CONSIDERATION OF REPORT OF THE
COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The following clause contained in the Report of the Committee on Planning and Community Services, dated February 17th, 1992, was laid over by the Executive Policy Committee on February 26th, 1992. The Executive Policy Committee has further considered this clause, has concurred in the recommendations contained therein, except as noted below, and now submits it to Council for approval and adoption.

On motion of Councillor Douglas, Clause 10 of the Report of the Committee on Planning and Community Services, dated February 17th, 1992, was considered.

SUBDIVISION AND REZONING - North side of Roblin Boulevard between Harstone Road and Greenbriar Avenue. Assiniboine Park - Fort Garry Community

File No. DASZ 8/91.

741 10. Your Committee on Planning and Community Services has been advised that an application has been received from Assiniboine Woods Limited, 5209 Roblin Boulevard, Winnipeg, on behalf of James Richardson and Sons Ltd., for approval of a plan of subdivision and related zoning change to Zoning By-law No. 1800 by rezoning lands from an "R1-20" Single-Family District to a "PR" Park and Recreational District and an "R1-5", "R1-5.5", "R1-6" or "R1-9" Single-Family District for the purpose of establishing 97 single-family building sites.

Assiniboine Woods is a 97 lot, single-family subdivision proposed for the 30 acre Richardson Estate at 5209 Roblin Boulevard on the Assiniboine River. The development requires the construction of two new streets connecting to Roblin Boulevard at Greenbriar Avenue on the west and Pepperloaf Crescent on the east.

The property is currently zoned "R1-20" Single-Family District and contains a main house, groundskeeper's cottage, and assorted stables and outbuildings. The main house is to be retained by the development and the cottage and other buildings removed. With the exception of a field to the west of the main house, the property is heavily treed. Site topography is characterized by two fairly level, upper and lower planes separated by an abrupt slope. The upper plane, adjacent to Roblin Boulevard is at about 774 feet A.S.L. and the lower plane, adjacent to the river, is at about 762 feet A.S.L., a 12 foot drop in elevation. The water level at this location on the River is about 754 A.S.L.

Access, traffic accommodation and municipal servicing pose no reported constraints to development. Some flexibility will be required in the application of lot grading and engineering design standards to aid in the preservation of as many trees as possible during house and street construction. Flood protection (160 year event) and bank stabilization, as required, will be ensured through dyking or filling and riprap.

The applicant is proposing a minimum zoning of "R1-6" (60 ft. lot width), on the river lots and "R1-5" (50 ft. lot width/5,000 sq. ft. lot area) on the interior lots. However, as a precaution against opposition to what may be considered modest lots considering the setting, the applicant requested that the public hearing advertisement include optional "R1-9" zoning (75 ft. lot width) on lots backing onto the river and "R1-5.5" zoning on interior lots (50 ft. lot width/5,500 sq. ft. lot area).

The development sets aside 2.06 acres of land for parks and open space purposes (2.49 acres less Roblin Boulevard widening and associated corner cuts). This amounts to 7.0% of the net developable area. The Parks and Recreation (PR) lands are comprised of a 35 foot buffer strip along the north side of Roblin Boulevard, a 0.75 acre riverbank park, and an interconnecting 40 foot land drainage easement running north from Roblin Boulevard to the river opposite Harstone Avenue.

Report of the Committee on Planning and Community Services dated February 17th, 1992

The character of the general area is that of a low density suburban neighbourhood with pockets of commercial development and higher density housing along Roblin Boulevard, a regional arterial street. Adjacent development consists of the Swedish Canadian Home seniors' residence and Vasa Lund Park banquet facility to the west (zoned "RM-1" Multiple-Family District), single family development to the east (zoned "R1-9"), and a mix of single family residential and commercial uses along Roblin Boulevard to the south (zoned “R1-6" and "C1").

As infill development, Assiniboine Woods is affordable from a servicing standpoint and contributes to the optimal use of existing roadways and sewer and water lines. In addition to construction activity, the development would generate students for existing schools, retail spending for area businesses, and property tax and utility revenues which will more than compensate for the additional burden placed by the development on the City's operating budget.

The Parks and Recreation Department is aware that the applicant has proposed what he believes to be adequate PR dedication, considering the size of the development, which provides amenity and recreational opportunity for the development and surrounding neighbourhood. The buffer strip along Roblin Boulevard is intended to aid in attenuating traffic noise and to ensure the preservation of the existing tree stand. The reasoning is that Charleswood Residents are accustomed to the estate in the midst of their community, its woodedness and the natural break it provides in the urban development along Roblin Boulevard. The buffer strip would maintain the vista and historic continuity of this section of the street.

The small riverbank park provides a window on the river from the adjacent street, pedestrian access to the river, and an attractive setting for passive recreation. It also enables access for the maintenance of land drainage outfalls.

The land drainage easement opposite Harstone Avenue provides the opportunity for a walkway connection from Roblin Boulevard to the river. Its linkage with the riverbank park and adjoining street facilitate its use as a walkway by area residents.

If the proposed plan is approved, The Parks and Recreation Department recommended that a pedestrian walkway be established at the end of the cul-de-sac at the north-west corner of the development to enable future access to the riverbank on the Vasa Lund property. This would allow the development to serve as a link in a more extensive riverbank park and pathway system which may be established by the City in future.

The Parks and Recreation Department is on record as opposed to the development concept in terms of the location, layout and intended use of the lands proposed for PR dedication. In recognizing the ecological significance of the property's mature, river bottom forest, the Department wants the City to acquire the forested lands through purchase or exchange. Alternatively, the Department will accept PR dedication in the form of a linear riverbank park which they've determined would be 5.4 acres in area or about 18.3% of the gross area less the Roblin Boulevard widening. The Parks and Recreation Department maintains that the application of "PR" lands for street buffering purposes would squander a prime opportunity to secure a significant piece of largely unspoiled natural area for public use, enjoyment and education. The Parks and Recreation Department recommends that any buffering along Roblin Boulevard be accommodated on private property.

The Planning Department is concerned about the proposed "R1-5" zoning. It indicates a lack of confidence in the market for high-end housing in Winnipeg. It may also be indicative of increasing concern over taxation levels as they impact prestige housing in the City. In any event, the Planning Department does not want to see the quality and ambience of a development in this setting prejudiced by overbuilding. Another factor to consider is the avowed intention of the developer to save as many trees as possible during house construction. Larger lots would aid this cause by enlarging the building envelop and allowing greater flexibility in siting houses. The Planning Department recommends that "R1-6" be the minimum zoning allowed in the development.

Report of the Committee on Planning and Community Services dated February 17th, 1992

A Public Hearing was held before the Assiniboine Park-Fort Garry Community Committee on January 20th, 1992. The following persons appeared and/or registered in support of the application:

Bruce Clapham, Assiniboine Woods Ltd., 5209 Roblin Boulevard, P.O. Box 21068, Winnipeg, R3R 3R2,
Bryan Fenske, Assiniboine Woods Ltd., 5209 Roblin Boulevard, P.O. Box 21068, Winnipeg, R3R 3R2,
W. K. Rankin, Cooper Rankin Architects, 103-7 Evergreen Place, Winnipeg, R3L 2T3,
Wayne Lee, P. Eng., Project Manager, Reid Crowthers & Partners Ltd., 1150 Waverley Street, Winnipeg, R3T 0P4,
L. Wellwood, 5209 Roblin Boulevard, Winnipeg, R3R 0G8
Roy Richmond, 67 Elmvale Crescent, Winnipeg, R3R 2S3
Dale & Valdine Berry, 63 Shier Drive, Winnipeg, R3R 2H2
Doug Wado, 814 Buckingham Road, Winnipeg, R3R 1C2
John Richardson, 585 Charleswood Road, Winnipeg, R3R 1K5
Mark A. Olson, 19 Optimist Way, Winnipeg, R2Y 2J5
Bruce Nicolson, 107 Waterhouse Bay, Winnipeg, R3R 2N6
Joy Buettner, 50 Paradise Drive, Winnipeg, R3R 1L1.

