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 (Report "A") dated September 8th, 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 Brown, the Report of the Committee on Planning and Community Services, dated September 8th, 1992, was considered clause by clause.

Conference Room No. 3,
Administration Building,
Winnipeg, September 8th, 1992.

His Worship the Mayor and Councillors:-

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

Social Assistance Recipient Training Program –
South Winnipeg Technical Centre,File No. EH-2.3.

1406 - 1. Your Committee on Planning and Community Services has been advised that the Social Services Department has applied for funding from the Federal Government in the amount of $98,578.00 to fund 100% of the cost of the Social Assistance Recipient Training Program - South Winnipeg Technical Centre for 15 social assistance recipients (Appendix "A").

The Department has sponsored two programs in conjunction with the South Winnipeg Technical Centre (S.W.T.C.) on two previous occasions - 1988/89 and 1991/92. These programs provided valuable opportunities for social assistance recipients to acquire the skills necessary to gain financial independence.

The South Winnipeg Technical Centre offers a unique approach: combining vocational and technical training with on-the-job experience, in a modular system.

Selected participants will undergo training in trades of their choice such as: commercial food services, industrial mechanics, building maintenance, power engineering, auto diesel mechanics, industrial welding, autobody repair, industrial electronics, industrial electricity, production art, industrial drafting and design. Trainees develop their skills on the latest available equipment in the various trade areas mentioned. Training will be provided under contract by South Winnipeg Technical Centre staff. A program co-ordinator, selected by South Winnipeg Technical Centre, will provide life skills training, work site liaison and day-to-day monitoring of the students' progress.

Candidates for the proposed program will be selected from social assistance recipients who have expressed an interest in technical training. A social worker from the Social Services Department will be assigned to assist trainees in adjusting to student life.

If approved, the program will commence in late September, 1992 and operate for a period of forty weeks.

No additional financial expenditure will be incurred by the City through assisting in the operation of this training program.

Your Committee on Planning and Community Services recommends that:

Report of the Committee on Planning and Community Services dated September 8th, 1992.

1. Subject to total funding by the Government of Canada, the City of Winnipeg Social Services Department participate in providing program support, in terms of personnel, for the Social Assistance Recipient Training Program at South Winnipeg Technical Centre.

2. The Proper Officers of the City be authorized to do all things necessary to implement the program, including the execution of all necessary documents.

Moved by Councillor Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1424 for attachment.)

Temporary Appointment of a Citizen Member for The Board of Adjustment.
File Nos. GK-12 and GC-7.

1407 - 2. REFERRED BACK BY EXECUTIVE POLICY COMMITTEE TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES

Amendments to Development Agreement Nos. AG 234/80-A, AG 234/80-B, AG 204/81, AG 213/82, AG 214/82, AG 236/83, AG 254/83, AG 542/89, AG 608/90, - Securities for Development Agreement Conditions for the Asphalt Paving of Christie Road, St. Boniface-St. Vital Community Committee,
File Nos. DAZ 234/80, DAZ 267/80, DAZ 204/81, DAV 213/82, DAZ 214/82, DAZ 236/83, DAZ 254/83, DAZ 246/88, DAZ 213/89 and DAZ 241/90 (DASSF 608/90).

1408 - 3. Your Committee on Planning and Community Services has been advised that a request has been received from nine residents on Christie Road to amend existing development agreements for their respective properties in order that the surface of Christie Road remain as a gravel surface rather than be improved to an asphalt pavement.

Following informal meetings between the residents of Christie Road, City administration and the area Councillor, particularly those nine parties with existing development agreements, unanimous consent was received from the residents that the surface of Christie Road should remain as a gravel surface rather than be improved to an asphalt pavement.

On July 21st, 1992, the St. Boniface-St. Vital Community Committee recommended that one-third (1/3) of the securities continue to be held by the City of Winnipeg for the ongoing maintenance (oiling) of the gravel surface roadway, with the remaining two-thirds (2/3) to be returned to the appropriate parties with existing development agreements.

Report of the Committee on Planning and Community Services dated September 8th, 1992.

The St. Boniface-St. Vital Community Committee also acknowledged the advice from the Assistant District Engineer, Operations District 5, that in instances where the frontage of holdings is in excess of 300 feet, the City would be required to bear the cost of the difference between the 300 feet and the actual frontage of a lot, as per City Policy.

Your Committee on Planning and Community Services concurs with the recommendation of the St. Boniface-St. Vital Community Committee and recommends as follows:

1. That development agreement AG 234/80-A (Finance Department No. 5873) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of that estimated cost which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to the Planning Area covered by Agreement AG 234/80-A. The Developer has already paid the full amount stipulated in the original agreement. Therefore the City shall repay to the current land owners(s) within 30 days of the execution of this addendum by the City an amount equal to 2/3 of the payments made previously by the Developer to the City without interest.

2. That development agreement AG 234/80-B (Finance Department No. 7328) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered for which the payment is made. Note that under original agreement payment for Parcel "G" were covered under AG 234/80-A and repayment for that property will be covered under addendum to that agreement. (Up to the date of this addendum only payment for Parcel "F" has been made.) Therefore the City shall repay to the current land owners(s) within 30 days of the execution of this addendum by the City an amount equal to 2/3 of any payments made previously by the Developer to the City, without interest.

3. That development agreement AG 204/81 (Finance Department No. 6337) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered under this agreement. The Developer has already made payment to the City equal to 1/3 of the original payment. The balance is currently being secured by a letter of credit. Therefore upon execution of this addendum the City shall release the letter of credit.

4. That development agreement AG 213/82 (Finance Department No. 6116) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered under this agreement. The Developer has already made payment to the City equal to 1/3 of the original payment. The balance is currently being secured by a letter of credit. Therefore upon execution of this addendum the City shall release the letter of credit.

5. That development agreement AG 214/82 (Finance Department No. 5328) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment

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which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor(oil treatment) attributable to those properties covered under this agreement. The developer has previously fully paid the originally stipulated payment. Therefore the City shall repay to the current land owner(s) within 30 days of the execution of this addendum by the City an amount equal to 2/3 of the payment made previously by the Developer to the City, without interest.

6. That development agreement AG 236/83 (Finance Department No. 5531) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered under this agreement. The Developer has previously fully paid the originally stipulated payment. Therefore the City shall repay to the current land owner(s) within 30 days of the execution of this addendum by the City an amount equal to 2/3 of the payment made previously by the Developer to the City, without interest.

7. That development agreement AG 254/83 (Finance Department No. 6229) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered under this agreement. The Developer has already made payment to the City equal to 1/3 of the original payment. The balance is currently secured by a letter of credit. Therefore upon execution of the addendum the City shall release the letter of credit.

8. That development agreement AG 542/89 (Finance Department No. 7884) be amended to delete the requirement for the Developer to pay to the City the Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered under this agreement. The Developer has already fully paid the originally stipulated payment. Therefore the City shall repay to the current land owner(s) within 30 days of the execution of this addendum by the City an amount equal to 2/3 of the payment made previously by the Developer to the City, without interest.

9. That development agreement AG 608/90 (Finance Department No. 8357) be amended to delete the requirement for the Developer to pay to the City and Developer's share of the cost of a future asphalt pavement local improvement. Instead the Developer shall make a payment equivalent to 1/3 of the stipulated payment which shall constitute payment in full for the share of the cost of any future gravelling and applications of dust inhibitor (oil treatment) attributable to those properties covered under this agreement. The Developer's payment is currently secured by a letter of credit equal to 100% of the payment. Therefore upon the execution of the addendum the Developer shall make a payment to the City in the amount of 1/3 of the stipulated payment, adjusted to current values. Upon receipt of the payment the City shall release the currently held letter of credit.

Your Committee on Planning and Community Services further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including but not limited to the execution of any amendment agreements.

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Moved by Councillor Brown,
Adoption of the clause.

Carried.

REZONING - 1321 Archibald Street, north-west corner at Fermor Avenue, St. Boniface- St. Vital Community.
File No. DAZ 207/92 (c/r DASSF 524/92).

1409 - 4. REFERRED BACK BY EXECUTIVE POLICY COMMITTEE TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES

Report of the Committee on Planning and Community Services dated September 8th, 1992.

REZONING - 2744 Main Street, Lord
Selkirk-West Kildonan Community.
File No. DAZ 222/92.

1410 - 5. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. Aurel Caraiman, 34 Piney Crescent to amend By-law No. 4450/86 by rezoning the land at 2744 Main Street from an "RA" Single-Family District to a "C2" General Commercial District to permit the establishment of the following uses subject to Conditional Use approval: 1) a private club, licensed by the Manitoba Liquor Control Commission; 2) a banquet hall/dance hall; and 3) an amusement parlour.

