STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT
DISPOSITION OF ITEMS

MEETING NO. 12, TUESDAY, APRIL 8, 2003

MEMBERS PRESENT: Councillor Vandal, Chairperson
Councillor De Smedt
Councillor Eadie
Councillor O'Shaughnessy

COMMITTEE CLERK: Jo-Ann Park, City Clerk's Department

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Item	Minute	Subject/File	Recommendations	Action Required
		DELEGATIONS		
	226	Councillor Wyatt, Transcona Ward		See Minute 243
	227	Larry Bird, Monk Goodwin, Barristers Solicitors and Attorneys-at-Law		See Minute 230
		REPORTS		
1	228	Appeal - Winnipeg Building By-law - Tecon Ltd. 191 Lombard Avenue Order 2003/01/21 Communication 2003 03 21 Communication 2003 02 05 Communication 2003 02 04 Communication 2003 02 27 Communication 2003 02 28 EB-1.1 (Vol. 14)	The Standing Policy Committee on Property and Development adjourned the appeal hearing to its May 6, 2003 meeting, conditional upon a City Engineer examining the areaways in the next few weeks to ensure that the temporary measures that have been taken to confirm its immediate structural stability are still effective.	Director of Planning, Property and Development Manager of Development and Inspections c. City Solicitor/Manager of Legal Services
2	229	Appeal - Vacant Dwellings By-law – 98 and 98½ Lusted Avenue Order 2003/02/26 Communication 2003 03 11 EX (Vol. 14)	The Standing Policy Committee on Property and Development denied the appeal and upheld the Order issued by the Enforcement Officer, Planning, Property and Development Department, dated February 26, 2003, regarding provisions of the Vacant Dwellings By-law for the premises located at 98 and 98½ Lusted Avenue.	Director of Planning, Property and Development Manager of Development and Inspections
3	230	Appeal - Winnipeg Zoning By-law – 653 St. Anne's Road Order 2003/02/20 Communications 2003 02 19 Communication 2003 02 24 Communication 2003 03 04 EZ-DAZ(35) (Vol. 2)	The Standing Policy Committee on Property and Development adjourned the appeal hearing to its September 2, 2003 meeting.	Director of Planning, Property and Development Manager of Development and Inspections c. City Solicitor/Manager of Legal Services

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4	231	Government of Canada's Historic Places Initiative Report 2003 03 24 G-3.1.5 (Vol. 3)	The Standing Policy Committee on Property and Development received as information the report dated March 24, 2003, from the Historical Buildings Committee.	Nil
			The Standing Policy Committee on Property and Development concurred in the recommendation of the Historical Buildings Committee and recommends to Council: 1. That the City of Winnipeg strongly urge the Minister of Finance and the Minister of Canadian Heritage to reconsider the financial incentive mechanism and to adopt a tax credit system similar to the U.S. model as a more effective means of stopping the continuing demolition and neglect of Canada's heritage buildings. 2. That the Proper Officers of the City be authorized to do all things to implement the intent of the foregoing.	Committee Clerk
5	232	2003 Proposed City-Wide Heritage Program – 2202-2003 Gail Parvin Hammerquist Heritage Grant Fund Report 2003 03 24 G-3.1.6 (Vol. 1)	The Standing Policy Committee on Property and Development concurred in the recommendation of the Historical Buildings Committee, namely: 1. That the allocation of funds from the Gail Parvin Hammerquist Fund be approved to the following projects for the year 2002 and 2003, namely: A. Grey Nun's Convent (St. Boniface Museum), built in 1846 $50,000.00 B. Upper Fort Garry Gate, built in 1853 $20,000.00 C. Ross House, built in 1854 $12,000.00 2. That the 2003 City-Wide Heritage Grant Program funding in the amount of $60,000 be approved for the production of a major display, preprint materials, maps and powerpoint presentation that celebrates the 25th anniversary of the passing of heritage by-laws in Winnipeg that created the original Historic Winnipeg Restoration Area and Old Market Square.	Director of Planning, Property and Development Acting Manager of Planning and Land Use

