Moved by Councillor O'Shaughnessy,

That Rule 10 of the Procedure By-law be suspended to allow Council to consider the Report of the Committee on Protection, Parks and Culture, dated April 28, 1993 at this time.

Carried.

REPORT OF THE

COMMITTEE ON PROTECTION, PARKS AND CULTURE

DATED APRIL 28, 1993

On motion of Councillor O'Shaughnessy, the rule was suspended and the Report of the Committee on Protection, Parks and Culture, dated April 28, 1993, was considered.

Revised Proposal for the Removal and Replacement of trees in the Exchange District for filming of "Legends of the Fall" File PB-2 (Vol. 23)

506 - 1. Your Committee on Protection, Parks and Culture has received a revised proposal from Mr. B. Narvey, Location Manager, Winnipeg, on behalf of Wanderer Production Inc. for permission to temporarily remove twelve (12) trees along McDermot Avenue between Arthur Street and a point just east of Albert Street for filming of the movie entitled "Legends of the Fall". Wanderer Production Inc. will have all twelve (12) trees replanted elsewhere, at the City of Winnipeg's discretion. The five (5) largest trees in the area, being the elms at the corner of McDermot Avenue and Albert Street, would remain.

Your Committee has been advised that Wanderer Production Inc. would cover the removal and replacement costs of the 12 trees at the filming location (Exhibit "A"), itemized as follows:

Removal	$162.00
Average Assessed Net Value	155.00
Replacement and 2 year warranty	572.00
Removal and replacement of grate	55.00
Total average cost per tree	$944.00

Further, the film production company would provide reasonable and appropriate funds, subject to the approval of the City of Winnipeg and Wanderer Production Inc., to enable a three to one replacement of the original twelve trees removed from the filming location, i.e. twelve (12) trees to be replaced at the original location and twenty-four (24) to be planted elsewhere, at the City of Winnipeg's discretion.

The Parks and Recreation Department has determined that the associated costs for lifting out the existing12 trees and replacing them is approximately $18,500.00. It is estimated that costs associated with the removal and replacement of concrete collars and brick pavers are between $700.00 to $1,000.00 per tree well, in addition to the tree replacement costs. All removed trees will be replanted in the City's Oakbank Tree Nursery in an attempt to allow them to survive.

Your Committee on Protection, Parks and Culture on April 28, 1993, was advised by the City Centre Community Committee that it has no objection to the removal of the 12 trees in question, subject to the following conditions:

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1. That revisions in the costs for tree removal and replacement be supplied by the appropriate City of Winnipeg Departments.

2. That the City of Winnipeg's Legal Department and administration negotiate a contract with Patrick Crowley and Tri-Star Pictures to ensure that all costs which could be incurred by the City of Winnipeg during, and because of the filming of "Legends of the Fall" by Wanderer Production Inc., in conjunction with Tri-Star Pictures, are covered by Tri-Star Pictures.

3. That Tri-Star Pictures provide Performance Security in favour of the City of Winnipeg in the amount of $250,000.00, insuring recovery of all costs associated with tree removal, replacement and related works, drawn on a financial institution or surety company authorized to do business in the Province of Manitoba, satisfactory to the Acting City Solicitor.

Your Committee on Protection, Parks and Culture concurs in the recommendations of the City Centre Community Committee and recommends:

I. That Wanderer Production Inc. be granted approval to remove twelve (12) trees located on McDermot Avenue between Arthur Street and a point east of Albert Street, as outlined on Exhibit "A", subject to the following:

   A. That revisions in the costs for tree removal and replacement be supplied by the appropriate City of Winnipeg Departments.

   B. That the City of Winnipeg's Legal Department and administration negotiate a contract with Patrick Crowley and Tri-Star Pictures to ensure that all costs which could be incurred by the City of Winnipeg during, and because of the filming of "Legends of the Fall" by Wanderer Production Inc., in conjunction with Tri-Star Pictures, are covered by Tri-Star Pictures.

   C. That Tri-Star Pictures provide Performance Security in favour of the City of Winnipeg in the amount of $250,000.00, insuring recovery of all costs associated with tree removal, replacement and related works, drawn on a financial institution or surety company authorized to do business in the Province of Manitoba, satisfactory to the Acting City Solicitor.

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

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

Carried unanimously.

(Note: See Minute No. 509 for attachment)

Moved by Councillor Duguid,
That the rule be suspended to allow consideration of two proposed motions pertaining to Clause 1 of the Report of the Committee on Protection, Parks and Culture dated April 28, 1993.

Carried.

Moved by Councillor Duguid,
Seconded by Councillor Angus,

507 - WHEREAS the "Bedford Falls" Film Company has requested that certain streets in the Exchange District be closed for a period of approximately 6 days in June 1993, to facilitate filming a movie "Legends of the Fall";

AND WHEREAS the Streets and Transportation Department perceives that the transportation need of the City of Winnipeg can be reasonably accommodated during the proposed closure provided that King Street essentially remains open, with the necessary closures thereon accomplished by special duty policy officers;

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AND WHEREAS on April 13, 1993, the Committee on Works and Operations approved the requested closure subject to the issue of the removal of trees to accommodate the filming being resolved;

AND WHEREAS Council on this date has resolved this issue;

NOW THEREFORE BE IT RESOLVED:

I. That the following portions of streets and lanes be closed for approximately 6 days during mid-June 1993:

a) McDermot Avenue - Princess Street to Main Street;

b) Albert Street - a point south of McDermot to Bannatyne Avenue;

c) Arthur Street - Notre Dame Avenue to Bannatyne Avenue;

d) Certain lanes in the area.

II. That the traffic on King Street and Bannatyne Avenue be controlled as required by special duty police officers during the approximately 6 day period of filming.

III. That all traffic signals, traffic signs, parking meters, and illumination poles within the filming area be temporarily removed during the filming period.

IV. That the filming company "Bedford Falls" be required to post a performance bond to ensure recovery of all costs including overheads associated with the removal and replacement of traffic signals, parking meters, traffic signs, illumination poles, etc.

V. That the Proper Officers of the City do all things necessary to implement the foregoing.

The Speaker ruled automatic referral to the Committee on Works and Operations in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor Duguid,
That the rule be suspended to allow consideration of the motion at this time.

Carried.

The motion was put and declared carried.

Moved by Councillor Golden,
Seconded by Councillor Fraser,
508 - WHEREAS there may be residual proceeds received by the City of Winnipeg from the filming of the movie "Legends of the Fall" in the Exchange District;

BE IT RESOLVED that the City of Winnipeg request the Exchange District Business Improvement Zone to establish a Heritage Building Foundation;

AND BE IT FURTHER RESOLVED that any residual proceeds earned be donated to this Foundation.

The Speaker ruled automatic referral to the Committee on Planning and Community Services in accordance with Rule 16.1 of the Procedure By-law.

Moved by Councillor Golden,
That the rule be suspended to allow consideration of the motion at this time.

Lost.

509 - Exhibit "A" referred to in Clause 1 of the Report of the Committee on Protection, Parks and Culture, dated April 28, 1993.