Adjacent properties are generally zoned large lot ("RA") residential and many are occupied with single-family dwellings. Lands on the east side of Main Street are currently being assembled as part of a combination commercial/single-family development proposal. Consequently Benn Avenue and Main Street is to be developed as a signalized intersection.

The land in question has 109 feet of frontage along Main Street and 110 feet of side yard along Benn Avenue.

In 1989, Michael Wei on behalf of the current applicants applied to rezone the subject land from "RA" Residential to "C2" Commercial to permit the construction of a combined restaurant/dwelling.

The size of the proposed structure at the time was prohibitive, covering so much of the overall site area that little in the way of parking space could be provided. In addition to that a required secondary approach off of Benn Avenue would have further eroded the number of parking spaces by 50%. The end result was that the application was rejected by the Community Committee. The current application by the owners is not for a restaurant, but rather for: 1) a small private club (Romanian); 2) private amusement facilities (pool tables/video machines; and 3) Banquet/Dance Hall facilities. Unlike the initial application in 1989, the structure in the current proposal is smaller allowing for 20 to 21 parking spaces. There is also enough separation between the west side of the proposed building and the west property line to allow for an approach to Benn Avenue, without having to eliminate any of the proposed parking stalls.

It is the view of the Planning Department that a small private club, in this case a Romanian Club, will not have a significant adverse effect on the surrounding neighbourhood. Parking is adequate for what is anticipated to be a small membership according to the applicant and an exit into Main Street has been endorsed in principle by the Streets and Transportation Department. An additional approach to Benn Avenue will have to be established at some point in the process either over the existing lane right-of-way or over the applicant's property. The amusement facility component being requested, while not identified as such, is apparently just for patrons of the club. The owner has indicated that six to ten pool tables and six to ten video machines are to be installed in the basement of the proposal when approved. The Planning Department does not oppose the installation of a number of private amusement facilities on the premises provided that they are specifically identified as private amusement facilities in the Zoning Agreement and in the Conditional Use application.

The Planning Department does however oppose the approval of the use of the proposed facility for banquet/dance hall purposes. While the proposed parking area may be sufficient to handle the needs of a private club, it is inadequate to meet the requirements of most licensed banquets.

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There is also insufficient separation space between the adjacent residential area and the location of the proposed structure. Use of such structure for banquet rental purposes would adversely affect the neighbouring area and this Department therefore recommends for the above noted reason that this portion of the application be not approved.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on July 21st, 1992. The following persons appeared and/or registered in support of the application:

Aurel Caraiman, 312-200 Adsum Drive, Winnipeg, R2P OW7,
Julian Guibega, 608-240 Stradbrook Avenue, Winnipeg, R3L 2P7,
Danny Mraovic, 4 Vistula Way, Winnipeg, R2P 2R8.

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

W. Wulff, 298 Benn Avenue, Box 19, Group 23, R.R.1A, Winnipeg, R3C 4A2,
Jack Sytkowski, 279 Benn Avenue, Box 12, Group 23, R.R.1A, Winnipeg, R3C 4A2,
Nick Tkatchuk, 275 Benn Avenue, Box 14, Group 23, R.R.1A, Winnipeg, R3C 4A2,
Dario Palleva, 264 Benn Avenue, Group 23, R.R.1A, Winnipeg, R3C 4A2.

A motion by the Lord Selkirk-West Kildonan Community Committee recommended that the subject application Be Not Proceeded With; which resulted in a tie vote. Therefore in accordance with Section 642(4) of The City of Winnipeg Act the Lord Selkirk-West Kildonan Community Committee has referred File No. DAZ 222/92 to your Committee on Planning and Community Services without recommendation.

Your Committee on Planning and Community Services recommends that the application for rezoning the land at 2744 Main Street Not Be Proceeded With for the following reasons:

1. While the proposed parking area may be sufficient to handle the needs of a private club, it is inadequate to meet the requirements of most licensed banquets.
2. There is insufficient separation space between the adjacent residential area and the location of the proposed structure.
3. Use of such a structure for banquet rental purposes would adversely affect the neighbouring area.

Moved by Councillor Brown,
Adoption of the clause.

Carried.

REZONING - 668 McDermot Avenue, City Centre-Fort Rouge Community.
File No. DAZ 224/92.

1411 - 6. Your Committee on Planning and Community Services has been advised that an application has been received from the Manitoba Clinic, 790 Sherbrook Street to amend By-law No. 16502 by rezoning the land at 668 McDermot Avenue from an "R2" Two-Family District to a "C2" Commercial District and incorporate it with the adjoining property to allow for future commercial development.

The subject site is 25 feet by 100 feet providing a total site area of 2,500 square feet. The subject site is vacant and zoned "R2" Two-Family District.

Report of the Committee on Planning and Community Services dated September 8th, 1992.

Adjoining lands in this block are owned by Manitoba Clinic and are developed with a medical clinic and accessory parking area, zoned "C2" Commercial District.

File Nos. DAZ 339/79 and DAZ 245/86 rezoned lands owned by the Manitoba Clinic to a "C2" Commercial District to permit the existing Manitoba Clinic use.

Manitoba Clinic proposes to consolidate the subject site with their existing holding. Future plans are to erect a building immediately to the west of the current clinical building to accommodate additional physicians and possibly a pharmacy, physiotherapy department and optical shop.

This rezoning is consistent with surrounding zoning and development of the Health Sciences Centre precinct. The recommended zoning agreement is the same as the agreement on the adjacent Manitoba Clinic lands.

A Public Hearing was held before the City Centre-Fort Rouge Community Committee on July 7th, 1992.

Peter White, Manitoba Clinic, 790 Sherbrook Street, Winnipeg, R3A 1M3 appeared in support of the application.

No one appeared in opposition thereto.

The City Centre-Fort Rouge Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, all of which have been incorporated within the following recommendations for the following reasons:

1. Adjoining lands in the block are owned by Manitoba Clinic, are developed with a medical clinic and accessory parking area and are zoned "C2" Commercial District.
2. Manitoba Clinic proposes to consolidate the subject site with their existing holding inasmuch as future plans are to erect a building immediately to the west of the current clinical building to accommodate additional physicians and possibly a pharmacy, physiotherapy department and optical shop.
3. The proposed rezoning is consistent with surrounding zoning and development of the Health Sciences Centre precinct.

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 224/92, attached hereto and dated July 27th, 1992, to a "C2" Commercial 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:

I) That the use of land be restricted to the following uses:

a. hospitals, medical or dental clinics and laboratories;
b. institutions of an educational and philanthropic nature, except those of a correctional nature;
c. kindergartens or day nurseries;
d. multiple-dwellings, subject to the "R3" Multiple- Family District regulations of By-law No. 16502;
e. university, college or school, not conducted as a business enterprise;
f. accessory uses when located on the same lot;
g. accessory off-street parking and loading areas or structures;
h. any of the following incidental businesses, conducted as a service, provided that there is no entrance to such place of business except from the interior of the building and that no sign advertising such business shall be erected on the exterior of the building:

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- bank;
- barber shop or beauty salon;
- book or stationery store;
- confectionery store;
- drug store;
- florist or gift shop;
- laundry, clothes cleaning or pressing establishment;
- newsstand;
- offices, business or professional;
- optician;
- postal sub-station of the Government of Canada;
- restaurant, without dancing or entertainment.

B. That final construction plans indicating the design and location of any proposed buildings or structures, accessory parking areas, fencing and landscaping be subject to the approval of the Commissioner of Planning and Community Services prior to the issuance of a building permit.

C. That a 10 per cent dedication be made by a payment of a sum of money to the City in lieu of the requirement for land based on the increase in the market value of the land.

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 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 provided that the said effective date occurs within 12 months from the date that the said Rezoning By-law is adopted by Council.

IV. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

V. 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.

VI. 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 Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1425 for attachment.)

REZONING - 562 Keenleyside Street,
located on the north-west corner of
Panet Road and Keenleyside Street,
East Kildonan-Transcona Community.
File No. DAZ 225/92.

1412 - 7. Your Committee on Planning and Community Services has been advised that an application has been received from Imre Jack and Magdolna Smith, 5444 Yonge Street, Toronto, Ontario to amend By-law No. 4440/86 by rezoning the land at 562 Keenleyside Street from a "C1" Local Commercial District to either a "C2" Commercial District or a "C2-S" Suburban Commercial District to allow for a broader range of Commercial uses.