The following persons appeared for general information purposes:

John Hammett, 4917 Roblin Boulevard, Winnipeg, R3R 0G2
N. J. Beaton, 75 Elmvale Crescent, Winnipeg, R3R 2S3
Timothy Killeen, 5025 Roblin Boulevard, Winnipeg, R3R 0G2
Rudy Comeault, General Manager, Westboine Park Housing Co-op, 32 Shelmerdine Drive, Winnipeg, R3R 2Y2
Dr. Parakrama A. Fernando, 608-850 Cambridge Street, Winnipeg, R3M 3W8

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No one appeared in opposition thereto.

The Assinibone Park-Fort Garry Community Committee recommended that the proposed subdivision and rezoning be approved subject to a number of conditions, all of which have been incorporated within the following recommendations with the exception noted below.

Your Committee on Planning and Community Services concurs in part with the recommendations of the Assiniboine Park-Fort Garry Community Committee for the following reason:-

With regard to the recommendation I.A. 11. herein, your Committee on Planning and Community Services deleted the last sentence in the new Development Agreement provision 24 a) to be added to the Administrative Co-ordinating Group report attached to this report as Schedule "B" and dated January 8th, 1992, which sentence reads as follows:-

"In the event that construction has not commenced on the pathway, in accordance with a Council-approved design, budget and completion schedule, within a period of 15 years from subdivision plan registration, the caveat shall be removed from the affected titles by the City of Winnipeg Law Department."

Reason:-

Your Committee does not feel that the request to grant the City an easement to enable the future construction by the City of a linear public pathway or public park along the Assiniboine River, should be terminated within 15 years from the subdivision plan registration as recommended by the Assiniboine Park-Fort Garry Community Committee.

It is therefore recommended:-

I. That the plan of subdivision proposed under File NO. DASZ 8/91 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 8/91 attached hereto and dated February 7th, 1992, for registration in the Winnipeg Land Titles Office subject to:

Report of the Committee on Planning and Community Services dated February 17th, 1992

A. 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 dated January 8th, 1992 attached hereto as Schedule "B" subject to the following amendments:-

1. Delete plan amendments 3., 4. and 5.

2. Add new plan amendments 3., 4. and 5. as follows:

"3. The Developer shall provide a service corridor (land drainage) to a width of 6 metres between the proposed loop road and the Assiniboine River at a location to be determined by the Commissioner of Works and Operations.

4. The Developer shall provide additional land within the proposed plan of subdivision to satisfy the public open space requirement as determined by the General Manager of Parks and Recreation and in accordance with current development agreement parameters.

5. The Developer shall provide a pedestrian walkway at the terminus of the most north-westerly cul-de- sac to a width and at a location as determined by the General Manager of Parks and Recreation."

3. Amend Development Agreement provision 2. a) by deleting in the third line the words "and adjacent land".

4. Add a new Development Agreement provision 2. d) as follows:-

"The Developer shall grant the City an easement to a width of 2.8 metres along the rear property line of the residential lots backing on to the access to the Assiniboine River opposite Harstone Road for the construction in the future of a land drainage trunk sewer outfall."

5. Amend Development Agreement provision 4. by changing the last sentence to read: "The design of the vertical profile for the loop roadway shall meet a design criteria of a maximum grade of 6%."

6. Delete Development Agreement provision 6. in its entirety and replace with the following new provision 6.

"6. The City shall file a Caveat against all lots abutting the Eastern, Western, and Southern boundaries of the subdivision, requiring that fencing shall be constructed in accordance with architectural controls to be established by the developer and approved by the Assiniboine Park- Fort Garry Community Committee and the Director of Planning."

7. Amend Clause 9. by adding the following at the end of the first sentence, "and this obligation shall be secured by a Letter of Credit."

8. Delete Development Agreement provision 10. a), b), c) and d) in their entirety.

9. Delete Development Agreement provision 21. in its entirety and replace with the following new provision 21.:

"21. The Developer shall dedicate 2.35 acres of land to the City comprising 8.0% of the land within the proposed plan of subdivision excluding the 15 foot widening being dedicated along Roblin Boulevard as determined by the General Manager of Parks and Recreation."

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10. Amend the Development Agreement provision 23. by deleting the words "Recommended Parkland Dedication" where they appear in the second line of provision 23. and replacing same with the words "dedicated public open space."

11. Add a new Development Agreement provision 24. as follows:

24. a) The Developer shall grant to the City an access easement across private lands with Assiniboine River frontage in the development. The express purpose of the easement will be to enable the future construction by the City of a linear public pathway or public walk.

b) The easement shall be established in accordance with plans drawn up by a Manitoba Land Surveyor and approved by the Commissioner of Protection, Parks and Culture, but shall extend inland from the normal summer water level and shall provide a minimum of 5 metres width at or above the nominal elevation of 231.5 metres above sea level. No building or alterations, of any kind, except fencing, shall occur within the easement except in accordance with plans approved by the Commissioner of Protection, Parks and Culture.

c) It is understood and agreed that, in conjunction with the development of the subject lands, the Developer shall be responsible for all works related to flood protection, erosion control, and bank stabilization deemed necessary to safeguard the residential development from the actions of the river. The findings and recommendations regarding the above shall be contained in an engineering report submitted by the Developer for the approval of the Commissioner of Works and Operations.

II. That the Director of Planning and the Director of Land Surveys and Real Estate are hereby 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. 1800 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 8/91 attached hereto and dated February 7th, 1992 to a "R1-6" Single-Family District, a "R1-9" Single-Family District, and a "PR" Parks and Recreation District.

V. That the Subdivision/Rezoning By-law(s) not be enacted until the matter of the acquisition of all (or an extensive portion) of the natural tree stand situated within the development application area, which is classified as the "Assiniboine Riverbottom Forest", has been finalized by Council.

VI. That the City Solicitor be requested to prepare the necessary Subdivision/Rezoning by-law in accordance with the above.

VII. That the "R1-6" and "R1-9" zoning districts shall come into effect when the plan of subdivision has been registered in the Winnipeg Land Titles Office and the Development Agreement has been executed.

VIII. That the Proper Officers of the City are hereby authorized to execute all necessary agreements.

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.

X. That, in the event this application is not proceeded with expeditiously and the by-law is not enacted within 36 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.

Report of the Committee on Planning and Community Services dated February 17th, 1992

Your Executive Policy Committee recommends that recommendation 11. be amended by deleting the proposed provision 24. a) and b) and the following provision be inserted therefor and identified as 24. a), namely:-

"24. a) The Developer will transfer to the City as additional dedication, for parks and recreation purposes, all that portion of its lands lying to the west of the existing proposed dedication and being between the top of the bank and the ordinary high water mark as defined on a topographic survey of River Lots 51 to 53, Parish of St. Charles, dated April 1, 1991, and conducted by W. A. Beattie and Associates."

