CONSIDERATION OF REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The Executive Policy Committee has considered the reports of the concerned Community Committees and the recommendations of the Committee on Planning and Community Services, as contained in its Report, January 27th, 1992, has concurred in the recommendations contained therein and submits same to Council for approval and adoption. On motion of Councillor Douglas, the Report of the Committee on Planning and Community Services, dated January 27th, 1992, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg.
January 27th, 1992.

His Worship the Mayor and Councillors:

Your Committee on Planning and Community Services submits the following Report and recommends:

Extension of time to report on Proposed Policy - Granny Flats in One-Family "R1" and "R2" Zoning Districts.File EZ-DAZ(Gen).

519 - 1. Council on November 27th, 1991, referred the following motion to your Committee, namely:-

WHEREAS the City of Winnipeg does not have, at present, a clear and comprehensive policy on zoning referring to "Granny Flats";

AND WHEREAS other countries do encourage of such uses, such as Australia;

AND WHEREAS such a zoning would be for family Granny Flats only;

THEREFORE BE IT RESOLVED that Council instruct the Administration through the Committee on Planning and Community Services to report back to Council within 60 days concerning putting into place a clear and comprehensive policy on zoning referring to Granny Flats, in a one-family "R1" or "R2" zoning.

Your Committee on Planning and Community Services on January 6th, 1992, authorized the Chairman to raise the subject again through the Official Delegation to determine the Provincial Government's position on Granny Flats and the provision of government-owned and regulated garden suites for elderly persons housing, by virtue of the fact that no response has been received concerning the previous request of the Committee on Planning and Community Services in this regard, as adopted by Council on May 29th, 1991.

Inasmuch as your Committee on Planning and Community Services is awaiting a response from the Provincial Government, a 90-day extension of time is requested in which to report back to Council in this regard.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

Policy re Effective Dates of Rezoning & Subdivision By-laws. Files EZ(DAZ)(Gen) & DASZ(Gen).

520 - 2. Council's instructions on a proposed Rezoning By-law contains the following clause:

"IV. 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."

Prior to the inclusion of this clause by Council all agreements had to be completed by the applicant before a by-law would be passed. The problem this caused was that once the agreements were completed the applicant immediately would want a building permit and usually would have to wait for a Council meeting to pass the by-law. In addition,

Council does not meet during August, which added further delays.

The addition of the above-quoted clause by Council attempted to eliminate the delay problems.

However, some applicants upon having the by-law adopted by Council do not proceed to complete their agreements or do so but do not complete Winnipeg Land Titles Office registration necessary to bring the by-law into effect. In the case of a Subdivision By-law approved by Council the right to register the plan expires by statute in one year unless Council extends that time by resolution. A zoning by-law enacted under the above clause can spring to life years later upon Winnipeg Land Titles Office registration. The on-site effect, has no difference from an immediate rezoning and/or subdivision of land upon which, the proposed use is delayed because of financial constraints or market demand.

The Planning Department recommended that a time limit be placed on the effective date. That is, if the rezoning by-law is not brought into effect by the applicant within a time limit as specified by Council after the by-law has been enacted by Council, then the by-law shall terminate unless Council extends that time.

Your Committee on Planning and Community Services recommends:

I. That the following policy be adopted regarding effective dates of Rezoning and Subdivision By-laws:-

"That the Rezoning By-law shall become effective when:

(a) Any relevant Zoning Agreement has been registered by caveat as a first charge against the subject land;

(b) Any relevant plan of subdivision is approved and registered at the Winnipeg Land Titles Office;

provided that said effective date occurs within the time limit specified therein by Council for the application being considered, from the date that said Rezoning By-law is adopted by Council."

II. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

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

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

Proposed Text Amendment - lands located between Lagimodiere Boulevard, Panet Road, Molson Street, Concordia Avenue and Reenders Drive, East Kildonan-Transcona Community.
Files EP-1.1 and EZ-DAZ(23).

521 - 3. Your Committee on Planning and Community Services has been advised that the East Kildonan-Transcona Community Committee at its meeting held on October 29th, 1991, considered a report dated October 21st, 1991, from the District Planner recommending changes to zoning for some of the lands located between Lagimodiere Boulevard, Panet Road, Molson Street, Concordia Avenue and Reenders Drive. The East Kildonan-Transcona Community Committee concurred in that recommendation, and requested that the Commissioner of Planning and Community Services initiate rezoning of the subject lands from "R1-5.5", "C2-S" and "C3-1", to an "AR-5" Agricultural District, consistent with other lands in the area.

The lands in the subject area presently do not have access to Municipal land drainage, sanitary sewer, and in most cases, to municipal water supply, and the intent of the rezoning proposal was to make the zoning consistent with Plan Winnipeg policy. The subject lands are located within a "Suburban Residential Neighbourhood" within Plan Winnipeg which states that all development in these areas shall have a full range of municipal services and infrastructure. (Existing Policy 12(1) and (2)).

The principal issue is how to ensure services, in compliance with Plan Winnipeg, for those lands which are already zoned for commercial uses and which do not presently have access to municipal services.