The subject site is located at the north-west corner of Panet Road and Keenleyside Street. Although under By-law No. 4440/86 the site has frontage on Keenleyside Street, the easterly flankage of the site on Panet Road has similar exposure to vehicular traffic as the commercial sites on the east side of Panet Road, which are presently zoned "C3-1" Highway Commercial District.

Report of the Committee on Planning and Community Services dated September 8th, 1992.

The purpose of the rezoning is to permit the owner to use the site and existing building for a somewhat wider range of uses than presently permitted under the existing "C1" zoning. The building was previously occupied as a Mac's Convenience Store, however, the commercial site to the west appears to provide adequate commercial space for local community oriented businesses, including a 7-11 convenience store. The building on the subject site has consequently been vacant for some time.

The Planning Department considers that a "C2" zoning for the subject property would be appropriate providing that those uses which would generate large vehicular traffic volumes to the site be prohibited, and that permitted uses will be appropriate to the size of the site and scale of building. It is recommended that a zoning agreement be required in order to implement the above. Prohibited uses would include those associated with automotive, truck and trailer sales, servicing and rental, and other associated types of uses. A gasoline sales kiosk is not considered appropriate for this site due to the sites narrow width and lack of access directly from Panet Road.

The proposed "C2" zoning would generally permit an additional very limited range of assembly, repair and servicing operations, and a broader range of retail and service uses. Some of these uses such as drive-in/ drive-through restaurants and banks, and car washes are conditional uses under By-law No. 4440/86.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on July 21st, 1992.

Mr. R. Smith, 200 - 209 Notre Dame Avenue, Winnipeg, R3B 1M9 appeared in support of the application.

No one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1. There was no opposition registered against this application.

2. The "C2" zoning, as recommended, is appropriate for the site and adjacent area.

3. Approval of the rezoning will provide an opportunity for enhancement and improvement to the area.

Your Committee on Planning and Community Services concurs in the recommendation of the East Kildonan-Transcona Community Committee and recommends:

I. That By-law No. 4440/86 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 225/92, attached hereto and dated August 13th, 1992, to a "C2" Commercial 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 the following uses shall not be permitted on the lands:

a) public garage;
b) automobile sales or rentals;
c) gas kiosks;
d) automobile service stations;
e) tire sales establishment with auxiliary service uses;
f) trailer and bus sales and rental;
g) automobile supplies and parts sales with incidental repairs and servicing;
h) automobile glass and mirror sales and installation; and
I) trailers and travel trailers sales or rental.

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2) that a detailed plan(s) showing landscaping, fencing and garbage enclosures be submitted to and be subject to the approval of the East Kildonan-Transcona Community Committee by no later than June 30th, 1993; said landscaping, fencing and garbage enclosures to be established in accordance with the plan submitted and maintained to the satisfaction of the Commissioner of Planning and Community Services;

3) that, except for one mobile sign which may be permitted on the site to be indicated by a location on the plan identified in recommendation 2 above, there shall be no other temporary or special event signs, including balloon signs, sandwich boards, posters, reader panels, banners or streamers permitted on the site or upon any building or structure thereon.

4) that a 10 per cent dedication be made by payment of a sum of money to the City in lieu of the requirement for land for open space, park and recreational use based on the increase in market value of land.

II. That the applicant also be required to enter into a Servicing Agreement with the City of Winnipeg to provide for the prepayment of a local improvement for a sidewalk to be constructed along the property, from Keenleyside Street to the north limit of the property line, based on current local improvement rates.

III. That the City Solicitor be requested to prepare the necessary Rezoning By-law and forward same to Council for all three readings.

IV. That the Rezoning By-law district 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 provided that the said effective date occurs within twelve (12) months from the date that the said Rezoning By-law is adopted by Council.

V. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement and Servicing Agreement.

VI. That in the event this application is not proceeded with expeditiously and the by-law is not enacted within 18 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.

VII. 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 Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1426 for attachment.)

REZONING - 757 Lyon Street, Assiniboine Park-Fort Garry Community.
File No. DAZ 230/92 (c/r DASSF 34/92).

1413 - 8. Your Committee on Planning and Community Services has been advised that an application has been received from Smith, Carter Architects and Engineers Inc., 1601 Buffalo Place to amend By-law No. 1800 by rezoning the land at 757 Lyon Street from a "PR" Park and Recreational District to a "C1" Local Commercial District to allow for the establishment of a daycare centre and a dance studio in an existing building.

Viscount Alexander School is located on about 3.6 hectares/8.8 acres, zoned "PR", to the north and west of the subject site.

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Lands to the east, across Lyon Street, are zoned "R1-5.5" Single-Family District, and are developed with the Fort Garry United Church at 800 Point Road, and housing fronting Riverwood Avenue. The church currently houses the College Co-op Day Centre.

Single-family housing zoned "R1-5.5" fronts the south side of Riverwood Avenue.

The proposal involves the conversion of a vacant 10,580 square foot school into a day care centre and dance school/studio. The day care would occupy 3,745 square feet of floor area and the dance studio 5,090 square feet, leaving 1,745 square feet as common area including washrooms, change rooms, office space, reception and waiting area and a small store selling dance supplies. No exterior alterations or additions to the building are anticipated.

The lot is in the process of subdivision from the school grounds, under File DASSF 534/92. Zoning variances triggered by the subdivision are being handled under File No. DAV 364/92D.

Information supplied by the applicant indicates that the hours of operation of the Dance School are weekdays from 4:30 p.m. to 9:30 p.m. and Saturday from 9:00 a.m. to 5:00 p.m., with Sunday closings. A maximum of 40 dance students will attend the school at one time, with classes lasting 1 hour. Classes are scheduled at 1.25 hour intervals to facilitate the orderly arrival and departure of students. The dance school will employ a total of 3 people and will close during the summer for the months of July and August.

Day care hours are currently weekdays from 7:00 a.m. to 6:00 p.m. for the pre-school program (48 child spaces), and weekdays from 7:30 a.m. to 9:00 a.m. mornings and 4:00 p.m. to 6:00 p.m. evenings for the school-aged program (30 child spaces). The day care currently employs a total of 10 people, with a maximum of 8 on the premises at one time. Plans call for a slight reduction of child spaces, to about 70, allowing the centre to operate under one site license.

Parking for about 62 vehicles is provided at the rear or west side of the building, with access off Riverwood Avenue. Eight of the stalls fall on the subject property, accessible only from the school property. An easement agreement will be entered into by the Dance School and the School Board.

Parking should not be a problem on the site. Viscount Alexander School requires a total of 25 parking stalls, leaving a total of 37 spaces for the dance school and day care centre, which will require a total of 11 stalls for on-site staff. The balance of the parking, 26 stalls, is available for parents and general use. The parking lot is laid out to accommodate student drop-off and pick-up, minimizing on-street traffic disruption.

As the dance school is a commercial operation, the minimum zoning permitting its operation is "C1" Local Commercial District. A day care centre is a permitted use in churches, schools, parish halls and community centres in "PR" and residential zoning districts.

The Planning Department is prepared to support this rezoning application on the basis that there is some merit in recycling the school, thereby preserving a building with some historical and architectural significance and a long-time fixture in the community. Alternatively, the school will most likely be demolished and the site developed with housing.

The major land use issues involve the on-site activity and traffic generated by the facility. With respect to on-site activity, it is significant that the neighbourhood is accustomed to the operations of the Viscount Alexander School (which relies heavily on student busing) and athletic fields, the Fort Garry United Church, the College Co-op Day Centre, and until recently the use of the subject premises for School Board offices. In association with these organizations, evening and weekend meetings, events and programs of a business, educational, social, religious and recreational nature have been commonplace and apparently tolerated by area residents as part and parcel of living near a focal point of community life. Indeed, commercial zoning is not new to the neighbourhood as long-time residents will recall the small shopping precinct, including IGA store, at the corner of Point Road and Oakenwald, the last of which was destroyed by fire in the early 80's.

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In relation to traffic, it is difficult to assess the marginal impact of the dance school. According to the operator, a total of 8 classes will be scheduled daily (2 each hour), accommodating a maximum of 160 students. Assuming all arrive by car, the dance school will generate a total of 320 trips (one-way) over a 4.5 hour period. The busiest traffic periods would occur in the P.M. between 5:30 and 5:45, 6:45 and 7:00, and 8:00 and 8:15, during which periods a total of 80 vehicles could conceivably enter and exit the site.

Realistically, there is an ample reason to believe that the above analysis overstates the traffic impact. The applicant indicates that classes with more than 15 students are unmanageable and, therefore, avoided. Moreover, neighbourhood students may walk or bike to the school, while others will utilize the transit system (Point Road 94 and Morley 95 Routes). Some families will enroll more than one child, and car pooling will occur. Parents may stay for the duration of the class, which will reduce the number of trips and the suggested total enrollment is the maximum that the school could accommodate due to space constraints.