Your Executive Policy Committee further recommends that provision 24. c) be renumbered to 24. b).

Moved by Councillor Douglas,
Adoption of the clause.

In amendment,

Moved by Mayor Norrie,
That the recommendation of the Executive Policy Committee be adopted.

Moved by Councillor Mitchelson,
That the question be now put.

The motion was put.

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

Yea: Councillors Brown, Clement, Demare, Fleisher, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, Mitchelson, O'Shaughnessy, Prystanski, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 17

Nay: Councillors Boychuk, Diamant, Douglas, Duguid, Fraser, Hyman, Mendelson, Murray, Reese and Thomas. 10

and the motion was declared carried.

The amendment proposed by Executive Policy Committee was put.

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

Yea: Councillors Brown, Clement, Demare, Douglas, Duguid, Fleisher, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, Mitchelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 24

Nay: Councillors Boychuk, Diamant, Hyman, Mendelson and Timmers. 5

and the amendment was declared carried.

The clause, as amended, was put.

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

Yea: Councillors Brown, Clement, Demare, Douglas, Fleisher, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, Mitchelson, O'Shaughnessy, Prystanski, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 19

Nay: Councillors Boychuk, Diamant, Duguid, Hyman, Mendelson, Murray, Reese, Selinger, Thomas and Timmers. 10

and the clause, as amended, was declared carried.

(Note: See Minute No. 742 for attachment.)

742 - Schedule “A” referred to in Clause 10 of the Report of the Committee on Planning and Community Services, dated February 17th, 1992.

(NOTE: SEE PAGE 997 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

Schedule “B” referred to in Clause 10 of the Report of the Committee on Planning and Community Services, dated February 17th, 1992.

(NOTE: SEE PAGES 998 TO 1005 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

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, dated March 9th, 1992, has concurred in the recommendations contained therein, except as noted below, 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 March 9th, 1992, was considered clause by clause.

West Committee Room,
Council Building, Winnipeg
March 9th, 1992

His Worship the Mayor and Councillors:

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

Pigeon Control In the Context of Both the Keeping of Domestic Breeds Pursuant to Existing By-law As Well As Civic Abatement Programming and Control Provisions Concerning Wild Pigeons.
File EH-1.4.

743 1. Your Committee on Planning and Community Services on September 5th, 1991, requested the Commissioner of Planning and Community Services to submit a report and recommendations on the advisability and/or feasibility of changing the City of Winnipeg Pigeon Control By-law No. 978/75, in view of the fact that a number of complaints had been received by His Worship The Mayor and the Health Department, suggesting the prohibition of the harbouring of pigeons in residential neighbourhoods, and expressing concerns about the health hazards that may exist for adjacent residents.

Your Committee has been advised that there has been an increased number of complaints and accompanying demands to the Health Department by residents plagued by either roosting or nesting wild pigeons, for the City to implement a control program.

In this regard, your Committee submits for the information of Council, copy of report received from the Commissioner of Planning and Community Services, dated February 27th, 1992, concerning a review by the City of Winnipeg's Health Department of the issue of pigeon control in the context of both the keeping of domestic breeds, pursuant to the existing By-law as well as the wild varieties currently not subject to control provisions or Civic Abatement Programming. It is important to note that the two issues have been separated for the purpose of the subject report, however, a comprehensive approach to control both domestic as well as wild varieties of pigeons, would strongly suggest that the measures recommended in the report be addressed.

In addition to the aforementioned report, your Committee on Planning and Community Services also received representations on behalf of the Metro Winnipeg Racing Pigeon Association Inc. and the Winnipeg Fancy Pigeon Association Incorporated and as well, from active members racing pigeon clubs. A copy of written submissions received, are attached hereto for the information of Council.

Your Committee on Planning and Community Services recommends:-

I. That By-law No. 978/75, being the City of Winnipeg By-law To Control Pigeons, remain unchanged.

II. That Council sanction the recommendation received from the City of Winnipeg Law Department to treat existing aviaries licensed under the Pigeon Control By-law, as equal to non-conforming status under the Zoning By-laws and Town Planning Schemes within the City of Winnipeg, and that the Commissioner of Planning and Community Services be instructed to prepare a proposed text amendment to all Zoning By-laws and Town Planning Schemes, to require Conditional Use approval for the keeping of a limited number of pigeons in residential districts, thus requiring any new applicants to receive a Conditional Use Approval.

Report of the Committee on Planning and Community Services dated March 9, 1992

III. That an administrative procedure between the City of Winnipeg Health Department and the Zoning Branch of the Planning Department, be established and implemented, for any proposed and not currently existing aviaries, such that application processing and/or approvals for the keeping of pigeons in residential areas are considered in joint consultation and pursuant to a Conditional Use approval process.

IV. That the City of Winnipeg implement a wild pigeon control program to be run by the Animal Control Branch of the Finance Department, utilizing existing staff and resources and that no chemicals be used in the pigeon control program.

Your Executive Policy Committee recommends that the above clause be amended by adding the following at the end thereof:-

V. That the appropriate staff of the City of Winnipeg be directed to consult with the Metro Winnipeg Racing Pigeon Association and the Winnipeg Fancy Pigeon Association Inc. for assistance and advice in connection with the Pigeon Control Program.

Moved by Councillor Douglas,
Adoption of the clause.

In amendment,

Moved by Mayor Norrie,
That the recommendation of Executive Policy Committee be adopted.

Moved by Councillor Golden,
That the question be now put.

Carried.

The amendment proposed by Executive Policy Committee was put and declared carried.

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

Councillors Timmers and Timm-Rudolph asked to be recorded as voting against the clause, in accordance with Section 50.7 of the Procedure By-law.

Tax Relief Incentives for the Rehabilitation of Listed Heritage Buildings
Files G-3.1 and FL-2.2.

744 2. On December 12th, 1988, the Committee on Planning and Community Services requested that the recommendations of the Task Force on Tax Relief as amended and adopted by Council on May 29th, 1985 (see Appendix "B" attached) be reviewed for the purpose of providing Committee with an up-to-date summary on what has transpired to date, with a view to developing a policy on tax relief for heritage buildings.

A history of the consideration of a policy for the provision of tax relief incentives, is attached hereto, for the information of Council.

The report on Tax Relief as amended and adopted by Council on May 29th, 1985, limited the eligibility for tax relief to Grade I and II structures included on the "Buildings Conservation List", undergoing substantial rehabilitation, and location within the "Historic Winnipeg Restoration Area". Approximately 30 buildings would have been eligible for this tax incentive and, after a two-year trial period, the program was to have been reviewed to determine whether or not wider applicability was warranted.

Report of the Committee on Planning and Community Services dated March 9, 1992

The two-year trial period has come and gone and three buildings (Prairie Housing Co-op at 113 Market Avenue, the Ashdown Warehouse at 167-179 Bannatyne Avenue and the Bank of Toronto at 456 Main Street) have been provided with assistance under the terms adopted by Council in 1985. The total average annual tax foregiveness for all three properties is estimated at $110,603.00. On its own the Ashdown Warehouse received on average an annual grant of $98,590.00. (For details see attached Appendix "C").