Upon further review of this issue, the Planning Department considers that a more appropriate alternative to rezoning would be a Text Amendment to the relevant Zoning By-law affecting all commercial districts. In general, such a Text Amendment to By-law 4440/86 would provide for the following:-

1. That within all "C2-S" and "C3-1" zoning districts of By-law 4440/86, no development shall be approved and no building permits issued for any use and development until and unless municipal services and infrastructure, in compliance with the relevant Policy of Plan Winnipeg, are provided.

2. That minimum municipal services and infrastructure required to meet the intent of the relevant Policy of Plan Winnipeg within "Suburban Residential Neighbourhoods" shall consist of municipal land drainage, sanitary sewer and water supply, and frontage on a street as provided for in Part II 4(5) of By-law 4440/86.

The proposed above-noted servicing requirements, as they would affect the Commercial District Regulations of Zoning By-law No. 4440/86, could also be subject to variance in accordance with procedures set out in The City of Winnipeg Act, in those circumstances where approval of a use or development without required municipal services meet the criteria of Section 608(1) of the said Act. Similarly, a Committee of Council, subject to approval of the Committee on Planning and Community Services, may approve variances for development without minimum Municipal Services, but in conjunction with a servicing agreement which provides for pre-payment of such required services, or for a letter of credit, ensuring payment for installation in the future.

The East Kildonan-Transcona Community Committee also on October 29th, 1991 considered the general policy dated October 9th, 1991, from the Administrative Co-ordinating Group for approval conditions for applications bounded by Panet Road, Molson Street, Lagimodiere Boulevard, Reenders Drive and Concordia Avenue, and recommended the following:-

1) That funding be secured at this time, to construct the necessary land drainage impoundment and Panet Road ditch enlargement facilities to accommodate the runoff from the existing commercial zoned sector; the funding of which should be from the Developer Capacity Charges Account.

Your Committee on Planning and Community Services recommends:-

I. That Council approve in principle, the proposal to amend the Text of Zoning By-law 4440/86 to provide as follows;-

1. That within all "C2-S" and "C3-1" zoning districts of By-law 4440/86, no development shall be approved and no building permits issued for any use and development until and unless municipal services and infrastructure, in compliance with the relevant Policy of Plan Winnipeg, are provided.

2. That minimum municipal services and infrastructure required to meet the intent of the relevant Policy of Plan Winnipeg within "Suburban Residential Neighbourhoods" shall consist of municipal land drainage, sanitary sewer and water supply, and frontage on a street as provided for in Part II 4(5) of By-law 4440/86.

II. That the Commissioner of Planning and Community Services be directed to initiate the Text Amendment to Zoning By-law 4440/86, affecting all Commercial Districts, referred to in Item 1 above.

III. That appropriate funding under the Developer Capacity Charges Account be included in the 1994-1998 Five-Year Capital Estimates to construct the necessary land drainage impoundment and Panet Road ditch enlargement facilities to accommodate the runoff from the existing commercial zoned sector, and that same be referred to the Waterworks, Waste and Disposal Department for the preparation of the cost estimates.

IV. That the Proper Officers of the City be authorized to do all things necessary in connection herewith.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

Remuneration for Board of Adjustment Members. Files GL-5.1 and GC-12.

522 - 4. Council on January 22nd, 1992, adopted Clause 5 of the Report of the Committee on Planning and Community Services dated January 6th, 1992, in connection with recent amendments to The City of Winnipeg Act under Bill 35 of the Manitoba Legislature, relative to Part XX of The Act, which approved amongst other things; that the Board of Adjustment shall be comprised of six (6) members, including a Chairman and a Vice-Chairman as appointed by Council and that payment of Board Members shall be such fee as Council shall establish from time to time.

With regard to the appointments of Citizen Members to the Board of Adjustment, your Committee on Planning and Community Services has authorized that an advertisement be placed in both daily newspapers indicating that the City of Winnipeg will receive applications (obtained from the City Clerk's Department up to February 12th, 1992), for Citizen appointments to the Board of Adjustment, requesting that applicants give a resume of their experience relating to participation on Committees, Boards and Commissions in addition to their knowledge as it relates to Zoning By-law Regulations, process and procedures relative to Secondary Plans, Rezoning, Subdivision, Variance and Conditional Use applications.

All members of Council have, under separate communication, been requested by the Committee to solicit possible candidates for the purpose of having them submit their application and resume for appointments to the Board of Adjustment by February 12th, 1992.

With regard to the rate of remuneration for members of the Board of Adjustment, your Committee is of the opinion that said remuneration should be reflective of the:-

(a) duties and responsibilities of the Chairman, Vice-Chairman and other members of the Board;

(b) knowledge and experience required of Board members with regard to zoning by-law regulations, process and procedures relative to Secondary Plans, Rezoning, Subdivision, Variance and Conditional Use applications;

(c) time commitment for Board meetings.

In this regard, your Committee has been advised that as a comparison, the Board of Revision members are paid as follows:-

Chairman - $150.00 for first four hours or a portion thereof plus $150.00 for every subsequent 4 hours or a portion thereof.

Other Board Members - $50.00 for every 2 hours of sitting or a portion thereof.

In the context of the foregoing, your Committee reviewed the following options:

Option 1

Chairman - $150.00 for first four hours or a portion thereof

$150.00 for every subsequent four hours or portion thereof

Vice-Chairman - $120.00 for first four hours or a portion thereof.

