion of property. Should the City proceed with the expropriation and afterwards determine that an Environmental Licence will not be granted then there will be cost implications associated with a potential abandonment of the expropriation at that time.

It could be argued that the City is not acting in good faith by proceeding to expropriate property prior to receipt of an Environmental Licence to construct. The Law Department has reviewed the legislation and has determined that there is no provision which precludes the City from proceeding with an expropriation prior to the granting of an Environmental Licence. However, given the proposed timing of this project, it is not practical to defer the expropriation.

In view of the need to assure the construction of the new northbound bridges to replace the existing bridges by the end of 1996, a number of activities must occur at the same time, including completing the Environmental Impact Assessment and obtaining an Environmental Licence; to proceeding with the design and preparatory work for the replacement C.N. railway bridge; and initiating the expropriation proceedings.

The Streets and Transportation Department has written the Department of Environment requesting that the C.N. replacement railway bridge based on preliminary findings be exempted from the Environmental Impact Assessment so that the project schedule can be met.

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Funding for the proposed Main Street/Norwood Bridges Project is available in Capital Account No. 03-118117-5192050701.

In order to facilitate the necessary approvals in accordance with the projected time-line outlined in Exhibit "A", your Committee on Finance and Administration has requested the Committee on Works and Operations to consider this matter "In Camera" and approve the proposal and instruct the City Solicitor to prepare the necessary street opening By-law in accordance with the Misc. Plans, as outlined in Exhibit "C", for submission to Council, and that the cost of the By-law be charged to Capital Account No. 03-118117-5192050701, which matter will be considered at its October 5, 1993 meeting.

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

I. That the City initiate expropriation proceedings in the acquisition of the properties herein identified and required by the City for the Main Street/Norwood Bridges Project.

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

Copy of the Misc. Plan Nos. 8334/6, 8334/7 and 8334/8 (Exhibit "A", Exhibit "B" & Exhibit "C") regarding this proposal are on file in the office of the City Clerk.

Adopted by consent.

Expropriation - Charleswood Bridge, North and South of the Assiniboine River from Roblin Boulevard to Ness Avenue
File FI-2(31) (Vol. 1)

1073 - 4. Your Committee on Finance and Administration has been advised that the subject properties are required for the proposed Charleswood Bridge from Ness Avenue to Roblin Boulevard. Funding for construction is proposed to be budgeted in the 1994, 1995 and 1996 Capital Estimate Years. Construction of this project, a portion of which is scheduled to begin in July of 1994, cannot commence until lands for the Bridge are acquired. Authorization to expropriate is required immediately to ensure that the City has an interest in all required properties prior to advertising the construction tender and to ensure possession.

Council, on March 8, 1989, approved the 1989 Capital Program, which included $4,810,000.00 funding for land acquisition and engineering design for the Charleswood Bridge Project.

Negotiations with property owners continued until the requirement for an Environmental Impact Assessment was ordered by Manitoba Environment. At its meeting held on December 6, 1990, the Board of Commissioners instructed that property acquisition for the Charleswood Bridge be held in abeyance except for those which were owner initiated.

Environment Act Licence #1622 was issued to the City of Winnipeg for the Charleswood Bridge Project on January 18, 1993.

The Board of Commissioners at its meeting held on May 13, 1993, authorized the Director of the Land Surveys and Real Estate Department to re-commence negotiations with the owners of the outstanding properties required for the Charleswood Bridge.

The Board of Commissioners at its meeting held on July 8, 1993, concurred in the recommendations submitted in a report dated June 30, 1993, by the Directors of the Streets and Transportation Department and the Land Surveys and Real Estate Department which were as follows:

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1. That $495,000.00 of the funds approved in the 1989 Capital Program for land acquisition for the Charleswood Bridge Project be reallocated for the relocation of the feedermain and that in addition, $630,000.00 be reallocated from land acquisition to engineering for this project.

2. That approval be granted to tender and relocate the feedermain without an interest in all the lands required for the Charleswood Bridge Project.

3. That the Director of the Land Surveys and Real Estate Department be authorized to:

   a) give notice to vacate to the tenants of the residential properties commonly known as 2563 Assiniboine Crescent and 2562 Pinewood Drive ; and

   b) give notice to vacate to the tenants occupying the balance of the City-owned residential properties, as and when required for this project to allow construction, following Council approval of funds for construction of the Charleswood Bridge Project.

4. That the Director of the Civic Buildings Department be authorized to attend to tendering of the demolition or removal of each of the then City-owned residential buildings on the lands required for the Charleswood Bridge Project, as detailed in Recommendation 3, subject to the engineering consultant, Reid Crowther and Partners Ltd., inspecting and approving all foundation removal and backfilling.

Details of the subject properties proposed to be expropriated are as follows:

Property #1

Location:	2331/55 Ness Avenue, North side, East of Moray Street
Site Size:	(Part Required) 268.59 m² (2891.2 sq.ft.)
Property Description	The subject property forms part of the landscaped front yards of a row of single-family residences which are evidently under rental to members of the Department of National Defence.