Contrary to Council's request, the Province's 1986 amendments to The City of Winnipeg Act expanded the eligibility for tax relief to all structures included on the "Buildings Conservation List" (i.e. from 30 buildings to about 140 buildings city-wide). The Law Department is of the opinion that a court could determine that the owner of a Grade III Building or a Grade I or II Building outside of the "HW" area who substantially rehabilitated the structure was entitled to the same tax exemption as the owner of one of the 30 specified in 1985. The proposed tax relief policy thus reflects the eligibility of all listed structures included on the "Buildings Conservation List" and is consistent with the legislative amendments to date.

In addition, the City has agreed in principle to provide tax relief to the CP Station in accordance with the provisions of Council. Although the building could be listed as a heritage building by the City (likely as a Grade I or II structure) once ownership changed from CP to the Aboriginal Centre of Winnipeg, the location of the station outside of the Exchange District, precludes its eligibility for post-renovation tax reductions under the 1985 policy recommendations of the Task Force on Tax Relief adopted by Council. However, under the recommendations outlined in this report the building would be eligible for tax assistance from the City once the building was included on the "Buildings Conservation List".

In January of 1990, Provincial amendments to the Municipal Assessment Act replaced the changes made to The City of Winnipeg Act in 1986 as the vehicle for providing tax relief. These amendments extended the applicability of tax relief incentives from the City of Winnipeg and its "Buildings Conservation List" to any municipality where "heritage sites" are designated under the Province's "Heritage Resources Act".

Although there are sixteen provincially-designated "heritage sites" within the City limits, these 1990 legislative amendments did not necessarily intend that "heritage sites" within the City of Winnipeg be directly eligible for tax benefits. The recommended policy (see Appendix "A") requires that "heritage sites" within the City of Winnipeg also be listed under the provisions of the City's "Historical Buildings By-law" to ensure that the City maintains control over the suitability of the improvements proposed and, ultimately, is also able to protect its investment in the listed building through the demolition control provisions of the by-law.

The Provincial amendments to both The City of Winnipeg Act (1986) and The Municipal Assessment Act (1990) enable the City to provide tax relief only during the "two year" period of rehabilitation. As a result, Council's desire to provide further incentives during the five-year post-construction period can only be accomplished through The City of Winnipeg Act in the form of a grant equivalent to a municipal realty tax reduction. Therefore on an interim basis and for this purpose, Council must waive its policy adopted on May 17th, 1972, "that no grants in lieu of taxes be made in future, commencing with the year 1973, and that grants in lieu of taxes not be extended in the year 1972 to any Association which did not enjoy this privilege in the year 1971."

In part, the intent of the amendments requested by Council in 1985 was to enable the City to pass a universal by-law regarding the provision of tax relief incentives. The by-law would have made the application of the tax benefit non-discretionary since Council would not necessarily be involved in the approval of individual grant applications and would primarily concern itself with the approval of policy and annual budgets related to the tax incentives. The proposed interim method of a two-year tax exemption coupled with a five-year, post-construction grant described in the preceding paragraph will only fulfill Council's objective related to the duration of benefit and does not address a non- discretionary process.

Report of the Committee on Planning and Community Services dated March 9, 1992

At the end of the two-year trial period and dependent upon the financial implications being acceptable to Council, the City could request that the Province amend The Municipal Assessment Act such that the building improvements undertaken on eligible heritage properties could be exempted from municipal tax assessment for a period of five years following the completion of construction. In speaking with representatives from the Provincial Department of Urban Affairs, it will be necessary for draft amendments to the Act to accompany such a request. With the legislative amendment the City could ultimately implement the tax incentives program through an administrative procedure which would address Council's desire for a non-discretionary process.

Your Committee on Planning and Community Services recommends:-

I. That the interim policy outlined in Appendix "A" attached hereto and dated March 9th, 1992, be adopted to provide municipal property tax relief incentives to building owners undertaking the substantial rehabilitation of structures included on the "Buildings Conservation List".

II. That on an interim basis, and for a two-year trial period, Council waive its policy adopted on May 17th, 1972, as it applies to not making additional grants equivalent to a reduction in municipal property taxes available to property owners undertaking the substantial rehabilitation of heritage structures included on the "Buildings Conservation List".

III. That the Proper Officers be authorized to do all things necessary in connection herewith.

Moved by Councillor Douglas,
Adoption of the clause.

Moved by Councillor O'Shaughnessy,
That the clause be referred back to Committee on Planning and Community Services.

The motion to refer was put.

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

Yea: Councillors Boychuk, Brown, Clement, Diamant, Douglas, Gilroy, Hyman, Mitchelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timmers, Young, Yuen and Eadie. 18

Nay: Councillors Demare, Fleisher, Fraser, Golden, Kaufmann, Lorenc, Mendelson, Timm-Rudolph and Mayor Norrie. 9

and the motion to refer was declared carried.

(Note: See Minute No. 751 for attachment.)

Official Delegation representations to the Province of Manitoba concerning Reform of Manitoba's Municipal Social Assistance Program.
Files GG-2 and EH-2.

745 3. Your Committee on Planning and Community Services on February 17th, 1992 considered a communication from the Minister of Family Services, dated January 17th, 1992, with regard to the Province of Manitoba's recent announcement of changes to the Municipal Social Assistance Program with respect to standardized minimum rates for all Manitobans on Social Assistance.

In this regard, your Committee has been advised that in 1989, the Provincial Government established the Social Assistance Review Committee (S.A.R.C.) as part of a commitment to consult with municipalities on changes to the municipal tier of social assistance. The Committee was comprised of representatives from the Union of Manitoba Municipalities, the Manitoba Municipal Administrators' Association, the Manitoba Association of Urban Municipalities and the City of Winnipeg (Councillor Ernie Gilroy).

Report of the Committee on Planning and Community Services dated March 9, 1992

The S.A.R.C. Committee prepared a report containing twelve recommendations. On September 27th, 1989, the recommendations in that report were adopted by Council. (See Appendix "A" attached hereto for the information of Council.)

On January 17th, 1992, the Minister of Family Services announced that the Province had completed its review of the S.A.R.C. report and would be accepting the majority of its recommendations.

Your Committee has been further advised as follows:-

From the information gathered to date, the Province of Manitoba's current plan to reform the Municipal Social Assistance Program will have a very negative impact on the City of Winnipeg. City costs are likely to rise while much of the program control which currently rests with the City soon will rest solely with the Province. As well, many of Council's recent initiatives with respect to children living in poverty will be lost with program standardization. The extent to which the impact can be minimized will depend upon the City's success in influencing the standards which will be used across the Province and in encouraging a phased and rational introduction of the changes.

While the Province did accept many of the recommendations in the S.A.R.C. report, it rejected several recommendations of critical importance to the City of Winnipeg and other Manitoba Municipalities. Specifically, it seems that once the legislation is passed and the program changes are in place, Municipalities will have limited, if any, involvement in determining the general needs which will be met by their Social Assistance Programs. The Province, alone, will set annual rates of assistance, will establish eligibility criteria and will determine what income exemptions recipients will receive. While the Province will not prevent Municipalities from exceeding the standardized rates it establishes, it will no longer cost-share any assistance a municipality provides above provincial levels. The S.A.R.C. recommendation respecting cost-sharing above the minimum levels of aid was rejected.