$120.00 for every subsequent four hours or a portion thereof.

Other Board Members - $100.00 for first four hours or a portion thereof.

$100.00 for every subsequent four hours or a portion thereof.

Option 2

Chairman - $40.00 per hour or a portion thereof
Vice-Chairman - $35.00 per hour or a portion thereof
Other Board Members - $30.00 per hour or a portion thereof.

Your Committee on Planning and Community Services recommends:

I. That the rate of remuneration for members of the Board of Adjustment be in accordance with Option 1 above, namely:

Chairman - $150.00 for first four hours or a portion thereof

$150.00 for every subsequent four hours or portion thereof

Vice-Chairman - $120.00 for first four hours or a portion thereof.

$120.00 for every subsequent four hours or a portion thereof.

Other Board Members - $100.00 for first four hours or a portion thereof.

$100.00 for every subsequent four hours or a portion thereof.

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

Moved by Councillor Douglas,
Adoption of the clause.

In amendment,

Moved by Councillor Thomas,
Seconded by Councillor Hyman,
That the clause be amended to read:

CHAIR $150.00 for the first four hours or a portion thereof

$ 40.00 per hour for every subsequent hour or a portion thereof

VICE-CHAIR	$120.00	for the first four hours or a portion thereof
	$ 35.00	per hour for every subsequent hour or a portion thereof
OTHER BOARD MEMBERS	$100.00	for the first four hours or a portion thereof
	$ 30.00	per hour for every subsequent hour or portion thereof.

Moved by Councillor Kaufmann,
That the clause and the amendment be referred back.

Carried.

REZONING - North side of Baltimore Road between Darling Street and Churchill Drive, Assiniboine Park-Fort Garry Community.
File No. DAZ 255/91.

523 - 5. Your Committee on Planning and Community Services has been advised that an application has been received from the Commissioner of Planning and Community Services to amend By-law No. 1800, by rezoning the land on the north side of Baltimore Road between Darling Street and Churchill Drive from an "R1-5.5" Single-Family District to a "PR" Park and Recreational District to reflect the existing land use.

The land is owned by the City of Winnipeg and is currently enjoyed as open space by the Riverview Neighbourhood. The rezoning was prompted by recent movement towards privatization of the Winnipeg Municipal Hospital and related concerns raised over the possible use of the associated lands for other than hospital purposes. The Assiniboine Park-Fort Garry Community Committee at its meeting held on October 15th, 1991, requested that this rezoning be undertaken to protect lands from development which have historically been regarded as parkland by local residents.

The rezoning reflects existing land use and will not compromise the present and future operation of the Winnipeg Municipal Hospital.

A Public Hearing was held before the Assiniboine Park-Fort Garry Community Committee on December 16th, 1991.

Mr. R. Mitchell, District Planner, appeared on behalf of the Commissioner of Planning and Community Services, in support of the application.

No one appeared in opposition thereto.

The Assiniboine Park-Fort Garry Community Committee recommended that the proposed zoning change be approved for the following reasons:

1. The rezoning is necessary to protect land historically regarded by the surrounding residential neighbourhood as parkland.

2. The rezoning is consistent with an existing caveat on a portion of the property which sets the condition of public park use as a stipulation of continued title by the previous owner, who bequeathed the land to the City for that expressed use.

3. Anticipated changes in the future of the Winnipeg Municipal Hospital raised concerns about the future of the adjacent property thus precipitating a zoning change to ensure the continued integrity of the parcel as separate from the use of the Winnipeg Municipal Hospital.

Your Committee on Planning and Community Services concurs in the recommendations of the Assiniboine Park-Fort Garry Community Committee and recommends:

I. That By-law No. 1800 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 255/91, attached hereto and dated January 16th, 1992, to a "PR" Park and Recreational District.

II. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

III. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 527 for attachment.)

REZONING - 1334 - 1342 Wellington Avenue, City Centre-Fort Rouge Community.
File No. DAZ 257/91(c/r DASSF 688/90).

524 - 6. Your Committee on Planning and Community Services has been advised that an application has been received from Sargent Mennonite Homes Inc., to amend By-law No. 16502 by rezoning the land located at 1334 - 1342 Wellington Avenue, from an "R1" One-Family District to an "R3B-ONE" Planned Building Group District to allow for the construction of a multiple-family dwelling (Senior Citizen's Home) and for a personal care home.

Sargent Mennonite Homes Inc. is proposing to construct a 3- storey, 48-suite seniors' housing complex on the north portion of the subject site. Wellington Avenue is to be extended westward to provide appropriate access to the site. Parking for 62 vehicles is indicated and no vehicular access to the public lane is proposed. No immediate development is proposed for the southern portion of the subject site; a future 2 or 3 storey personal care home development is contemplated.

The subject application has been reviewed by the Administrative Co-ordinating Group with no objections having been received. A Servicing Agreement will be required wherein the Developer will extend Wellington Avenue to provide appropriate access to the subject site, and will provide municipal services to this site.

The Planning Department considers the proposed development to be appropriate for this land and recommends approval of an "R3B-ONE" District zoning subject to the execution of a Zoning Agreement which will restrict the type and number of housing units, building height, vehicular access and require plan approval.

A Public Hearing was held before the City Centre-Fort Rouge Community Committee on December 17th, 1991.