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6	233	Proposed plan of subdivision on land located at 2362 McPhillips Street Report 2003 02 26 DASSF 503/2003	The Standing Policy Committee on Property and Development concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee that the Plan of Subdivision under File DASSF 503/2003 be approved, subject to the following conditions: 1. That the owner be required to enter into a Subdivision Agreement with the City containing the following conditions to be imposed on proposed Lots 1 and 2: A. That a cross access agreement be put in place to guarantee access to proposed Lot 2 over proposed Lot 1. B. The applicant shall execute a joint Services Agreement which shall obligate all present and future owners of the proposed lots to be jointly responsible for the proper use, maintenance, repair and replace of any shared water, wastewater and land drainage facilities. 2. The Proper Officers of the City be authorized to execute the Subdivision Agreement. 3. That the Director of Planning, Property and Development be authorized to sign and release the survey mylars for DASSF 503/2003 upon the execution of the Subdivision Agreement but that authority shall expire two (2) years after the date of approval unless extended by further resolution of the Standing Policy Committee on Property and Development. 4. That this approval shall come into force and effect upon the subdivision mylars being registered din the Winnipeg Land Titles Office in series with the Subdivision Agreement. 5. Confirmation from Manitoba Hydro that a joint easement agreement with Manitoba Hydro, MTS Netcom Inc. and Shaw Cable has been secured. Please note any removal or relocation of Manitoba Hydro's existing facilities as a result of the proposed subdivision will be at the expense of the Developer and/or customer.	Director of Planning, Property and Development Acting Manager of Planning and Land Use City Solicitor/Manager of Legal Services

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			6. The payment of ten percent (10%) dedication based on the creation of an additional building site. 7. The terms and conditions of Variance Order File DAV 68/2003C and all conditions attached thereto.	
7	234	Proposed Plan of Subdivision and a Proposed Zoning Change - South side of McGillivray Boulevard, east side of Linden Ridge Drive Report 2003 03 13 DASZ 30/2002	The Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and recommends to Council: 1. That the plan of subdivision proposed under File DASZ 30/2002 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 30/2002, dated February 19, 2003, for registration in the Winnipeg Land Titles Office, subject to the following: A. That the Developer be required to enter into an Addendum to Development Agreement File AG 6/97 containing all the conditions outlined in the report of the Administrative Coordinating Group dated February 24, 2003, amended as follows: That Clause 5 ii) be deleted and the following substituted therefore: "5 ii) Phase 3: one-third" 2. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith. 3. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 30/2002, dated February 19, 2003, to an "A" Agricultural District and a "R1-4" Residential District. 4. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter	Committee Clerk

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			shall be deemed to be concluded and shall not be proceeded with unless Council extends that time. 5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above. 6. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement Addendum. 7. 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, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council. 8. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within two (2) years of the date of passage of the aforementioned by-law. 9. That in the event that the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.	
8	235	Proposed Rezoning - 1155 to 1191 Rothesay Street Report 2003/04/02 DAZ 217/2002 [c/r DAV 705/2002D]	The Standing Policy Committee on Property and Development laid over consideration of the application under File DAZ 217/2002 to its meeting on April 10, 2003, and requested the Planning, Property and Development Department to provide a detailed presentation on the proposed rezoning.	Director of Planning, Property and Development Acting Manager of Planning and Land Use
9	236	Proposed Rezoning - 362, 364, 366 Young Street Report 2003/03/13 DAZ 200/2003 [c/r DAV 30/2003D]	The Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community Committee and recommends to Council that the application under File DAZ 200/2003 not be proceeded with.	Committee Clerk
10	237	Proposed Rezoning - 1275 St. Matthews Avenue Report 2003/03/13	The Standing Policy Committee on Property and Development concurred in the recommendation of the City Centre Community	Committee Clerk