In terms of routing, it is expected that non-local traffic will make use of the traffic signals at Oakenwald/Pembina and Point Road/Pembina, which will encourage the use of these community collector streets and minimize the traffic impact on Riverwood except for parking lot access. If deemed necessary, the site could accommodate a kiss-and-go driveway off of Lyon Street, which has no fronting residential development.

From a land use perspective, it is the opinion of the Planning Department that the dance school is compatible with the mixed-use, residential/institutional character of the area, and the traffic impact will not adversely affect the property enjoyment of neighbouring residents, as it will be dissipated by the variety of routes affording access to the facility and considering the ample amount of parking available to the site.

A Public Hearing was held before the Assiniboine Park-Fort Garry Community Committee on July 27th, 1992.

Teresa Janet McMillan, and Michael Peter Smith, 31 Sandrington Drive, Winnipeg, R2N 2H9 appeared 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 subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1) This is a creative use of a vacant school building and an appropriate way to recycle the building.

2) There should be no adverse impact to the surrounding neighbourhood.

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

I. That By-law No. 1800 be amended by temporarily rezoning the subject land as shown on Schedule "A" for File No. DAZ 230/92, attached hereto and dated August 18th, 1992, to a "C1" Local Commercial District, the said land to revert to a "PR" Park and Recreational District upon the occurrence of one of the following:

   a) 10 years from the date of the enactment of the Rezoning By- law;
   b) the existing building is demolished, removed or destroyed by fire, or;
   c) the land ceases to be used for a dance studio or day care centre.

II. 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:

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a) that the use of the land be restricted to a day care centre, dance studio, and accessory uses;
b) that additions to the building be prohibited and no exterior building or site works or alterations, including signage be made except in accordance with plans and details approved by the Assiniboine Park-Fort Garry Community Committee and the Commissioner of Planning and Community Services prior to the issuance of building/development permits;
c) that no new buildings or structures be constructed on the site except in accordance with plans approved by the Assiniboine Park-Fort Garry Community Committee and the Commissioner of Planning and Community Services;
d) that free-standing signs be prohibited;
e) that the operation of the dance studio be limited to between the hours of 4:30 p.m. and 9:00 p.m. Monday through Friday, and 9:00 a.m. to 5:00 p.m. Saturday.

III. That the requirement for a cash payment, in lieu of the requirement for land for open space, park and recreational use, be waived.

IV. That the City Solicitor be requested to prepare the necessary Rezoning By-law and forward same to Council for all three readings.

V. 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 and the plan approved pursuant to File No. DASSF 534/92 has been registered at the Winnipeg Land Titles Office provided that the said effective date occurs within twelve (12) months from the date that the said Rezoning By-law is adopted by Council.

VI. That the Proper Officers of the City are hereby 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 Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1427 for attachment.)

REZONING - 94 McGregor Street, Lord Selkirk-West Kildonan Community.
File No. DAZ 233/92.

1414 - 9. Your Committee on Planning and Community Services has been advised that an application has been received from Nicholas Trusewych on behalf of The Ukrainian Catholic Parish of St. Vladimir and Olga to amend By-law No. 4450/86 by rezoning the land at 94 McGregor Street from an "R2-T" Two-Family Transitional District to a "C1" Local Commercial District to allow for the construction of an office building for church administration and a single-family dwelling accessory to the business office.

The applicants on behalf of the Ukrainian Catholic Parish of St. Vladimir and Olga wish to rezone a nearby parcel of land on McGregor Street in order to accommodate Parish Offices and priests residence for the church. The lands were acquired from the City in the Spring of 1987. The property is quite large (148 feet wide by 150 feet in depth along Stella Avenue) and should easily accommodate the two buildings and the parking area. The main parking area provides for 28 stalls and is accessed off of both

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McGregor Street and Stella Avenue. The south, north and west boundaries of the property are to be fenced and landscaped in accordance with plans as submitted.

The Planning Department supports the proposed rezoning and redevelopment of the site at the south-west corner of Stella and McGregor Streets. The proposal will, in our view, both enhance the corner and be compatible with surrounding land uses. Little in the way of traffic will be generated to and from the site and primary access to McGregor Street should alleviate many of the potential concerns of Stella Street residents.

A Public Hearing was held before the Lord Selkirk-West Kildonan Community Committee on July 21st, 1992.

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

Nicholas Trusewych, 200-952 Main Street, Winnipeg, R2W 3P4,
John Hewryk, 327 McAdam Avenue, Winnipeg, R2W OB3,
Mary and W. Tomchyshyn, 9 Dafoe Boulevard, Winnipeg, R2V 2L6.

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

Guk Young Kim, 600 Stella Avenue, Winnipeg, R2W 2V4,
B. H. Kim, 107 Hunterspoint Road, Winnipeg, R3R 3B6.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1) The property is quite large (148 feet wide by 150 feet in depth along Stella Avenue) and should easily accommodate the two buildings and the parking area. The main parking area provides for 28 stalls and is accessed off of both McGregor Street and Stella Avenue. The south, north and west boundaries of the property are to be fenced and landscaped in accordance with plans as submitted.
2) The Planning Department supports the proposed rezoning and redevelopment of the site at the south-west corner of Stella Avenue and McGregor Street. The proposal will both enhance the corner and be compatible with surrounding land uses.

3) Little in the way of traffic will be generated to and from the site and primary access to McGregor Street should alleviate many of the potential concerns of Stella Avenue residents.

Your Committee on Planning and Community Services concurs in part with the recommendation of the Lord Selkirk-West Kildonan Community Committee for the following reason:

The Lord Selkirk-West Kildonan Community Committee recommended that the 10% dedication be waived in this instance inasmuch as the applicant is a church and a non-profit organization. Only when a church or a non-profit organization has been developing senior citizen housing has the 10% dedication been waived. There is no policy to waive when rezoning to "C1".

and recommends:-

I. That By-law No. 4450/86 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 233/92, attached hereto and dated August 20, 1992, to a "C1" Local Commercial 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 no building or structure shall be constructed on the subject land and no building permit issued for construction of

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such building or structure until plans including the design and location of proposed buildings, parking, landscaping, fencing, location of refuse receptacles and methods of access and egress are submitted to and approved by the Lord Selkirk-West Kildonan Community Committee and the Commissioner of Planning and Community Services.

2) That occupancy thereon be limited to an office building for church administration and a single-family dwelling.

3) That the 10% dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space, park and recreational use based on the increase in market value of the land.

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 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 provided that the said effective date occurs within twelve (12) months from the date that the said rezoning by-law is adopted by Council.

IV. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

V. 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.

VI. 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 Brown,
Adoption of the clause.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor O'Shaughnessy,
WHEREAS the Lord Selkirk-West Kildonan Community Committee recommended that the ten percent land dedication fee be waived regarding the rezoning of 94 McGregor Street;

AND WHEREAS the applicant is a Church and a non-profit organization;

AND WHEREAS the intended use is an office building for Church Administration and a single-family dwelling accessory to the business office;

AND WHEREAS the current lot is vacant and is detrimental to the Community;

THEREFORE BE IT RESOLVED that the ten percent dedication fee be waived.

Carried.

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

(Note: See Minute No. 1428 for attachment.)

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REZONING - Part Lot 8, West side of
Woodlands Crescent, south of Portage Avenue,
St. James-Assiniboia Community.
File No. DAZ 234/92.

1415 - 10. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. G. Bauer, 34 Woodlawn Avenue to amend By-law No. 1558 by rezoning the land on the west side of Woodlands Crescent, south of Portage Avenue from an "R1-5.5" Single-Family District to an "R2" Two-Family District to allow for the construction of a two family dwelling.

The subject site has 23.03 metres (75.57 feet) frontage on Woodlands Crescent and a rear lot width of 31.72 metres (104.1 feet). The lot is 52.91 metres (173.59 feet) in depth and is 1448.7 square metres (15,594.4 square feet) in area and is vacant at the present time. The applicant is proposing to construct a two-family (attached) dwelling on the subject site.

The Planning Department supports the subject application for the following reasons:

1. The site is adjacent to multiple-family development to the west and commercial development to the north and will act as a transitional zoning and development between these uses and the single-family dwellings to the south.

2. The site exceeds By-law No. 1558 minimum "R2" required lot widths and area of 18.28 metres (60.0 feet) and 557.4 square metres (6,000 square feet) respectively by significant large margins.