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

Mr. H. A. Haid, 7 - 90 Market Avenue, Winnipeg, R3B 0P3, on behalf of the Sargent Mennonite Homes Inc.,
John G. and Irene Sawatzky, 200 Glenwood Crescent, Winnipeg, R2L 1J9, on behalf of the Sargent Mennonite Homes Inc.,
Fred Kelbert, 1268 Strathcona Street, Winnipeg, R3E 2Y2,
Henry Klassen, 1131 DeFehr Street, Winnipeg, R2G 1V9,
John and Mary Bergen, 467 Sutton Avenue, Winnipeg, R2G 0T4,
Gerhard Weise, 1025 Garfield Street, Winnipeg, R3E 2N7,
Irene and Margaret Warkentin, 875 Goulding Street, Winnipeg, R3G 2S9,
Harry Rose, 579 Buckingham Road, Winnipeg, R3R 1B9,
John Dyck, 15 Pontiac Bay, Winnipeg, R3K 0S6,
Henry Enns, 380 Marjorie Street, Winnipeg, R3J 1R6,
Walter Harder, 93 Athlone Drive, Winnipeg, R3J 3K9,
Gerhard Dyck, 120 Spatuck Road, Birds Hill, R0E 0H0,
Miss Mary Easau, 1167 Downing Street, Winnipeg, R3E 2R5,
Walter Bergen, 719 Goulding Street, Winnipeg, R3G 2S5,
John Wiens, Box 275, St. Norbert, R3V 1L6,

Mrs. Adena Bergen, 1438 Somerville Avenue, Winnipeg, R3T 1C5,
Jake Harms, 767 Buckingham Road, Winnipeg, R3R 1C3,
Bill Guenter, 33 Waterford Bay, Winnipeg, R3T 1H6,
John Nickel, 7 Mercury Bay, Winnipeg, R3T 0W7,
Erna Janzen, 419 Wallasey Street, Winnipeg, R3S 3C5,
Dave Zacharias, 413 Churchill Drive, Winnipeg, R3L 1W2,
John Thiessen, 110 Amersham Crescent, Winnipeg, R2N 3H2,
Brian Bergen, 6 Apple Hill Road, Winnipeg, R3Y 1A4,
John and Mary Retzlaff, 452 Wallasey Street, Winnipeg, R3J 3C6,
George Janzen, 1025 Downing Street, Winnipeg, R3G 2P9,
Peter Rempel, 58 Stoneham Crescent, Winnipeg, R2G 3L8,
Gerhard Neufeld, 1 Saturn Bay, Winnipeg, R3T 0Z8,
Heinrich and Agnes Dyck, 197 Harris Road, Winnipeg, R3J 3P4,
Henry and Katie Thiessen, 1 Reinhard Place, Winnipeg, R2G 1Y1,
Jacob Wiebe, Box 3, Springstein, R0G 2N0.

The following persons appeared in opposition thereto:

Fred P. Debrecen, 574 Strathcona Street, Winnipeg, R3G 3E7, on behalf of the Residents Advisory Group and in personal capacity,
Miss T. Rudachek, 366 Spence Street, Winnipeg, R3B 2R6.

The City Centre-Fort Rouge Community Committee recommended that the proposed zoning change be approved, subject to a number of conditions, including the waiver of the payment of 10% dedication in this instance, all of which have been incorporated within the following recommendations for the following reasons:

1. There was no significant opposition against the application.

2. There was overwhelming support from the community in general.

3. Wellington Avenue is to be extended westward to provide appropriate access to the site and no vehicular access to the public lane is proposed.

4. Parking for 62 vehicles is to be provided and experience has indicated that parking and traffic are not problems at senior residences due to the limited number of visitors to the site.

5. A future 2 or 3 storey personal care home development is contemplated for the southern portion of the site and will complement the present proposal.

6. There is a need for senior citizens' residences and the proposed development is appropriate for the site, subject to restrictions on the type and number of housing units, building height, vehicular access and plan approval.

Your Committee on Planning and Community Services concurs in the recommendations of the City Centre-Fort Rouge Community Committee and recommends:-

I. That By-law No. 16502 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 257/91 attached hereto and dated January 16th, 1992 to an "R3B-ONE" Planned Building Group 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 development on the land be restricted to not more than 48 senior citizen's apartment units and 120 personal care home units and accessory uses thereto.

      2. That no building or structure be located on the land exceeding 3 storeys or 35 feet in height.

      3. That no vehicular access (except for purposes of emergency access) be provided to this site from the public lane.

4. 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 and garbage enclosures be subject to the approval of the City Centre-Fort Rouge Community Committee and the Commissioner of Planning and Community Services prior to the issuance of a building permit.

II. That the applicant enter into a Servicing Agreement with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group, dated December 5th, 1991 attached hereto as Schedule "B" for DAZ 257/91 and dated January 16th, 1992.

III. That the payment of 10 percent cash dedication to the City in lieu of the requirement for land for open space, park and recreational use based on the increase in the market value of the land, be waived in this instance.

IV. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings when the Zoning Agreement has been executed.

V. That the rezoning by-law shall become effective when the Zoning Agreement has been registered as a caveat with first charge against the subject land at Winnipeg Land Titles Office.