NOTE: H.M.Q. THE QUEEN (CANADA), I.E. THE DEPARTMENT OF NATIONAL DEFENCE, HAS A REGISTERED INTEREST IN THIS LAND AND IT MAY NOT BE POSSIBLE TO PROCEED WITH AN EXPROPRIATION WITHOUT THEIR CONCURRENCE.

Property #2

Location:	2359 Ness Avenue, North side, West of Moray Street
Site Size:	(Part Required) 231.8 m² (2495.2 sq.ft.)
Property Description	The subject property forms a landscaped portion of a neighbourhood shopping centre.

NOTE: H.M.Q. THE QUEEN (CANADA), I.E. THE DEPARTMENT OF NATIONAL DEFENCE, HAS A REGISTERED INTEREST IN THIS LAND AND IT MAY NOT BE POSSIBLE TO PROCEED WITH AN EXPROPRIATION WITHOUT THEIR CONCURRENCE.

Property #3

Location:	483 Moray Street, East side, South of Ness Avenue
Site Size:	(Part Required) 17.96 m² (193.32 sq.ft.)
Property Description	This six metre corner cut requirement forms part of the front yard of a single-family residence upon which is situated a brick planter and 0.35 mm diameter spruce tree.

Property #4

Location:	484 Moray Street, West side, South of Ness Avenue
Site Size:	(Part Required) 17.96 m² (193.32 sq.ft.)
Property Description	This six metre corner cut property requirement forms part of a front yard of a single-family residence upon which is situated a stone planter and a hedge.

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Property #5

Location:	2527/49 Portage Avenue, North side, East of Ainslie Street
Site Size:	(Part Required) 519.67 m² (5593.86 sq.ft.)
Property Description	The subject property impacts on the parking area of a strip shopping centre as well as two free-standing identification signs.

NOTE: THE MANITOBA LIQUOR CONTROL COMMISSION HAS AN INTEREST IN THE LAND BY WAY OF CAVEAT FOR THE EXISTING LEASE AGREEMENT. THIS INTEREST IN THE LAND MAY NOT BE EXPROPRIATED WITHOUT THEIR CONSENT.

Property #6

Location:	2555 Portage Avenue, North side, East of Moray Street
Site Size:	(Part Required) 855.5 m² (9208.83 sq.ft.)
Property Description	The property requirement forms part of the parking area of an Economart grocery store and affects the operation of a Domo Gasoline Kiosk.

Property #7

Location:	2554 Portage Avenue, South side, East of Moray Street
Site Size:	(Part Required) 623.45 m² (6711 sq.ft.)
Property Description	This property requirement impacts on the parking and landscaping portions of the Birchwood Motors Automobile Dealership property.

Property #8

Location:	150 Moray Street, West Side, South of Portage Avenue
Site Size:	(Part Required) 843.75 m² (9082.35 sq.ft.)
Property Description	The subject property forms part of an institutional complex (School Board Offices) and athletic field affecting a variety of miscellaneous improvements which include a flagpole, wooden garbage enclosure, shrubbery, etc.

NOTE: THE PROPERTY OF A SCHOOL DIVISION CAN ONLY BE INCLUDED IN AN EXPROPRIATION WITH THE CONCURRENCE OF THAT SCHOOL DIVISION, SINCE IT IS A CROWN AGENCY AS DEFINED IN THE EXPROPRIATION ACT OF MANITOBA.

Property #9

Location:	2562 Assiniboine Crescent, South Side, East of Moray Street
Site Size:	(Total Required) 25.69m x 54.864m = 1409.46m² (80' x 180' = 14,400 sq.ft.)
Property Description	The subject property is a single-family dwelling constructed in 1959 containing 1740 square feet on a full, fully developed basement with double attached garage.

Property #10

Location:	2571 Assiniboine Crescent, North side, West of Moray Street
Site Size:	(Total Required)24.38m x 36.58m = 891.82 m² (80' x 120' = 9,600 sq.ft.)
Property Description	The subject property is a site upon which is situated a 1,553 square foot single-family bungalow constructed in 1960 consisting of six rooms, including three bedrooms plus 1 1/2 baths, on a full basement (fully developed) together with a double attached garage.

NOTE: THE SUBJECT PROPERTY CAN ONLY BE EXPROPRIATED WITH THE CONCURRENCE OF THE DIRECTOR OF THE VETERAN LANDS ACT AS HE REPRESENTS A FEDERAL CROWN AGENCY. THE CITY OF WINNIPEG IS IN POSSESSION OF THIS CONCURRENCE.

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Property #11

Location:	2582 Assiniboine Crescent, South side, West of Moray Street
Site Size:	(Total Required) 29.26m x 53.04m = 1,551.95m² (96' x 174' = 16,704 sq.ft.)
Property Description	The subject property is a site upon which is situated a 2,565 square foot single-family bungalow constructed in 1965 on a full, fully developed basement, outdoor swimming pool and a double attached garage.

Property #12

Location:	3717 Roblin Boulevard, North-west corner of Haney Street
Site Size:	(Part Required) 35.3 m² (380 sq.ft.)
Property Description	The subject requirement affects both the grassed area in front of the building and also a portion of the asphalt parking area.