3. The site can provide all the required yards for a two-family dwelling as set out in By-law No. 1558.

4. The proposed zoning and development will be compatible with adjoining zoning and dwellings and will not adversely affect adjoining properties.

No servicing agreement is required in conjunction with the subject application as a condition of approval.

A Public Hearing was held before the St. James-Assiniboia Community Committee on July 21st, 1992.

Mr. and Mrs. G. Bauer, 34 Woodlawn Avenue, Winnipeg, R2M 2P2 appeared in support of the application.

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

Mrs. J. Morley, 530 Woodlands Crescent, Winnipeg, R3K 1B1,
Mrs. E. Johnson, 526 Woodlands Crescent, Winnipeg, R3K 1B1.

The St. James-Assiniboia Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reason:

1. The proposed rezoning, with the conditions imposed, appears to be acceptable to the applicant, the neighbouring property owners and the community in general.

Your Committee on Planning and Community Services concurs in the recommendation of the St. James-Assiniboia Community Committee and recommends:

I. That By-law No. 1558 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 234/92, attached hereto and dated August 10th, 1992, to an "R2" Two-Family District subject to the following:

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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 the use on the land be limited to either a one or two-family dwelling only;
2 That any dwelling to be constructed on the site shall not exceed one storey in height (plus the basement) and a bi- level shall not be permitted;
3. That any two-family dwelling constructed on the site shall be side-by-side only;
4. That the maximum gross main floor area for the dwelling shall not exceed 2,400 square feet (222.96 square metres);
5. That only one private approach be permitted from Woodlands Crescent and that the approach shall be on the south side of the building;
6. That the minimum south side yard on the site shall be 14 feet (4.267 metres);
7. That a 10 per cent dedication be made by payment of a sum of money to the City, in lieu of the requirement for land for open space, park and recreational use based on the increase in market value of the lands.

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 "R2" zoning district 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 provided that the said effective date occurs within 12 (twelve) months from the date that said Rezoning By-law is adopted by Council.

IV. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.

V. 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.

VI. 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 Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1429 for attachment.)

REZONING - 498 Jamison Avenue, 499 Jamison Avenue and 497 Bowman Avenue East
Kildonan-Transcona Community.
File No. DAZ 236/92.

1416 - 11. 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. 4440/86 by rezoning the land at 498 and 499 Jamison Avenue and 497 Bowman Avenue from an "R1-2.5" Single Family District to a "C1" Commercial District to reflect the existing land use.

The subject application includes three separate sites all in private ownership. The most southerly site is located at the north-west corner of Watt Street and Bowman Avenue and is presently developed with a structure used as a hairdressing salon/beauty parlour. The site at the south-west corner of Jamison Avenue and Watt Street is developed with a two-storey residential/commercial building including a grocery store. This site at the north-west corner of Watt Street and Jamison Avenue is developed with a commercial building used as a second hand store. This use was originally permitted under

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variance order DAV 64/82, and was later expanded by an addition to the building under variance order DAV 315/89.

In conjunction with the adoption of the East Kildonan- Transcona Zoning By-law No. 4440/86 in the year 1986, a number of revisions were made to the zoning of specific sites within the Community. The subject three properties are all presently zoned "R1-2.5" consistent with the zoning of the adjacent residential area to the west. The same subject properties included within this application, were zoned "C1" prior to the adoption of By-law No. 4440/86.

The owner of the property at the north-west corner of Bowman Avenue and Watt Street has requested that the zoning on that site be reviewed. The Planning Department has subsequently also considered the present zoning of the two other parcels which were also previously zoned "C1", and are located on the adjacent blocks on Watt Street. The Planning Department considers that all three of the subject sites should be considered for re-establishment as "C1" zoned lots, and the subject application is being made by the Commissioner of Planning and Community Services to facilitate this proposal.

The Planning Department is supportive of the application because the subject sites are all presently occupied with commercial uses, and the type and location of these commercial buildings on Watt Street would be consistent with a Local Commercial "C1" zoning along this collector street. Should your Committee concur with the Department's recommendation to rezone the subject sites to "C1" no cash dedication in lieu of the requirement for land dedication based on the increase in the market value of the land should be required.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on July 21st, 1992.

Mr. D. Nelson, District Planner, appeared in support of the application, on behalf of the applicant Mrs. Pauline Marcenuik, 497 Bowman Avenue, Winnipeg, R2K 1P5.

No one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1) The subject sites are all presently occupied with useful and viable commercial businesses, consistent with a "C1" local commercial zoning along Watt Street.

2) These sites would have little value as residential properties, and the owners would likely suffer a financial loss as a result of their sale as residential lands.

3) The rezoning to "R1-2.5" Single-Family Residential was done without the knowledge of the landowners.

Your Committee on Planning and Community Services concurs in the recommendation of the East Kildonan-Transcona Community Committee and recommends:

I. That By-law No. 4440/86 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 236/92, attached hereto and dated August 11, 1992, to a "C1" Local Commercial 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.

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Moved by Councillor Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1430 for attachment.)

ZONING AGREEMENT AMENDMENT - 210 Oakland Avenue, East Kildonan- Transcona Community.
File No. DAZ 313/75 (ZAA 1/92).

1417 - 12. Your Committee on Planning and Community Services has been advised that an application has been received from Valdemar Klassen on behalf of Merteen's Dining Room, 210 Oakland Avenue to amend the Zoning Agreement affecting 210 Oakland Avenue to allow for the expansion of an existing restaurant or dining room with a total gross floor area of 404.12 square metres/4,350 square feet (including an open licensed patio area of 111.48 square metres/1,200 square feet) instead of a maximum 292 square metres/3,150 square feet as permitted by the agreement.

The subject zoning agreement, required in conjunction with approval of the rezoning under File No. DAZ 313/75, had been previously amended on June 3rd, 1981, to permit, in part, the establishment of a restaurant on the 13th floor of the subject building. The June 3rd, 1981 amendment is set out below.

"2. The land and any building or structure thereon shall not be used for and no building or structure shall be erected, altered or enlarged on the land for any use except:

a) a senior citizens' residence not exceeding twelve (12) storeys in height, plus:

b) an additional thirteenth (13th) storey which shall be used only as:

i) recreation room space for the residents of that building, or

(ii) as an alternative use within the thirteenth (13th) storey of the building commonly known as 210 Oakland Avenue, a restaurant or dining room not exceeding a gross floor area of 292 square metres (3,150 square feet) and provided there is no exterior signage erected or maintained on the senior citizens residence building related to the restaurant or dining room other than one (1) facia sign not exceeding .75 square metres (8 square feet) in area."

The applicant is proposing to expand the existing restaurant area by establishment of an outside patio area, to be generally located under an existing canopy structure. The gross floor area of the expansion would be 111.48 square metres(1,200 square feet). The applicant has indicated that a maximum of 50 additional seats would be provided in the expansion, and it would be used annually during the months of June to September inclusive.

The District Planning Branch has no objection to the proposed restaurant patio area. The expansion will not adversely affect surrounding or adjoining properties since the expansion is limited in area, and is in a location to which residents of the apartments already have general access.

Under associated File No. DAV 218/92D, the Planning Department has recommended that, for Manitoba Liquor Licensing Control purposes a maximum of 50 seats be permitted in conjunction with the patio, and that it be used only during the months of June to September (inclusive) annually.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on June 16th and July 21st, 1992.

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

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Valdemar Klassen, Merteen's Dining Room, 210 Oakland Avenue, Winnipeg, R2G 3G6,
Laura Donald, 1222 - 210 Oakland Avenue, Winnipeg, R2G 3G6,
Peter Dyck, 35 Radium Cove, Winnipeg, R2G 3K1,
H. H. Funk, Box 118, R. R. 5, Winnipeg, R2C 2Z2.

No one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that the proposed Zoning Agreement Amendment be approved subject to a number of conditions, all of which have been incorporated within the following recommendation for the following reasons:

1) The District Planning Branch has no objection to the proposed restaurant patio area.
2) A number of persons appeared in favour of the application and/or registered their support by way of the 112 signature petition submitted.
3) Although provision was made for any/all those in opposition to come forward and/or submit their comments in writing to Community Committee, no formal opposition has been registered.
4) Approval has been granted for a three-year period only to allow for the impact on the area to be reviewed and addressed.

Your Committee on Planning and Community Services concurs in the recommendations of the East Kildonan-Transcona Community Committee and recommends:

I. That Zoning Agreement DAZ 313/75 as amended be further amended by additionally permitting on the 13th floor of said building an outdoor patio expansion until September 30th, 1995, to a permitted restaurant or dining room, said patio not to exceed 111.48 square metres/1,200 square feet in gross floor area, bringing the maximum gross floor area of a permitted restaurant or dining room on the 13th floor to 404.115 square metres/4,350 square feet until September 30th, 1995, at which time the maximum gross floor area shall revert to 292 square metres/3,150 square feet.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DAZ 313/75 set forth in recommendation I above.