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

VII. 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.

VIII. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 528 for attachment.)

Amendment to Development Agreement AG 39/85 - Finance Department No. 6811 - sidewalk installations on Simkin Drive and Oakhurst Crescent, Lord Selkirk-West Kildonan Community.
File DASZ 39/85.

525 - 7. On October 22nd, 1991, the Committee on Works and Operations considered correspondence from the Lord Selkirk-West Kildonan Community Committee recommending that the proposed sidewalk installation on Simkin Drive and Oakhurst Crescent be not proceeded with and that the offer of Genstar Development Company to allocate the funds for a playground structure in Simkin Park, be accepted.

The Committee on Works and Operations also considered an administrative report dated October 2nd, 1991 which made reference to Development Agreement AG 39/85 Finance Department No. 6811 - Seven Oaks Crossings, wherein it is indicated that Genstar Corporation is obligated to install public sidewalks on both sides of Simkin Drive and along the outside edge of Oakhurst Crescent.

A communication was also received from Danny and Judy Bender, 139 Simkin Drive, advising that they want the sidewalk to go through on Simkin Drive for safety reasons.

The Committee on Works and Operations on October 22nd, 1991 concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommended to the Committee on Planning and Community Services that Development Agreement AG 39/85 - Seven Oaks Crossings, be amended to provide that the sidewalks

shown on Schedule " A" submitted herewith be not proceeded with, and that the offer of Genstar Development Company to allocate the funds for a playground structure in Simkin Park, be accepted.

Because of the frequent problem of property owners opposing sidewalks stipulated as developer obligations in development agreements, the Committee on Planning and Community Services, at its meeting on November 7th, 1991, referred the matter to the Manager of Land Development for a report addressing "the feasibility of including in development agreements the provision of placing a caveat on the subject land in question for the construction of sidewalks and/or the requirement that Developers install the sidewalks immediately."

This matter has previously been the subject of discussion by the St. Boniface-St. Vital Community Committee. On January 16th, 1990 the said Community Committee considered a report from the Director of Land Development and instructed the Administration to embody in all future agreements a covenant requiring the Developer to file with the subdivision plans in series, the registration of caveats against all lots, the City's interest as they apply to sidewalks. This action was to ensure that purchasers of lots are aware of the legal covenant to construct a sidewalk where lands are purchased prior to the installation of pavements and sidewalks.

On January 5th, 1990 the Director of Land Development also implemented a procedure whereby a covenant was to be incorporated in all future development agreements that sidewalks be installed, where designated under an agreement, at the same time as the street pavement is constructed.

The City's Development Agreement Parameters in effect at the time Development Agreement AG 39/85 was prepared, stated that "sidewalks shall be constructed on one or both sides of all streets providing direct pedestrian access to schools and all collector streets within the subdivision as designated by the Commissioner of Works and Operations. Sidewalks may not be required on bays, crescents or cul-de-sacs.

The City's current Development Agreement Parameters, which were adopted on June 21st, 1989, require the Developer to construct sidewalks "along street rights-of-way as the Commissioner of Works and Operations may agree upon and which will be designated on schedules to the Development Agreement at the time of execution. As a general rule, sidewalks shall not be required on bays, crescents, and cul-de-sacs."

Although Simkin Drive provides a connection between Leila Avenue and Pipeline Road it only serves as a collector street between Monty Hall Drive and Leila Avenue and between Willowood Road and Pipeline Road. Sidewalks have been constructed on both sides of Simkin Drive at these locations. The balance of Simkin Drive is not considered to be a true collector street. A sidewalk has been constructed along one side of the street fronting Simkin Park and along the side yards of the lots on the west side of the north-south leg. Consequently, a continuous sidewalk system has been installed although it is presently only on one side of the majority of the street. The present sidewalk system on Simkin Drive can be considered to provide a minimum but acceptable level of service.

Oakhurst Crescent is a bay/crescent and, in accordance with the development agreement parameters, sidewalks are normally not provided on such streets. Schedule "A" attached hereto, illustrates the existing and proposed sidewalks.

The Land Development Department therefore recommended that Development Agreement AG 39/85 be amended to delete the remaining sidewalks on Simkin Drive and the sidewalk on Oakhurst Crescent and that the offer of Genstar Development Company to allocate funds towards a playground structure in Simkin Park, be accepted.

For Council's information, your Committee on Planning and Community Services has referred the matter of the timing of installation of sidewalks to the Executive Policy Committee Ad Hoc Committee on Development Agreement Parameters for its consideration in conjunction with its overall review of the development agreement parameters and in the interim, the current practice will be continued whereby a caveat is registered against the title of all lots fronting or flanking a proposed sidewalk and that sidewalks be installed at the same time as the adjacent street pavement is constructed.

Your Committee on Planning and Community Services recommends:

I. That Development Agreement AG 39/85 Finance Dept. No. 6811, be amended to provide that the sidewalks shown as "proposed" on Simkin Drive and the sidewalk on Oakhurst Crescent as illustrated on Schedule "A" attached hereto, be not proceeded with, and that the offer of Genstar Development Company to allocate funds towards a playground structure in Simkin Park be accepted.

II. That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 529 for attachment.)

SUBDIVISION AND REZONING - West of Strathcona Street between Wolever and Riddle Avenues, City Centre-Fort Rouge Community. File No. DASZ 9/91.

526 - 8. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. C. Stonehouse, 238 Aldine Street, Winnipeg, on behalf of 27159542 Manitoba Ltd., for approval of a plan of subdivision and related zoning changes to Zoning By-law 16502 by rezoning lands within the proposed plan, west of Strathcona Street between Wolever and Riddle Avenues, from an "R1" One-Family District to an "R1-3.5" One-Family District to allow for the establishment of approximately 59 single-family buildings lots.

The applicant is proposing to establish a new north-south street parallel to Strathcona Street with connections to Wolever Avenue at the north and Riddle Avenue at the south, and to subdivide the adjoining lands into 59 single-family building lots ranging in size from 35 feet to 40 feet in width and 3,850 to 4,800 square feet in lot area. The requested "R1-3.5" District zoning regulations require a minimum lot width of 35 feet and lot area of 3,500 square feet. The land is presently zoned "R1" One-Family District wherein the required minimum lot size is 40 feet in width and 4,400 square feet in lot area.

The applicant also proposes to transfer a strip of residual land adjacent to the rail lines, along with a connection back to the terminus of the Riddle Avenue extension and a 10 foot wide strip extending to Portage Avenue, to the City for parks purposes.

There is a City of Winnipeg hydro line situated within the strip of land, along the eastern edge of this residual land.

The proposed rezoning and subdivision was circulated to the usual administrative agencies for comment and review by the Administrative Co-ordinating Group. In principle, they have no objections to the proposed plan, however, some minor modifications to the right-of-way configuration are required. Also, the Administrative Co-ordinating Group report recommended that surplus developer-owned lands as indicated on a plan prepared by The Parks and Recreation Department numbered 106-91 (Schedule "C") be incorporated into the lots on the west side of the proposed new street. The Parks and Recreation Department considered these lands as undesirable for parks purposes and therefore an unnecessary maintenance responsibility. Subsequent to submission of this recommendation, Winnipeg Hydro has indicated that they would prefer that the residual land which is not required for parks purposes be transferred to their ownership to avoid easements over several single-family building lots.

The Parks and Recreation Department recommended that an area of approximately .75 acres in size extending from the terminus of Riddle Avenue be transferred to the City for parks purposes. This land will provide continuity with the Bluestem Park pathway and bridge, and will provide limited neighbourhood park space. Ideally the Parks and Recreation Department would like to secure an additional 3 lots adjacent to the proposed park to provide a rectangular parcel. This parcel would be approximately 1.1 acres in size and would more adequately provide for neighbourhood park requirements. These lots, however, would have to be purchased by the City as the 10 percent dedication requirement has been provided under the short form subdivision application (DASSF 688/90), which created this overall development parcel. The Developer has already agreed to transfer a .75 acre parcel for park purposes as part of his residual land, plus a 10 foot wide strip of land running south to Portage Avenue.

A Public Meeting was held before the City Centre-Fort Rouge Community Committee on December 17th, 1991.

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

Calvin Stonehouse, 238 Aldine Street, Winnipeg, R3J 3B1, on behalf of 2719542 Manitoba Ltd.,
Mr. H. A. Haid, 7 - 90 Market Avenue, Winnipeg, R3B 0P3, Gregory Agnew, 672 Strathcona Street, Winnipeg, R3G 3G1,

Ms Linda Murray, 658 Minto Street, Winnipeg, R3G 2R1, in a personal capacity,
Ken Yendrys, 644 Strathcona Street, Winnipeg, R3G 3G1.

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

Ms Linda Murray, 658 Minto Street, Winnipeg, R3G 2R1, on behalf of Wolever Residents' Association,
Mr. M. D. Nickerson, P.O. Box 122, Station L, Winnipeg, R3H 0C0,
Fred P. Debrecen, 574 Strathcona Street, Winnipeg, R3G 3E7, on behalf of the Residents Advisory Group and in personal capacity,
Allan R. and Mrs. Christine Cormier, 610 Strathcona Street, Winnipeg, R3G 3E7,
Miss T. Rudachek, 366 Spence Street, Winnipeg, R3B 2R6.

The following persons registered in opposition thereto but were not present when the matter was dealt with:

Mr. R. Fisk, 696 Strathcona Street, Winnipeg, R3G 3G1,
Mrs. B. Storry, 617 Strathcona Street, Winnipeg, R3G 3E6.

Upon conclusion of public representations the City Centre-Fort Rouge Community Committee decided to accept the residual land for park purposes in part and the rest for Winnipeg Hydro in accordance with attached Schedule "C" (Plan 106/91). A separate motion was made by the Community Committee requesting a report with respect to the feasibility of acquiring three additional lots for the park. The City Centre-Fort Rouge Community Committee recommended that the proposed subdivision and rezoning be approved for the following reasons:

1. The application had support from the community.

2. Residents appearing in opposition were only concerned with the quality of housing and traffic-related issues rather than the development itself.

Your Committee on Planning and Community Services concurs in the recommendations of the City Centre-Fort Rouge Community Committee and recommends:

I. That the plan of subdivision proposed under File No. DASZ 9/91 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 9/91 attached hereto and dated January 10th, 1992 for registration in the Winnipeg Land Titles Office subject to:

   A) The plan being revised to incorporate changes indicated in items 2, 3 and 4 of the report of the Administrative Co- ordinating Group dated December 5th, 1991 attached hereto and identified as Schedule "B" to File DASZ 9/91 dated January 10th, 1992.