As well, the Province plans to maintain its current practice with respect to long-term, unemployable clients. Municipalities will continue to support people who do not medically qualify for Provincial Assistance but who require long-term aid as a consequence of employment barriers. A survey completed in August, 1991 revealed that the City of Winnipeg was assisting 1,177 people who by virtue of a combination of factors such as age, poor education, welfare dependency and/or participation in an alcohol/drug treatment program were virtually unemployable. It is estimated that it costs the City $1,038,240.00 net annually to provide support for this population.

Additional cost implications of the reforms for the City of Winnipeg will depend, to a large extent, upon the as-yet-to-be-worked-out implementation strategy. If rate standardization takes into account current municipal rates and changes are phased-in, then the impact on both recipients and municipalities will be lessened. On the other hand, if the current provincial rates are to be adopted as the standard and the changes must be introduced across-the-board within the next year or two, then the minimum net cost to the City of Winnipeg is estimated to be $71,518.00. (Impact of switching to Provincial Rates attached hereto as Appendix "B" for the information of Council.)

Most of the cost will be incurred because the City's Social Assistance Rates for single individuals, who comprise over 80% of the Social Services Department's caseload, are currently below Provincial rates. To some extent the cost of increasing aid for single recipients will be offset if assistance for families on aid and income exemptions are simultaneously lowered to Provincial levels.

Report of the Committee on Planning and Community Services dated March 9, 1992

In recent years Council has introduced significant improvements to its social assistance program aimed at increasing benefits to low- income families and fighting child poverty. These include a special infant food allowance, a telephone allowance for pregnant female recipients and exemptions on maintenance/child support payments and C.R.I.S.P. (Child Related Income Support Program) benefits. It is feared that many of these improvements will be lost when the Province's plan for program reform is implemented.

The Province has assigned staff to work with designated City Social Services Administrators with respect to implementation of the changes. Hopefully the discussions will help to mitigate some of the negative effects anticipated with the reforms. However before the reforms themselves become finalized in Provincial Legislation, it would be beneficial for the Official Delegation of the City to request that the Provincial Government reconsider its position on the S.A.R.C. report with regard to the issues stated below.

Your Committee on Planning and Community Services recommends that the Official Delegation of the City of Winnipeg request the Province of Manitoba to reconsider its negative position on the following S.A.R.C. (Social Assistance Review Committee) report recommendations, which they have indicated that they do not intend to implement, namely:-

1. The cost-sharing of assistance granted by Municipalities above the Provincial standard; (No. 12 - Appendix "A")

2. Provision for on-going consultation with Municipalities when setting annual rates of assistance, establishing income exemptions and eligibility criteria; (No. 11 - Appendix "A")

3. The acceptance of long-term unemployable people for the Provincial Social Allowance Program; (No. 2 - Appendix "A")

4. Increased financial support for the employment-related initiatives targeted to municipal assistance clients. (No. 3 - Appendix "A")

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 752 for attachment.)

Report of the Committee on Planning and Community Services dated March 9, 1992

Re Motion to Amend By-law No. 5893/92 to change the Appeal Committee from Community Committees to the Committee on Planning and Community Services
Files GL-5.1, GL-5.6 and GC-12

746 4. Council on March 4th, 1992, ruled automatic referral of the following motion to the Committee on Planning and Community Services, pursuant to Section 16.1 of Procedure By-law No. 5400/90, namely:-

BE IT RESOLVED that Council's decision of January 22nd, 1992, to have the Community Committees hear the appeals from the decisions of the Board of Adjustment and/or the Designated City Administrator (Director of Planning) be changed to the Committee on Planning and Community Services;

AND BE IT FURTHER RESOLVED that By-law No. 5893/92 be amended accordingly.

NOTE: The motion referred to the Committee on Planning and Community Services was incorrect in that it omitted the words "and/or the Designated City Administrator (Director of Planning)". For the record, the above-stated motion has included therein the said omission.

Your Committee on Planning and Community Services considered the above-stated motion and a motion was introduced to recommend to Council that By-law No. 5893/92 not be amended. However, the motion was declared lost by virtue of a tie vote having occurred, pursuant to Section 58 of Procedure By-law No. 5400/90.

Therefore the subject motion is referred back to Council without recommendation.

Moved by Councillor Douglas,
That the clause be considered.

Moved by Councillor Timmers,
Seconded by Councillor Hyman,
That the clause be filed.

Moved by Mayor Norrie,
That the question be now put.

The motion was put.

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

Yea: Councillors Boychuk, Clement, Demare, Douglas, Fleisher, Gilroy, Kaufmann, Lazarenko, Mitchelson, O'Shaughnessy, Prystanski, Reese, Timmers, Young, Yuen, Mayor Norrie and Councillor Eadie. 17

Nay: Councillors Diamant, Duguid, Fraser, Golden, Hyman, Lorenc, Mendelson, Murray, Selinger, Thomas and Timm-Rudolph. 11

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and the motion was declared carried.

The motion to file the clause was put.

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

Yea: Councillors Boychuk, Clement, Diamant, Duguid, Hyman, Mendelson, Mitchelson, Murray, Reese, Selinger, Thomas, Timmers, Timm-Rudolph, Young and Yuen. 15

Nay: Councillors Demare, Douglas, Fleisher, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, O'Shaughnessy, Prystanski, Mayor Norrie and Councillor Eadie. 13

and the motion to file the clause was declared carried.

ZONING TEXT AMENDMENT - To delete Occupancy Permits from all Zoning By-laws and Town Planning Schemes and adding thereto a new type of Development Permits

File DAZ 232/91.

747 5. The Commissioner on Planning and Community Services has initiated an amendment to the Text of all Zoning By-laws and Town Planning Schemes to delete therefrom the zoning provisions for Occupancy Permits and replace them with a new type of Zoning Permit. The Commissioner further proposes to transfer the Occupancy Permit provisions to the Winnipeg Building By-law No. 4555/87.

The initiation of this application was predicated by recent amendments to The City of Winnipeg Act which provides the following new definition for an Occupancy Permit, namely:

"Occupancy Permit" means a permit issued under a by-law passed under Section 472 for the occupancy of a building or part of a building.

A by-law passed under Section 472 of The City of Winnipeg Act is The Winnipeg Building By-law.

The existing provisions for occupancy permits are within the Zoning By-laws and Town Planning Schemes administered by the City. They have to be transferred to the Building By-law.

Report of the Committee on Planning and Community Services dated March 9, 1992

The new Part 20, Planning and Development of The City of Winnipeg Act, provides a definition for a Development Permit, namely:

> "Development Permit" means a permit authorizing a development that is subject to a Development By-law (Zoning By-law).

Firstly: It is proposed that the Occupancy Permit provisions be removed from the Zoning By-law and added to the Building By-law. The Building Inspections Division of the Planning Department are studying the provisions they would recommend for the Building By-law and shall forward a subsequent report on same to the Committee on Planning and Community Services.

Secondly: It is proposed that all Zoning By-laws and Town Planning Schemes be amended to provide therein provisions for the issuance of a Development Permit. The Development Permit will be a three part permit that can be issued for any one part or any combination thereof. The three permit parts are as follows:

(a) for use;
(b) for building location on a zoning lot; and
(c) for site development.