III. That the Proper Officers of the City be authorized to execute said amending agreement.

IV. 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 Brown,
Adoption of the clause.

Carried.

ZONING AGREEMENT AMENDMENT 1055
Dorchester Avenue, Assiniboine Park-Fort
Garry Community.
File No. DAZ 252/86 (ZAA 2/91).

1418 - 13. Your Committee on Planning and Community Services has been advised that an application has been received from Pamela Morton, 107 Ramsgate Bay to amend the Zoning Agreement affecting 1055 Dorchester Avenue to allow for the establishment of four (4) dwelling units instead of three (3) dwelling units as permitted by the Agreement.

To the west lies the St. George's Anglican Church, zoned "R1- 4" Single-Family District separated from the subject site by a 20 foot public lane.

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To the east is Wilton Street and, beyond, single-family housing zoned "R1-4". To the south, single-family housing zoned "R1-4" fronts Dorchester Avenue.

The balance of subject site consists of a vacant 40 foot by 120 foot parcel zoned "R1-4" Single-Family District, under same ownership and bound by a zoning agreement limiting residential development to fire hall only.

The Assiniboine Park-Fort Garry Community Committee last considered this property under File No. DAZ 252/86, whereupon the application area was rezoned "RM-L" to permit the conversion of the fire hall into a 3 unit multiple-family dwelling. The balance of the site, with 40 feet of frontage on Dorchester Avenue, retained the "R1-4" zoning. The current application involves amending the Zoning Agreement to permit the establishment of one (1) additional unit in the fire hall, for a total of four (4) residential units on the property. The fire hall provides a 16.3 metre/53 foot rear yard and a 18.6 metre/61 foot west side yard. The east side yard of 0.81 metres/2.7 feet is substandard and was varied under Order DAV 457/86. It is proposed to provide 8 parking stalls off the lane.

A variance filed under DAV 491/92D requests permission to establish a gravel parking surface with the two outside stalls, adjacent to fences, substandard in width.

The Planning Department fully supports the rehabilitation and conversion of the Fire Hall into a multiple-family dwelling. The building has sat vacant for a number of years and, in its deteriorating state, is a detriment to the neighbourhood. And while the predominate housing type in the area is single-family, there is existing two-family and multiple-family housing in the neighbourhood as well.

A Public Hearing was held before the Assiniboine Park-Fort Garry Community Committee on July 27th, 1992.

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

Pam Morton, 107 Ramsgate Bay, Winnipeg, R3P OV3,
Bruce Clapham, 1810 Ellice Avenue, Winnipeg, R3H OB7,
D. Bruce MacLeod, 1074 Dorchester Avenue, Winnipeg, R3M OR2.

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

Pat Chioua, 1079 Dorchester Avenue, Winnipeg, R3M OR2,
Melanie Lautt, 1058 Dorchester Avenue, Winnipeg, R3M ON7,
Hannah Cross, 1086 Dorchester Avenue, Winnipeg, R3M OS3,
Irene Way, 1087 Dorchester Avenue, Winnipeg, R3M OR2,
Helen Williams, 1083 Dorchester Avenue, Winnipeg, R3M OR2.

The Assiniboine Park-Fort Garry Community Committee recommended that the proposed Zoning Agreement Amendment be approved subject to conditions which are incorporated in the following recommendation for the following reason:

1. The building, in its deteriorating state, is a detriment to the neighbourhood, and the applicant's proposal will upgrade the building and enhance the area.

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

I. That Zoning Agreement DAZ 252/86 dated September 3rd, 1986 be amended as follows:

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A. That Clause 2 of Zoning Agreement DAZ 252/86 be amended to allow four (4) dwelling units within the existing building.

II. That the following recommendation be added to Zoning Agreement DAZ 252/86:

"9. That the area between the north wall of the building and the parking area be landscaped."

III. That the City Solicitor be requested to prepare the necessary amending agreement to Zoning Agreement DAZ 252/86 dated September 3rd, 1986 as approved in aforesaid recommendations I and II.

IV. That the Proper Officers of the City be authorized to execute said amending agreement.

V. 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 Brown,
Adoption of the clause.

Carried.

Amendment to Development Agreements AG 28/86 and AG 39/86 between The City of Winnipeg and Joy Ventures Ltd. and 66761 Manitoba Ltd., lands located south of Eldridge Avenue between Laxdal Road and Haney Street; and east of the terminus of Drayton Bay (Overton Cove), Assiniboine Park-Fort Garry Community. File Nos. DASZ 28/86 and DASZ 39/86.

1419 - 14. Under the terms and conditions of Development Agreements AG 28/86 and AG 39/86 between The City of Winnipeg and Joy Ventures Ltd. and 66761 Manitoba Ltd., dated December 23rd, 1987, the Developer is required to install appropriate lighting in the public walkway from Hookway Crescent to Gladys Bunn Park.

The Assiniboine Park-Fort Garry Community Committee at its meeting held on July 27th, 1992 recommended that Schedule "C", Section 1, Item 14, "Walkways" of Development Agreements AG 28/86 and AG 39/86 be amended by deleting Subitem iii to not require lighting in the walkway as it was unnecessary and not required.

Your Committee on Planning and Community Services concurs with the recommendation of the Assiniboine Park-Fort Garry Community Committee that Development Agreements AG 28/86 and AG 39/86 delete the lighting requirement in Subitem iii referred to in Schedule "C", Section 1, Item 14, "Walkways".

Your Committee on Planning and Community Services further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing including but not limited to the execution of any amendment agreement.

Moved by Councillor Brown,
Adoption of the clause.

Carried.

Amendment to Development Agreement AG 57/86 for land located north of Grassie Boulevard and east of Lagimodiere Boulevard, East Kildonan-Transcona Community.
File No. DASZ 57/86.

1420 - 15. Your Committee on Planning and Community Services has been advised that a petition has been received by the East Kildonan-Transcona Community Committee signed by 41 residents of Silver Fields Lane and Skowron Crescent opposing the construction of

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sidewalks on their streets. (Copy of petition on file in the Office of the City Clerk).

Under the terms and conditions of Development Agreement AG 57/86 between The City of Winnipeg and North Grassie Properties Inc., dated July 29th, 1987, the Developer is to install sidewalks under Section I of Schedule "C" as follows:

"11. Sidewalks

a) ii) on one side of Silver Fields Lane and Skowron Crescent from Jacques Avenue to Shauna Way;

and

iv) on the south side of Shauna Way from Skowron Crescent to Dowhan Way (Outhwaite Street) to be constructed with street pavement for the flankage lots,"

On July 21st, 1992, the East Kildonan-Transcona Community Committee heard representation from Mr. Ron Newman, 44 Skowron Crescent, who presented a petition signed by 41 residents of Silver Fields Lane and Skowron Crescent, in opposition to the construction of sidewalks on both Silver Fields Lane and Skowron Crescent, as provided for in Schedule "C" to Development Agreement AG 57/86.

The East Kildonan-Transcona Community Committee acceded to the residents' request, that Section I of Schedule "C" to Development Agreement AG 57/86 be amended by deleting therefrom the following:

"11. Sidewalks

a) ii) on one side of Silver Fields Lane and Skowron Crescent from Jacques Avenue to Shauna Way; and

iv) on the south side of Shauna Way from Skowron Crescent to Dowhan Way (Outhwaite Street) to be constructed with street pavement for the flankage lots,"

and substituting the following:

"a) ii) on the south side of Jacques Avenue from Skowron Crescent to Outhwaite Street (Dowhan Way)."

Your Committee on Planning and Community Services concurs in the recommendation of the East Kildonan-Transcona Community Committee and recommends that Section "C" to Development Agreement AG 57/86 be amended by deleting therefrom the following:

"11. Sidewalks

a) ii) on one side of Silver Fields Lane and Skowron Crescent from Jacques Avenue to Shauna Way; and

iv) on the south side of Shauna Way from Skowron Crescent to Dowhan Way (Outhwaite Street) to be constructed with street pavement for the flankage lots,"

and substituting therefor:

"a) ii) on the south side of Jacques Avenue from Skowron Crescent to Outhwaite Street (Dowhan Way)."

Your Committee on Planning and Community Services further recommends that the Proper Officers of the City be

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authorized to do all things necessary to implement the intent of the foregoing, including but not limited to the execution of any amendment agreement.

Moved by Councillor Brown,
Adoption of the clause.

Carried.