   B) The applicant entering into a Development Agreement with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group identified as Schedule "B" dated January 10th, 1992, subject to the following amendments:-

      1. That Item 1 of the proposed amendments to the plan be deleted in its entirety.

      2. That Item 3 b) be amended by adding at the end thereof the following words:

         "and subject to the approval of the City Centre-Fort Rouge Community Committee."

      3. That the following additional clause be added: "11. The developer shall transfer to Winnipeg Hydro at no expense lands identified on Schedule "C" (Plan 106-91) as "Surplus Developer Owned Lands".

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 City Solicitor be requested to prepare the necessary subdivision by-law upon submission by the applicant of a sworn plan of subdivision in accordance with Recommendation I above.

IV. That By-law No. 16502 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 9/91 dated January 10th, 1992, to an "R1-3.5" One-Family District.

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

VI. That the subdivision/rezoning by-law(s) shall become effective when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office and the Development Agreement has been executed.

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.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 530 for attachment.)

527 - SEE OFFICIAL SET OF MINUTES FOR ATTACHMENT.

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COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Murray,
Seconded by Councillor Reese,

531 - WHEREAS a budget process is needed with greater control of spending by citizens through their Councillors;

AND WHEREAS to evaluate the health of any budget process, the budget process should have objectives and criteria that the process and results can be evaluated by to determine success or failure;

AND WHEREAS the following recommendations have not been acted on since last tabled on March 20th, 1991.

BE IT RESOLVED THAT the budget process should be amended to include these features:-

1. The process should follow clear, consistent and published rules established by Council. The system used should reasonably accommodate representations from Councillors and concerned citizens;

2. It should promote consensus building and constructive debate within the principles of majority rule.

3. The budget should be developed from clear policies and supported by accessible, readable and complete budget documents and financial statements.

4. The timing of the budget process should begin and end before the beginning of the fiscal year in which it is to be expended. A critical path that allows for appropriate preparation, development, review and approval sessions should be established.

5. Revenue and expenditure projections should realistically reflect pass experience, thereby avoiding year-end corrections which become necessary to maintain services such as snow removal or temporary staffing.

6. Reserve, surplus accounts, funds and utility transfers should have clear policies establishing the criteria under which disbursements can be made. These accounts should not be used as a substitute for current income. Regular reports on activities and transactions associated with these accounts and reserves should be made to Council.

7. The Mayor and Executive Policy Committee take responsibility for the budget drafts and present a budget to Council for review based on a policy document. Documents such as Plan Winnipeg and major policy papers drafted by Standing Committees such as New Directions for Libraries, City Waste Minimization Strategy and so on.

8. A Central Budget Committee of Councillors should be established on the model of a Treasury Board. The function of this Committee would be to co-ordinate the Budget Review Process with all Standing Committees. This review would facilitate the development of policy and budgets within the overall framework established by Council.

9. The reliance on capital expenditures to implement policy should be limited and an integrated review of capital and operating expenditures in each program should be undertaken. For example, transportation and waste management capital projects should proceed at a much faster pace than the operating components of these programs.

10. Policy statements and budget envelopes should be assigned to each area of the Civic Administration at the beginning of the process. Once overall spending guidelines have been established for the upcoming year, each Standing Committee should establish a budget envelope for each directorate under its policy responsibilities. Specific Departments under each directorate would develop a budget within the assigned envelope consistent with the approved policy and priorities statement.

11. Each Department should establish a list of essential and non- essential services. Core services which are fundamental to the delivery of the Civic Administration's mandate should be identified and reviewed separately from non-essential services. The criteria for establishing core services should be flexible given the diversity of City programs.

12. The current Operating Budget should be developed with a rolling three year projection of expenditures for each area of operations. Estimates of revenue growth and mill rates would reduce the unpredictability currently associated with property and business taxes. A larger Operating Budget window would lend itself to more realistic efforts to control expenditures which involve reorganization or replacement of programs. This system would also mitigate against political quick fixes that result in long-term increases in operating costs. Delaying expenditures that are inevitable compounds the cost on the following year's Budget.

13. The expenditure of current (Operating) and Capital Budget Allocations require a strong mechanism for accountability. The auditor should ensure expenditures can demonstrate efficiency, effectiveness and equity. A Freedom of Information By-law should be enacted to ensure that audits and budget information is accessible in a readable format. Provisions should be made to allow major capital expenditures to be the subject of a citizen review.

14. Reorganization and rationalization of services needs to ensure direct service cuts are not undertaken at the expense of vulnerable populations and less affluent communities. Public services must be sensitive to Winnipeg's diverse population. Creative extension and delivery of services can be achieved through enhanced partnerships with Community, Business and Labour groups with careful planning to ensure clear lines of public accountability.

15. Productivity levels should be considered in the development of budgets. Productivity as it relates to service effectiveness should be of concern as a ratio of input costs to outputs. Some cities have built productivity measurement and enhancement programs into their budget process. Strategies to improve productivity include improvements to operating procedures, utilization of new technology, enhancement of the skills and motivation of employees and improving labour relations. This is not based on an assumption that Departments are not productive but rather that such strategies work to improve the use of resources and serve the public. An ethic of striving for excellence and being the finest City should be at the foundation of our budget process.