A Public Meeting was held before the Committee on Planning and Community Services on March 9th, 1992 to consider the following application:-

Applicant: The Commissioner of Planning and Community Services

Subject: Proposed text amendments to the following By-laws and Town Planning Schemes which are in effect in the City of Winnipeg:-

1. Zoning By-law No. 16502
2. Zoning By-law No. 1558
3. Zoning By-law No. 1800
4. The St. Vital Town Planning Scheme 1951
5. The St. Boniface Town Planning Scheme 1957
6. Zoning By-law No. 4440
7. Zoning By-law No. 4450
8. Zoning By-law No. 4800

These By-laws and Schemes apply to those various areas of the City as shown outlined and correspondingly numbered on the sketch submitted herewith for the information of Council.
Nature of Application: PROPOSED ZONING TEXT AMENDMENT

Report of the Committee on Planning and Community Services dated March 9, 1992

DEVELOPMENT PERMITS

It is proposed to amend all of the above By-laws and Schemes, by repealing the existing Occupancy Permit Regulations and by adding thereto the following provisions for a Development Permit:-

1. A development permit for a zoning lot certifies compliance with any one or more zoning regulations of the zoning by-law applicable thereto.

2. To obtain a development permit authorized herein an owner or their agent shall file an application on a form prescribed by the Director of Planning.

3. All applications for a development permit shall be accompanied by the required fee specified in the Development Fees By-law of the City of Winnipeg.

4. When a development has been completed pursuant to a development permit and has been accepted, the Director of Planning when requested may issue a final development completion permit to the owner or their agent.

5. Notwithstanding apparent compliance with the Zoning By-law, the Director of Planning may refuse to issue a development permit if the building, structure or proposed use is to his knowledge in violation of the Winnipeg Building By-law, or any other by-law of the City.

6. The Director of Planning may revoke a Development Permit in respect of a building, structure or land where there is a violation of the Zoning By-law or any other By-law of the City in respect of the building, structure or land including, but without limiting the generality thereof, where:-

    (i) Any division of a zoning lot results in making the structure on said zoning lot illegal under the terms of the Zoning By-law; or

    (ii) There is any reduction of required yards for a building or any further reduction of non- conforming yards; or

    (iii) Any information supplied for the development permit or under clause 7 is incorrect.

7. The applicant for a development permit shall supply all information requested by the Director of Planning to show apparent compliance with the Zoning By-law and any other relevant By-laws of the City, including evidence of ownership and a Survey Certificate of the site showing the dimensions of the site, the position of all buildings or structures on the site, and the height of the buildings or structures.

8. A development permit for use of vacant land may be issued without production of a Survey Certificate upon the Owner satisfying the Director of Planning that the proposed use appears to be in accordance with the Zoning By-law.

Report of the Committee on Planning and Community Services dated March 9, 1992

9. (a) The Director of Planning may issue a Temporary Development Permit for the use of a building or structure approved as a temporary building, structure or use under the Winnipeg Building By- law or Development By-law.

(b) A Temporary Development Permit shall be for a period as specified therein, and before the expiration of such period, said permit may be renewed.

Exhibits filed:

1. Zoning application and documents shown on said application.

2. Copy of Notice of Public Meeting.

3. Report from Codes Officer, dated February 27th, 1992.

4. Memo from Codes Officer, dated March 9th, 1992.

Representations: The following persons appeared and/or made representations in support of the Text Amendment:-

Mr. T. Yauk, Commissioner of Planning and Community Services, 510 Main Street.
Mr. N. J. Slobodzian, Codes Officer, Planning Department, 395 Main Street.

Communication from N. J. Slobodzian, Codes Officer, Planning Department, 395 Main Street, Winnipeg, dated March 9th, 1992, recommending the following amendments to the recommendations as outlined in his report dated February 27th, 1992, namely:-

(a) in Recommendation 1 for "development permits" change the words "one or more" to the word "relevant",

(b) delete Recommendation 5 (The City of Winnipeg Act does not allow this); and

(c) delete subitems (i) and (ii) of Recommendation 6 (The City of Winnipeg Act does not allow this), was presented to the Committee and marked as Exhibit 4.

No one appeared in opposition thereto.

Report of the Committee on Planning and Community Services dated March 9, 1992

After considering all aspects of the foregoing, including the representations received, your Committee on Planning and Community Services recommends:

I. That Zoning By-laws 16502, 1558, 1800, 4440, 4450, 4800, The St. Vital Town Planning Scheme 1951 and The St. Boniface Town Planning Scheme 1957 be amended as follows:-

(1) Delete therefrom all provisions relating to "occupancy permits";

(2) Add thereto the following provisions for a development permit:-

DEVELOPMENT PERMIT

1. A development permit for a zoning lot certifies compliance with any relevant zoning regulations of the zoning by-law applicable thereto.

2. To obtain a development permit authorized herein an owner or their agent shall file an application on a form prescribed by the Director of Planning.

3. All applications for a development permit shall be accompanied by the required fee specified in the Development Fees By-law of the City of Winnipeg.

4. When a development has been completed in accordance with a development permit, the Director of Planning may so certify.

5. The Director of Planning may revoke a Development Permit in respect of a building, structure or land where there is a violation of the Zoning By-law or any other By-law of the City in respect of the building, structure or land including, but without limiting the generality thereof, where:- (a) Any information supplied for the development permit or under item 6 below is incorrect.

6. The applicant for a development permit shall supply all information requested by the Director of Planning to show apparent compliance with the Zoning By-law and any other relevant By-laws of the City, including evidence of ownership and a Survey Certificate of the site showing the dimensions of the site, the position of all buildings or structures on the site, and the height of the buildings or structures.

7. A development permit for use of vacant land may be issued without production of a Survey Certificate upon the Owner satisfying the Director of Planning that the proposed use appears to be in accordance with the Zoning By-law.

8. (a) The Director of Planning may issue a Temporary Development Permit for the use of a building or structure approved as a temporary building, structure or use under the Winnipeg Building By-law or Development By-law.

(b) A Temporary Development Permit shall be for a period as specified therein, and before the expiration of such period, said permit may be renewed.

Report of the Committee on Planning and Community Services dated March 9, 1992

II. That the City Solicitor be requested to prepare the necessary text amending by-law in accordance with Recommendation I above 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.

Councillor Golden asked to be recorded as voting against the clause in accordance with Section 50.7 of the Procedure By-law.

(Note: See Minute No. 753 for attachment.)

ZONING TEXT AMENDMENT - To regulate Recycling Uses - All Zoning By-laws and Town Planning Schemes except By-law 4800

File DAZ 246/91.

748 6. On September 30th, 1991, the Committee on Planning and Community Services directed the Commissioner of Planning and Community Services to initiate an amendment to all Zoning By-laws and Town Planning Schemes in force in the City to include therein regulations for re-cycling uses.

The existing listed uses in all Zoning By-laws and Town Planning Schemes do not adequately cover the new recycling uses. The uses in the Zoning By-laws and Town Planning Schemes that come close to recycling uses are as follows:

By-law 1558 and 1800

- salvage storage	Conditional Use in M1, M2, M3

By-law 4440 and 4450

- materials recycling operation completely enclosed within a building, with no outside storage.	Permitted M2 and M3 Conditional MR
- with outside storage same as salvage yard.	Permitted M3 Conditional MR

Report of the Committee on Planning and Community Services dated March 9, 1992

St. Boniface and St. Vital Town Planning Schemes

- no specific listing

By-law 16502

- storage, sorting, collecting or baling or rags,, paper, iron or junk. Permitted M3

Industrial Park Districts

- no specific listing.