Subdivision and Rezoning - North of Fernbank Avenue, between Main Street and C.P.R. Winnipeg Beach Line. Lord Selkirk-West Kildonan Community
File No. DASZ 43/87.

1421 - 16. Your Committee on Planning and Community Services has been advised that on September 27, 1989, Council passed By-law No. 5267/89 approving the plan of subdivision shown outlined on attached Schedule "A" subject to the terms and conditions of Development Agreement AG 43/87. The plan included the establishment of Horrox Bay as illustrated in greater detail on attached Schedule "B".

On March 1, 1990, the applicant, Novamet Development Corporation advised the Planning Department that the Winnipeg Land Titles Office would not allow the registration of the plan of subdivision as approved because a caveat for right-of-way purposes was registered against Parcel 2, Plan 8913 over which Horrox Bay was to be established. The caveat allowed the owner of landlocked Parcel 1, Plan 8913 shown on attached Schedule "C" right-of-way access to and from Shirley Street over and upon the Novamet Lands (Parcel 2, Plan 8913).

Novamet requested that the subject lands be deleted from the plan of subdivision until the problem of the right-of-way caveat could be resolved with the caveator. Subsequently, on March 7, 1990, Council passed By-law No. 5384/90 amending By-law No. 5267/89 by deleting the plan approved and substituting the plan of subdivision as shown on attached Schedule "D". Although the Horrox Bay right-of-way was deleted, the "R1-4" zoning category was approved. The revised plan of subdivision was registered in the Winnipeg Land Titles Office on April 5, 1990 as Plan No. 25,046.

On June 1st, 1992, Novamet and the owner of Parcel 1, Plan 8913 entered into an agreement which has resolved the issue of the right-of-way access. In order to effect and complete the plan of subdivision, the owner of said Parcel 1 has agreed to:

1. Dedicate to the City the most westerly 42.6 feet of Parcel 1 to provide for the full width of the north-south leg of Horrox Bay in order to align with the portion of Horrox Bay located to the south approved by Council on May 8th, 1991 under File No. DASZ 24/90.

2. The termination of the caveat for right-of-way access over and upon Parcel 2, Plan 8913.

3. The establishment of 1 foot strips of land along the south and east sides of Horrox Bay to be transferred to the City for development control purposes.

The agreement between Novamet and the owner also provides that the owner will not be required to reimburse Novamet any servicing costs for Horrox Bay until such time as the owner wishes to subdivide. The one-foot control strips will regulate future subdivision, but for all practical purposes do not prohibit access to the lands for maintenance purposes.

It is the opinion of the Planning Department that the revision to the original plan to provide the full width of the north-south leg of Horrox Bay is of a minor nature and does not prejudice the rights of any person. The owners of the

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land described as Part Parcel B, Plan 3853 are not affected and will continue to maintain access to Shirley Street. Novamet is the owner of the remaining lands to the north, south and west.

Your Committee on Planning and Community Services recommends:

I. That the plan of subdivision proposed under File No. DAS 43/87"A" be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "E" for File No. DAS 43/87"A" attached hereto and dated August 25th, 1992, for registration in the Winnipeg Land Titles Office subject to the following:

A. That the Developer be required to enter into an addendum Development Agreement embodying all the terms and conditions approved under the original Development Agreement, AG 43/87.

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 by-law in accordance with the above.

IV. That the by-law shall come into force and effect upon the execution by The City of Winnipeg of the addendum Development Agreement.

V. That the Proper Officers of the City be authorized to execute all necessary agreements.

VI. That in the event 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.

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

Moved by Councillor Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1431 for attachment.)

Amendment to Development Agreement AG 6/91 for land located on the north side of Beecher Avenue between Parr Street (Diplomat Drive) and Ferrier Street. Lord Selkirk-West Kildonan Community.
File No. DASZ 6/91.

1422 - 17. Your Committee on Planning and Community Services has been advised that an appeal has been received from Mr. Al Christie to amend Development Agreement AG 6/91 between The City of Winnipeg and National Washettes Ltd., in order for him to finance the cost of installing the land drainage trunk sewer in Ferrier Street from Beecher Avenue to Templeton Street.

Council at its meeting held on January 22nd, 1992, approved development application DASZ 6/91 subject to the Developer entering into a Development Agreement containing, among others, the following provision:

"The Developer shall not be permitted to begin the installation of services until a land drainage sewer has been installed by the City or others in Ferrier Street."

The City in April of 1992 advertised the installation of a land drainage sewer as a Local Improvement in Ferrier Street from the existing stub at Templeton Avenue to the former C.P.R. Bergen Cut-off. The Local Improvement project,

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however, was petitioned against by 79.03% of the benefiting property owners and will therefore not be proceeded with by the City.

Mr. Al Christie, the Developer of the cul-de-sac approved under development application DASZ 6/91 has indicated that he would be willing to finance the cost of installing the land drainage trunk sewer in Ferrier Street from Beecher Avenue to Templeton Avenue in order to proceed with the development of his land providing that he would be reimbursed by the City within a reasonable period of time. In addition to Mr. Christie's land an additional 8 acres of undeveloped lands lying north of Beecher Avenue would benefit from the land drainage sewer in Ferrier Street. It has been estimated that the subject installation will cost $70,000.00 including engineering fees.

On July 21st, 1992, the Lord Selkirk-West Kildonan Community Committee considered report dated June 30th, 1992 from the Administrative Co-ordinating Group, together with communication dated July 20th, 1992 from Mr. A. Christie, relative to the above-referenced matter.

The Lord Selkirk-West Kildonan Community Committee concurred in the recommendation of the Administrative Co-ordinating Group, namely:-

"That Development Agreement AG 6/91 be amended to permit the Developer to construct a land drainage trunk sewer in Ferrier Street between Beecher Avenue and Templeton Avenue and that the City shall reimburse the Developer without interest the proportionate share of the cost of the sewer benefiting privately-owned land as determined by the Commissioner of Works and Operations subject to the approval of capital funding therefor by City Council and/or as the City collects from benefiting privately-owned land."

Community committee also recommended that a proportionate amount of the $70,000 be placed in the preliminary 1993 Capital Estimates for discussion, possible debate and possible inclusion in the 1993 Capital Estimates for decision by Council.

Your Committee on Planning and Community Services concurs with the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends that Development Agreement AG 6/91 be amended to permit the Developer to construct a land drainage trunk sewer in Ferrier Street between Beecher Avenue and Templeton Avenue and that the City shall reimburse the Developer without interest the proportionate share of the cost of the sewer benefiting privately-owned land as determined by the Commissioner of Works and Operations subject to the approval of capital funding therefor by City Council and/or as the City collects from benefiting privately-owned land.

Your Committee on Planning and Community Services further recommends that the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing, including but not limited to the execution of any amendment agreement.

Moved by Councillor Brown,
Adoption of the clause.

Carried.

SUBDIVISION AND REZONING - Land located on the south side of Parkin Avenue between Laxdal and Elmhurst Roads, Assiniboine Park-Fort Garry Community.
File No. DASZ 9/92.

1423 - 18. Your Committee on Planning and Community Services has been advised that an application has been submitted by Solarch Design Ltd., 85 West Gate, Winnipeg, Manitoba, R3C 2C9 for the approval of a plan of subdivision and related zoning change to Zoning By-law No. 1800 by rezoning the subject lands from an "R1-20" Single-Family District to an "R1-5.5" Single-Family District to permit the establishment of five (5) single-family building sites.

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The applicant acquired the property from the Manitoba Housing and Renewal Corporation for the purposes of single-family residential infill development. Schedule "A", attached, indicates that the strip of City-owned land to the west was advertised as part of the application for rezoning and subdivision in case the applicant has to acquire the property in future for land drainage purposes. However, the newspaper advertisement was incorrect in identifying the current zoning of the city lands and, consequently, the City land must be excluded from the application area and present public hearing process.

The revised plan, Schedule "B" attached, indicates a first stage subdivision of 5 residential building lots fronting Parkin Avenue, to be zoned "R1-5.5" Single-Family District. The applicant is prepared to dedicate to the City Lot 7, a strip of land along his east property limit which, when combined with the existing adjacent public lane, will allow for the future southerly extension of McLean Street to service the remaining backlands (about 20 lots).

This subdivision will create a land-locked parcel, Lot 1, which requires zoning variance as applied for under DAV 418/92. Unfortunately, the mistake in the rezoning advertisement affects the variance application, and requires that the City lands be excluded from consideration at this hearing.