16. The City should review the budget process and expenditure control mechanisms of other municipalities. Edmonton's strategy of intergrating Planning Programming Budgeting System (PPBS) format with zero based budgeting provides the basis for a comparative review.

Required to Stand as Notice of Motion

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

532 - On motion of Councillor Douglas, 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. 5867/92, a By-law of the City of Winnipeg to amend The St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the St. Boniface-St. Vital Community by rezoning the land on the west side of Tache Avenue between Provencher Boulevard and the Norwood Bridge and at 469 Tache Avenue (St. Boniface Hospital) from an "F" Flood Plain District, an "R4" Multiple Family District and a "C2" Commercial District to an "F" Flood Plain District, a "PR" Park and Recreational District and a "C2" Commercial District. File No. DAZ 233/91 A & B.

By-law No. 5868/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change at 1425 Regent Avenue in the East Kildonan-Transcona Community. File No. DAZ 243/91.

By-law No. 5869/92, a By-law of the City of Winnipeg to change the names of certain highways in the City of Winnipeg. File No. SC-3.14(23).

By-law No. 5870/92, a By-law of the City of Winnipeg to amend The St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the St. Boniface-St. Vital Community by rezoning the land on the west side of Tache Avenue between Provencher Boulevard and rue La Verendrye and the north and south sides of rue Grandin between Tache Avenue and St. Joseph Street North to a "PR" Park and Recreational District and an "R2" Two Family District respectively. File No. DAZ 234/91.

By-law No. 5871/92, a By-law of the City of Winnipeg to amend The St. Vital Town Planning Scheme 1951 for the enactment of a zoning change at 515 St. Anne's Road from an "RA" Suburban District to a "C2" Commercial District in the St. Boniface-St. Vital Community. File No. DAZ 244/91.

By-law No. 5872/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change in the East Kildonan-Transcona Community by temporarily rezoning the land at 349 Ravenhurst Street from an "AR-5" Agricultural-Residential District to an "M3" Restricted Industrial District. File No. DAZ 247/91.

By-law No. 5873/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 1800 for the enactment of a zoning change by rezoning lands at 5930 Roblin Boulevard from an "R1-20" Single- Family District to a "C2" General Commercial District in the Assiniboine Park-Fort Garry Community. File No. DAZ 248/91.

On motion of Councillor Douglas, the rule was suspended and the following By-laws were each read a first time, namely:-

By-law No. 5875/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change in the City Centre-Fort Rouge Community in the area bounded by William and Notre Dame Avenues, Isabel and Dagmar Streets from a "C3" Commercial District and a "M1" Light Industrial District to an "R2-T" Two-Family Transitional District, a "C1" Limited Commercial District, a "C2" Commercial District and an "M1" Light Industrial District. File No. DAZ 252/91.

By-law No. 5876/92, a Zoning (Development) By-law of the City of Winnipeg for the enactment of zoning text changes to the Lord Selkirk-West Kildonan Zoning By-law No. 4450/86. File Nos. DAZ 216/91, DAZ 217/91 and DAZ 224/91.

By-law No. 5877/92, a Zoning (Development) By-law of the City of Winnipeg for the enactment of zoning text changes to the East Kildonan-Transcona Zoning By-law No. 4440/86. File Nos. DAZ 271/87, DAZ 216/91, DAZ 217/91 and DAZ 224/91.

By-law No. 5878/92, a By-law of the City of Winnipeg to amend By-law No. 4334/86 being a by-law in respect to the Winnipeg Public Library Board and Library Advisory Committees. File Nos. GC-7 and L-11.

Councillor Douglas moved that this constitute the first reading of By-laws numbered 5875/92 to 5878/92, both inclusive, which motion was carried.

On motion of Councillor Douglas, By-laws numbered 5875/92 to 5878/92, both inclusive, were read a second time, which motion was carried.

Councillor Douglas moved that this constitute the second reading of By-laws numbered 5875/92 to 5878/92, both inclusive, which motion was carried.

Councillor Douglas moved that the rule be suspended and By-laws numbered 5875/92 to 5878/92, both inclusive, be read a third time, which motion was carried.

The Speaker advised that as a result of an earlier request, By-law No. 5875/92 will be considered separately.

Moved by Councillor Douglas,

That this constitute the third reading of By-law numbered 5875/92, and that same be passed and ordered to be signed and sealed.

The motion was put.

The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Wade, Boychuk, Gilroy, Hyman, Murray, Prystanski, Reese, Thomas, Young and Mayor Norrie. 10

Nay: Councillors Brown, Clement, Douglas, Fleisher, Fraser, Golden, Kaufmann, Mitchelson, Timm-Rudolph and Eadie. 10

and the motion that this constitute the third reading of By-law No. 5875/92, and that same be passed and ordered to be signed and sealed, was declared lost, in accordance with Section 58 of the Procedure By-law No. 5400/90.

Councillor Douglas moved that this constitute third reading of By-laws numbered 5876/92 to 5878/92, both inclusive, and that same be passed and ordered to be signed and sealed, which motion was carried.

Speaker.