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		DAZ 203/2003	Committee and recommends to Council: 1. That Winnipeg Zoning By-law No. 6400/94 be amended by rezoning the subject land as shown on Schedule "A", for File DAZ 203/2003, dated February 24, 2003, to a "C1" Commercial District, subject to the following: A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter, to provide for the following: i. That the use of the lands be limited to the following: a. musical instruments, rental, sale and servicing; b. music school; c. residential dwelling unit; d. professional office excluding real estate office, travel agency and insurance agency; e. barber shop, beauty salon or similar grooming service; f. clothing, including hats, shoes, other wearing apparel and accessories g. day care centre h. dressmaker, furrier, tailor i. florist j. gift shop ii. That the following signage be prohibited: free-standing, temporary, mobile, illuminated. iii. That the maximum sign surface area be limited to 15 square feet, non-illuminated facia signage located on the south side of the commercial portion of the building facing St. Matthews Avenue. iv. That should the building be destroyed or demolished, the reconstructed building be limited to 1-storey in height and that, prior to the issuance of a development permit, plans showing site layout, building elevations,	

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			signage, parking, landscaping, fencing, garbage enclosure and site lighting be submitted for approval of the City Centre Community Committee. 2. That a ten percent (10) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in the market value of the land. 3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time. 4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings. 5. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council. 6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement. 7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
11	238	Proposed Zoning Agreement Amendment - Drobot Place, Lots 1 to 5, Block 2, Plan 40727 Report 2003/03/26 ZAA 1/2003	The Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and recommends to Council: 1. That Zoning Agreement DASZ 24/94 (By-law No. 8057/2002)	Committee Clerk

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			dated September 27, 1995 be amended to permit a rear yard setback of 15.24 metres (50 feet) instead of 17.5 metres (57.4 feet) on Lots 1-5, Block 2, Plan 40727. 2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 24/94 (By-law No. 8057/2002) dated, as approved in Recommendation No. 1. 3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement. 4. That the City Solicitor/ Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
12	239	Waiving of Encroachment License Renewal Fee - Free Standing Signs at 0 Plessis Road and 0 Regent Avenue West Minute 107 - EKT CC - 2003 02 18 ED(33) (Vol. 2)	The Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and recommends to Council: 1. That the that the annual encroachment license renewal fee for freestanding signs at 0 Plessis Road and 0 Regent Avenue West be waived in perpetuity for the Transcona Optimist Club. 2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including the preparation of a by-law for submission to Council.	Committee Clerk

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13	240	Outstanding Items List - Proposal for a Vacant and Boarded Up Commercial / Industrial Buildings By-law Report 2002 08 30 EB(Vol. 3)	The Standing Policy Committee on Property and Development laid over further consideration of the matter to a special meeting, at the call of the Chairperson, and at such time as the administrative report requested by the Standing Policy Committee on September 10, 2002 is received. Further, the Standing Policy Committee on Property and Development requested the Planning, Property and Development Department to make a presentation at the special meeting on the proposal for a Vacant and Boarded-up Commercial / Industrial Buildings By-law, with all Members of Council being invited to attend.	Director of Planning, Property and Development Manager of Development and Inspections
14	241	Outstanding Items List - Recycling of Construction Waste and Tenders for Demolition Contracts WT-1.3 (Vol. 22), EB-1.5(Vol. 18), GL-5.4 (Vol. 8)	The Standing Policy Committee on Property and Development received as information the update from the Manager of Development and Inspections, Planning, Property and Development Department and filed the July 18, 1995 directive from the former Committee on Planning and Community Services.	Nil
15	242	Outstanding Items List - Proposed Tax Exemption for Renovations made to Residences 45 Years or Older Motion 2001/05/03 FL (Vol. 9)	The Standing Policy Committee on Property and Development concurred in the recommendation of its Chairperson, and filed its May 3, 2001 pertaining to a proposed tax exemption for renovations to residences 45 years or older.	Nil
	243	Proposed Transfer of Jurisdiction - City lands located in South Transcona for parks and recreation purposes (Baseball Complex) Motion 2003 04 08 PR-2(33) (Vol. 2)	The Standing Policy Committee on Property and Development referred to the Administration for review and report back the request from Councillor Wyatt, Transcona Ward, to transfer approximately 56.5 hectares (139.8 acres) of City-owned lands located in South Transcona, as outlined on the attached map, from the Planning, Property and Development Department and the Water and Waste Department for parks and recreation purposes.	Chief Administrative Officer c. Chief Financial Officer Director of Planning, Property and Development Director of Water and Waste Director of Community Services Director of Public Works