There are three recycling uses as follows:

1. Collection/Drop-off Depots;
2. Recycling, sorting and storage warehouse;
3. Processing, packaging, baling and treatment of recyclable products.

These three uses have been processed as Use Variances in certain Industrial and Commercial Districts. Recent amendments to The City of Winnipeg Act no longer permits the processing of Use Variances.

The Text Amendment as advertised proposes that the three recycling uses shown below be added to all Zoning By-laws and Town Planning Schemes, except By-law No. 4800, namely:-

1. Collection/Drop-off Depot be allowed in conjunction with a principal use in the Commercial Districts provided all recyclable goods are stored in an enclosed container.

2. Recycling, sorting and storage warehouses be permitted in "M1", "M2", "M3", "MP-1", "MP-2" and "MP-3" Districts provided use is contained within a completely enclosed building.

3. Processing, packaging, baling and treatment of recyclable products be a Permitted Use in "M3" and Conditional Use in "M2".

A Public Meeting was held before the Committee on Planning and Community Services on March 9th, 1992 to consider the following application:-

Report of the Committee on Planning and Community Services dated March 9, 1992

Applicant: The Commissioner of Planning and Community Services

Subject: Proposed text amendments to the following By-laws and Town Planning Schemes which are in effect in the City of Winnipeg:-

1. Zoning By-law No. 16502
2. Zoning By-law No. 1558
3. Zoning By-law No. 1800
4. The St. Vital Town Planning Scheme 1951
5. The St. Boniface Town Planning Scheme 1957
6. Zoning By-law No. 4440
7. Zoning By-law No. 4450

These By-laws and Schemes apply to those various areas of the City as shown outlined and correspondingly numbered on the sketch submitted herewith for the information of Council.

Nature of Application: PROPOSED ZONING TEXT AMENDMENT

RECYCLING USES

It is proposed to amend all of the above By-laws and Schemes, except for By-law No. 4800 to introduce three recycling uses as follows:-

1. Collection/Drop-off Depot be allowed in conjunction with a principal use in the Commercial Districts, provided all recyclable goods are stored in an enclosed container.

2. Recycling, sorting and storage warehouses be permitted in "M1", "M2", "M3", "MP-1", "MP-2" and "MP-3" Districts provided use is contained within a completely enclosed building.

3. Processing, packaging, baling and treatment of recyclable products be a Permitted Use in "M3" and Conditional Use in "M2".

Exhibits filed:

1. Approval in principle by the Committee on Planning and Community Services on September 30th, 1991.
2. Zoning application and documents shown on said application.
3. Copy of Notice of Public Meeting.
4. Report from Codes Officer, dated February 28th, 1992.

Report of the Committee on Planning and Community Services dated March 9, 1992

5. Communications outlining comments and/or recommendations from the Community Committees relative to the proposed text amendments, were received from:-

Assiniboine Park-Fort Garry	-	Received as Information
City Centre-Fort Rouge	-	Concurred
East Kildonan-Transcona	-	Concurred in part.
Lord Selkirk-West Kildonan	-	Recommended that use variances be retained for recycling uses in any zoning district, and if not Community Committee reserves judgement.
St. Boniface-St. Vital	-	Received as information
St. James-Assiniboia	-	Concurred.

Representations: The following persons appeared in support of the Text Amendment:

Mr. T. Yauk, Commissioner of Planning and Community Services,
Mr. R. Nicol, District Planning Co-ordinator, Planning Department, 395 Main Street, Winnipeg.

After considering all aspects of foregoing, including the representations received, your Committee on Planning and Community Services recommends:-

I. That Zoning By-laws 16502, 1558, 1800, 4440, 4450, The St. Boniface Town Planning Scheme 1957 and The St. Vital Town Planning Scheme 1951 be amended to provide as follows:-

1. Collection/Drop-off Depot be allowed in conjunction with a Principal Use as a Conditional Use in "C1" District and as a Permitted Use in "C2" Highway Commercial, Shopping Centre, and "M1", "M2" and "M3" Districts provided all recyclable goods are stored entirely in an enclosed container constructed in compliance with a design endorsed by the Commissioner of Planning and Community Services so as to eliminate the escape on any such goods.

2. Recycling, sorting and storage warehouses be permitted in "M1", "M2", "M3", "MP-1", "MP-2" and "MP-3" Districts provided use is contained within a completely enclosed building.

3. Processing, packaging, baling and treatment of recyclable products be a Permitted Use in "M3" and Conditional Use in "M2".

II. That the City Solicitor be requested to prepare the necessary text amending Zoning By-laws in accordance with Recommendation I above and forward same to Council for all three readings thereof.

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.

Report of the Committee on Planning and Community Services dated March 9, 1992

Your Executive Policy Committee re commends that the clause be amended by adding the following item after item I. 3.:-

"4. That the recycling use collection/drop-off depots be permitted as an accessory use to schools and community clubs provided all recyclable goods are stored entirely in an enclosed container constructed in compliance with a design approved by the Commissioner of Planning and Community Services so as to eliminate the escape of any such goods."

Moved by Councillor Douglas,
Adoption of the clause.

In amendment,

Moved by Mayor Norrie,
That the recommendation of the Executive Policy Committee be adopted.

In amendment,

Moved by Councillor Douglas,
Seconded by Councillor Boychuk,

WHEREAS the Administration of the Planning Department have advised that the report submitted to the Public Meeting to consider the proposed Zoning Text Amendment to regulate recycling uses in all parts of the City, omitted allowing "baling" in "M1", "M2", "M3", "MP-1", "MP-2" and "MP-3" Districts provided the use is contained within an enclosed building;

AND WHEREAS "baling" has to occur in the recycling process in order to package the product or ship it;

THEREFORE BE IT RESOLVED that Recommendation No. I.2. of Clause 6 of the Report of the Committee on Planning and Community Services dated March 9th, 1992 be amended by adding the word "baling" after the word "sorting" in the first line thereof.

In amendment to the amendment,

Moved by Councillor Reese,
Seconded by Councillor Selinger,
That the amendment proposed by Executive Policy Committee to Recommendation No. 4 of the clause be amended to also include churches.

Moved by Councillor Murray,
That the clause and proposed amendments be referred back.

Carried.

(Note: See Minute No. 753 for attachment.)

Report of the Committee on Planning and Community Services dated March 9, 1992

ZONING TEXT AMENDMENT - To add a new "R1-9" One-Family District, to the Planning Schemes Within St. Boniface-St. Vital Community

File No. DAZ 263/91

749 7. Your Committee on Planning and Community Services has been advised that an application has been initiated by the Commissioner of Planning and Community Services to amend the Text of The St. Boniface Town Planning Scheme 1957 and The St. Vital Town Planning Scheme 1951, to add a new One-Family District designated "R1-9" with a minimum lot size of 9,000 square feet/835 square metres and lot width of 75 feet/25 metres.

The St. Boniface Town Planning Scheme 1957 and The St. Vital Town Planning Scheme 1951 do not include therein, the "R1-9" One-Family District. This District provides for One-Family development at lesser density, of a character similar to Egerton Road and River Road and there are areas within the St. Boniface-St. Vital Community where only "R1-9" Zoning District Regulations would be appropriate. The standard one-family districts ordinarily found in the zoning by-laws administered by the City are as follows:

DISTRICT	LOT WIDTH	LOT AREA
"R1-3.5"	37.5 feet/11 metres	3,500 square feet/325 square metres
"R1-4"	40 feet/12 metres	4,000 square feet/370 square metres
"R1-5"	50 feet/15 metres	5,000 square feet/465 square metres
"R1-5.5"	50 feet/15 metres	5,000 square feet/465 square metres
"R1-6"	60 feet/18 metres	6,000 square feet/555 square metres
"R1-9"	75 feet/23 metres	9,000 square feet/865 square metres
"R1-20"	80 feet/24 metres	20,000 square feet/1,860 square metres

Report of the Committee on Planning and Community Services dated March 9, 1992

This amendment is proposed by the Commissioner of Planning and Community Services in order to accommodate applications for the "R1-9" District designation, and would not reclassify any lands within the St. Boniface-St. Vital Community.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on January 14th, 1992.

Mr. D. Pentland, District Planner, Planning Department, 395 Main Street, appeared on behalf of the Commissioner of Planning and Community Services in support of the application.

No one appeared in opposition thereto.

The St. Boniface-St. Vital Community Committee recommended that the proposed Zoning Text Amendment be approved for the following reason:

1. The text amendment will allow conformity with other Community Areas of the City for designation of residential property relative to site area and density.

Your Committee on Planning and Community Services concurs in the recommendations of the St. Boniface-St. Vital Community Committee and recommends:

I. That The St. Boniface Town Planning Scheme 1957 and The St. Vital Town Planning Scheme 1951 be amended by adding to the One-Family District Chapter of the following new One-Family District:

	Minimum Site Width	Minimum Site Area	Front Yard	Rear Yard	Interior Side Yard	Corner Side Yard
"R1-9"	75 ft. 23 m	9,000 ft. 835 m	30 ft. 9 m	25 ft. 7.5 m	8 ft. 2.5 m	10 ft. 3 m

II. That the City Solicitor be requested to prepare the necessary amending 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.

Councillor Demare asked to be recorded as voting against the clause in accordance with Section 50.7 of the Procedure By-law.

Report of the Committee on Planning and Community Services dated March 9, 1992

ZONING TEXT AMENDMENT - Convenience Stores - St. Boniface-St. Vital Community.

File No. DAZ 264/91.

750 8. Your Committee on Planning and Community Services has been advised that an application has been initiated by the Commissioner of Planning and Community Services to amend the Text of The St. Boniface Town Planning Scheme 1957 and The St. Vital Town Planning Scheme 1951 to define the use "Convenience Stores" and to allow said use as a Conditional Use in the "C1" and "C2" Districts.

A "Convenience Store" is defined as a "retail food store which is open at any time during the period between 11:00 p.m. of one day and 7:00 a.m. of the following day".

This definition was recommended by an Ad Hoc Committee of the Committee on Planning and Community Services established to review Convenience Stores. The Ad Hoc Committee recommended that this use be listed as a Conditional Use in the "C1" and "C2" Districts in all of the various Zoning By-laws of the City.

Adding the definition, and listing the use "Convenience Store" as a Conditional Use in the "C1" and "C2" Districts, has been completed for the Lord Selkirk-West Kildonan Community, the East Kildonan-Transcona Community, the City Centre-Fort Rouge Community, the Assiniboine Park-Fort Garry Community and the St. James-Assiniboia Community. This provision in their Zoning By-laws provides control of the location of Convenience Stores in their Communities. Amendment of the St. Boniface and St. Vital Town Planning Schemes would also provide the same control in the St. Boniface-St. Vital Community.

The Commissioner of Planning and Community Services recommends that the use "Convenience Stores" be listed as a Conditional Use in the "C1" Limited Commercial District and the "C2" Commercial District.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on January 14th, 1992.

Mr. D. Pentland, District Planner, Planning Department, 395 Main Street, appeared on behalf of the Commissioner of Planning and Community Services, in support of the application.

No one appeared in opposition thereto.

The St. Boniface-St. Vital Community Committee recommended that the proposed Zoning Text Amendment be approved for the following reasons:

1. This amendment will provide conformity with other Community Areas in terms of adding the definition and listing the use "Convenience Store" as a Conditional Use in the "C1" and "C2" Districts.

2. This amendment affords additional protection for residents as same will provide more control over the location of Convenience Stores in the Community.

Report of the Committee on Planning and Community Services dated March 9, 1992

Your Committee on Planning and Community Services concurs in the recommendations of the St. Boniface-St. Vital Community Committee and recommends:-

I. That The St. Boniface Town Planning Scheme 1957 and The St. Vital Town Planning Scheme 1951 be amended as follows:

A. That the following definition be added thereto:

"Convenience Store" means a retail food store which is open at any time during the period between 11:00 p.m. of one day and 7:00 a.m. of the following day.

B. That the use list for the "C1" and "C2" Districts be amended by listing the use "Convenience Store" as a Conditional Use therein.

II. That the City Solicitor be requested to prepare the necessary amending 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.

751 - History referred to in Clause 2 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992

(NOTE: SEE PAGE 1022 TO 1023 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

Appendix "A" dated March 9th, 1992, referred to in Clause 2 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992

(NOTE: SEE PAGE 1024 TO 1026 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

Appendix "B" dated March 9th, 1992, referred to in Clause 2 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992

(NOTE: SEE PAGE 1027 TO 1028 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

Appendix "C" dated March 9th, 1992, referred to in Clause 2 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992

(NOTE: SEE PAGE 1029 TO 1030 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

752 – Appendix "A" referred to in Clause 3 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992.

(NOTE: SEE PAGE 1031 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

753 - Sketch referred to in clauses 5 and 6 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992.

(NOTE: SEE PAGE 1032 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

753 - Sketch referred to in clauses 5 and 6 of the Report of the Committee on Planning and Community Services, dated March 9th, 1992.

(NOTE: SEE PAGE 1032 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
CONSIDERATION OF BY-LAWS

754 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 order to be signed and sealed, namely:-

> By-law No. 5918/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change at 1231 to 1259 Wolever Avenue, in the City Centre-Fort Rouge Community. File No. DAZ 250/91.
>
> By-law No. 5919/92, 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(25).

On motion of Councillor Douglas, the rule was suspended and 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 order to be signed and sealed, namely:-

> By-law No. 5926/92, a By-law of the City of Winnipeg to amend By-law No. 4007/85, being The City of Winnipeg License By-law. File Nos. GC-12, GL-5.1 and GL-5.6.
>
> By-law No. 5927/92, a By-law of the City of Winnipeg to amend the City Organization By-law No. 4444/86. File Nos. GC-12, GL-5.1 and GL-5.6.

QUESTION PERIOD

755 Councillor Selinger referred to an announcement recently at the Legislature to the effect that consideration is being given to capping welfare rates, and that the implications of such action are a potential cost of $5.6 million to the City. He asked if the Chairman might elaborate further following his meeting with the Minister.

Councillor Douglas advised that a meeting was held with the Minister yesterday afternoon, with Councillor Gilroy, Commissioner Yauk, Mr. Russ Simmonds and himself attending, at which time the Minister agreed to review the situation, and to meet with the City again before proceeding.

Councillor Selinger asked if Councillor Douglas had drawn to the Minister's attention that 95% of all families and individuals live within the City of Winnipeg, and that any change would bear most heavily on the City and, in turn, the property tax.

Councillor Douglas replied in the affirmative, and suggested that due to the fact that the original committee was being reconvened to review the situation, the City would have representation.