Parkin Avenue is currently an asphalt roadway with ditch drainage in a 50 foot right-of-way, installed with sewer and water services. Stage 1 of this infill project would permit development of the Parkin Avenue lots in the absence of street upgrading involving land drainage and a concrete roadway. This upgrading would be tied, via the Development Agreement, to the development of the balance of the applicant's lands (3.8 acres).

If this staging is not approved, the development is not financially viable in view of the cost of extending land drainage from Grant Avenue (estimated at $300,000), a prerequisite for Parkin Avenue upgrading. In other words, revenue from the sale of the Parkin Avenue lots is necessary to aid in bridge-financing the land drainage works and the improvements to Parkin Avenue.

The applicant is proposing to construct energy-efficient single-family housing on lots with a minimum width of 50 feet. Although not illustrated, the plan for the balance of the lands would involve the creation of about 20 lots serviced by running cul-de-sacs, or a bay loop, off of the McLean Avenue extension. The initial extension of McLean Avenue would also enable the back-splitting of the Elmhurst Road lots, with the potential for an additional 12 lots. Ultimately, McLean Avenue would be further extended southward and taken out to Laxdal Road just north of Grant Avenue. The City has acquired a lot on Laxdal Road for this express purpose. It is estimated that the full development of these backlands would result in 80 plus new residential dwellings, utilizing existing infrastructure and community facilities.

The Planning Department supports this application for the following reasons:

1) it is compatible with existing residential development in the area;

2) it is infill development which will make the utmost use of existing infrastructure and community services and facilities;

3) it will accelerate development of the balance of the 11.7 hectares/28.8 acres of backlands between Elmhurst and Laxdal Roads;

4) in addition to the tax revenue, development of the backlands will contribute over $400,000 to the Charleswood Transportation Levy for regional street improvements, including $65,000 from the applicant's lands;

5) infill development of the area is supported by a majority of neighbouring Elmhurst Road residents who recognize the benefits of subdivision in terms of lower taxes, less property maintenance, and capital gains.

Charleswood is one of the very few areas of the City where the potential for residential infill development at suburban densities is readily apparent.

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The District Planning Branch supports the concept of infill development in general, and, in particular, the present proposal for its potential of creating upwards of 80 residential building sites in the heart of Charleswood, whose future occupants will drive on existing streets, utilize existing services, attend existing schools and shop at existing stores.

A Public Hearing was held before the Assiniboine Park-Fort Garry Community Committee on July 27th, 1992.

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

Charles L. Chappell, 30th Floor - 360 Main Street, Winnipeg, R3P OL1,
Dimitrios Styliaras, 85 Westgate, Winnipeg, R3C 2C9,
Shirley Cipryk, 602 Oakdale Drive, Winnipeg, R3R 1A1,
Mary A. Hewett, 525 Cathcart Street, Winnipeg, R3R OS6.

No one appeared in opposition thereto.

The Assiniboine Park-Fort Garry Community Committee recommended that:

1. The proposed subdivision and rezoning be approved for the following reason:

The plan of subdivision reflects the conceptual development for the area and the proposed lot sizes are consistent with adjacent single- family housing.

2. The proposed subdivision and rezoning be approved subject to a number of conditions all of which have been incorporated within the following recommendation.

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

I. That the plan of subdivision proposed under File No. DASZ 9/92 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" for File No. DASZ 9/92 attached hereto and dated August 26th, 1992, for registration in the Winnipeg Land Titles Office subject to:

A. That the Developer be required to enter into a Development Agreement with the City containing therein the following conditions:

1) the Developer shall, at no expense to the City, install wastewater and water connections to serve each lot within the proposed subdivision;
2) the Developer shall submit a lot grading plan for the whole subdivision for the approval of the District Engineer prior to the issuance of any building permit;
3) the Developer shall pay the full cost of engineering services provided by or on behalf of the City in connection with the development of the lots fronting Parkin Avenue;
4) the Developer shall pay $1,500.00 to defray the City's administration and related costs associated with the preparation and implementation of the Development Agreement;
5) the Developer shall provide the City with a refundable deposit in the amount of 5 x $500.00 per lot = $2,500.00 to ensure that Parkin Avenue abutting the proposed subdivision shall be restored to its original condition following completion of the development;
6) it is acknowledged that the City will endeavour to install and construct a land drainage sewer and concrete street pavement in Parkin Avenue abutting the proposed subdivision as Local Improvements when land drainage trunk

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services become available when Stage 2 of the development proceeds. The City may file the appropriate caveat(s) against the lots within the proposed subdivision to notify prospective buyers of the future levies which will be assessed for these improvements;

7) the applicant paying the Charleswood Transportation Levy in the amount of $10,260.00;

B. That the Developer be required to pay to the City 10% cash dedication in lieu of land dedication to be calculated on the basis of four additional building sites being created.

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 Zoning By-law No. 1800 be amended by rezoning the subject land as shown on Schedule "B" for File No. DASZ 9/92 attached hereto and dated August 26, 1992 to an "R1-5.5" Single-Family District.

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

V. That the plan of subdivision section of the by-law shall come into force and effect upon the execution by The City of Winnipeg of the Development Agreement.

VI. That the zoning section of the by-law shall come into force and effect as follows:

a) The "R1-5.5" Single-Family District when the plan of subdivision has been registered in the Winnipeg Land Titles Office.

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 of the above in accordance with the terms of The City of Winnipeg Act.

Moved by Councillor Brown,
Adoption of the clause.

Carried.

(Note: See Minute No. 1432 for attachment.)

1424 - Appendix "A" referred to in Clause 1 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2187 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1425 - Schedule "A" referred to in Clause 6 of the Report of the committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2188 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1426 - Schedule “A” referred to in Clause 7 of the Report of the Committee on Planning and Community Services, dated September 8, 1992.

(SEE PAGE 2189 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1427 - Schedule "A" referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2190 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1428 - Schedule "A" referred to in Clause 9 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2191 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1429 - Schedule "A" referred to in Clause 10 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2192 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1430 - Schedule "A" referred to in Clause 11 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992

(SEE PAGE 2193 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1431 - Schedule "A" referred to in Clause 16 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2194 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1431 Schedule “B” referred to in Clause 16 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2195 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1431 Schedule “C” referred to in Clause 16 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2196 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1431 Schedule “D” referred to in Clause 16 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2197 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1431 Schedule “E” referred to in Clause 16 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2198 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1432 Schedule “A” referred to in Clause 18 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2199 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

1432 Schedule “B” referred to in Clause 18 of the Report of the Committee on Planning and Community Services, dated September 8th, 1992.

(SEE PAGE 2200 FOR OFFICIAL SET OF MINUTES ATTACHMENT)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
CONSIDERATION OF BY-LAWS

1433- On motion of Councillor Brown, 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. 6024/92, a By-law of the City of Winnipeg for the enactment of zoning text changes to Zoning By-law No. 16502. File Nos. DAZ 214/86, DAZ 215/91, DAZ 217/91, DAZ 246/91, DAZ 229/92, DAZ 231/92 and DAZ 232/92.

By-law No. 6025/92, a By-law of the City of Winnipeg to amend By-law No. 4334/86 being the Winnipeg Public Library Board and Library Advisory Committees. File No. L-11.

By-law No. 6026/92, a By-law of the City of Winnipeg to amend The Board of Adjustment By-law. File Nos. GL-5.2 & GK-12.

By-law No. 6029/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 1558 for the enactment of a zoning change on Part of Lot 8, west side of Woodlands Crescent, south of Portage Avenue in the St. James-Assiniboia Community. File No. DAZ 234/92.

By-law No. 6030/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change at 498 and 499 Jamison Avenue and 497 Bowman Avenue in the East Kildonan-Transcona Community. File No. DAZ 236/92.

By-law No. 6031/92, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend The St. Boniface Town Planning Scheme 1957 for the enactment of a zoning change in the area bounded by Bishop Grandin Boulevard on the north, John Bruce Road on the south, the Canadian Pacific Railway Emerson Subdivision on the east, and the Seine River on the west, in the St. Boniface-St. Vital Community. File No. DASZ 5/90.

By-law No. 6032/92, 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 area bounded by Bishop Grandin Boulevard, Shorehill Drive on the west, and the CPR Emerson right-of-way on the east, in the St. Boniface-St. Vital Community. File No. DASZ 5/90A.

By-law No. 6033/92, 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 area bounded by Bishop Grandin Boulevard, Shorehill Drive and Orchard Hill Drive, in the St. Boniface-St. Vital Community. File No. DASZ 5/90B.

By-law No. 6034/92, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 4450/86 for the enactment of a zoning change on lands located between Dufferin and Jarvis Avenues, east of Robinson Street, in the Lord Selkirk-West Kildonan Community. File No. DASZ 5/92.