Property #13

Location:	4025 Roblin Boulevard, North Side, East of McQuacker Drive
Site Size:	(Part Required) 549.1 m² (5910.66 sq.ft.)
Property Description	This requirement affects the landscaped area along Roblin Boulevard. The stone pillars will require relocation or removal.

Property #14

Location:	4105 Roblin Boulevard, North-east Roblin Boulevard and McQuacker Drive
Site Size:	(Part Required) 34.7 m² (373.5 sq.ft.)
Property Description	This 1.5 metre requirement affects the grassed portion of the front yard area.

Property #15

Location:	4111 Roblin Boulevard, North side, West of McQuacker Drive
Site Size:	(Part Required) 32 m² (344.46 sq.ft.)
Property Description	This 1.5 metre requirement affects the landscaped portion of the front yard area which contains a number of oak and spruce trees.

Property #16	2571 Portage Avenue, North side, West of Moray Street
Site Size:	(Part Required) 11.25 m² (121.1 sq.ft.)

The subject property forms a portion of the concrete sidewalk entry to the building.

Property Nos. 1, 2, 5, 8 and 10 may not be expropriated without the owners' consent. This consent will be required prior to Council's Confirmation of the Expropriation.

Construction of the bridge embankments, along with some roadwork are slated to commence in the fall of 1994. Although the negotiation process has again commenced, there is no guarantee that the City will have an interest in the property in time for the tendering of the project currently slated for May of 1994. In order to guarantee possession for the 1994 season, it is important for the expropriation process to commence immediately. The anticipated flow of events required in connection with the proposed expropriation is as outlined in Exhibits "A" and "B".

Funding for this acquisition program is available from Account No. 03-118117-5189010703.

Report of the Committee on Finance and Administration dated September 27, 1993

In order to facilitate the necessary approvals in accordance with the projected time-line outlined in Exhibit "A", your Committee on Finance and Administration has requested the Committee on Works and Operations to consider this matter "In Camera" and approve the need for the proposal and instruct the City Solicitor to prepare the necessary street opening By-law in accordance with the Misc. Plans, as outlined in Exhibit "C", for submission to Council and that the cost of the By-law be charged to Capital Account No. 03-118117-5189010703, which matter will be considered at its October 5, 1993 meeting.

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

I. That the City initiate expropriation proceedings in the acquisition of the holdings herein identified and required by the City for the Charleswood Bridge Project.

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

Copy of the Misc. Plan Nos. ASBA 7549/1, ASBA 7549/2A and ASBA 7549/3 (Exhibit "A", Exhibit "B" and Exhibit "C") regarding this proposal together with additional details of the subject properties proposed to be expropriated are on file in the office of the City Clerk.

Adopted by consent.

Councillor Thomas asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

COMMITTEE ON FINANCE AND ADMINISTRATION

CONSIDERATION OF BY-LAWS

1074 - On motion of Councillor Eadie, the rule was suspended and 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. 6242/93, a By-law of the City of Winnipeg to acquire land for the purpose of Public Street for the widening of Lord Selkirk Highway and Public Road, both commonly known as Pembina Highway, between the southern limit of avenue de l'Eglise and the southern limit of the City of Winnipeg, in the City of Winnipeg, in Manitoba, and the acquisition of additional lands thereto that the City deems advantageous to acquire in connection therewith. File FI-2(35) (Vol. 1)

By-law No. 6243/93, a By-law of the City of Winnipeg to acquire land for the purpose of Public Street for the widening of Ness Avenue to the east and west of Moray Street, for the widening of Portage Avenue between Rita Street and Aldine Street, for the widening of Moray Street from the south limit of the first Public lane north of Portage Avenue to the Assiniboine River, for the extension of Pinewood Drive between the south limit of Pinewood Drive and the north limit of Assiniboine Crescent, for the widening of Assiniboine Crescent west of Moray Street, for the extension of Moray Street from the Assiniboine River to the north limit of Roblin Boulevard and for the widening of Roblin Boulevard between Alcrest Drive and Oakdale Drive, in the City of Winnipeg, in Manitoba, and the acquisition of additional lands thereto that the City deems advantageous to acquire in connection therewith. File FI-2(31) (Vol. 1)

By-law No. 6244/93, a By-law of the City of Winnipeg to acquire land for the purpose of public street for the widening of St. Mary's Road and Marion Street between the Red River and avenue Tache; for the widening of Main Street, Main Street South and for the extension of a Public Lane between Broadway and the Red River; for the widening of Mayfair Avenue and Bell Avenue between Main Street South and Donald Street; for the widening of Donald Street, south of Stradbrook Avenue; and for the widening and extension of Stradbrook Avenue, west of Main Street south, in the City of Winnipeg, in Manitoba, and the acquisition of Additional Lands thereto that the City deems advantageous to acquire in connection therewith. File FI-2(32) (Vol. 1)

Councillors Hyman and Thomas asked to be recorded as having voted against all three readings of By-law 6243/93, in accordance with Rule 50.7 of the Procedure By-law.

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate.