CONSIDERATION OF REPORT OF THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The Executive Policy Committee has considered the reports of the concerned Community Committees and the recommendations of the Committee on Planning and Community Services, as contained in its Report dated October 1st, 1992, has concurred in the recommendations contained therein, except as noted below, and submits same to Council for approval and adoption.

On motion of Councillor Douglas, the Report of the Committee on Planning and Community Services, dated October 1st, 1992, was considered clause by clause.

West Committee Room,
Council Building,
Winnipeg, October 1st, 1992.

His Worship the Mayor and Councillors:-

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

Appointment of Citizen Members to The Library Advisory Committee, Files GC-7 & L-11.

1523 - 1. Your Committee on Planning and Community Services has received a request from the Assiniboine Park-Fort Garry Community Committee, that By-law No. 4334/86 be amended to provide that the term of office of citizen representatives appointed to the Library Advisory Committee should be for a two-year term and not each year as stipulated in By-law No. 4334/86; in order to give citizens additional time to be more cognizant of their role and the role of the Advisory Committee.

Your Committee on Planning and Community Services recommends:-

I. That By-law No. 4334/86 be amended, to provide that the term of office of citizen members appointed to the Library Advisory Committee, shall be for a period of two years.

II. That the City Solicitor be requested to prepare the necessary by-law to implement the intentions of Recommendation I above.

Moved by Councillor Douglas,
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).

1524 - 2. The Executive Policy Committee on September 16th, 1992 referred back to the Committee on Planning and Community Services Clause 4 of its Report dated September 8th, 1992 with regard to the rezoning of 1321 Archibald Street, located on the north-west corner at Fermor Street in the St. Boniface-St. Vital Community, which reads as follows:

Your Committee on Planning and Community Services has been advised that an application has been received from Engineer Drafting Services, 3611 Roblin Boulevard to amend The St. Boniface Town Planning Scheme 1957 by rezoning the land at 1321 Archibald Street, north-west corner at Fermor Avenue, from a "C1" Limited Commercial District to a "C2" Commercial District to allow for the construction of a restaurant. The subject site is 47.7 metres by 70.17 metres (156.5 feet by 230.2 feet) (irregular site), providing a total site area of approximately 1600 square metres (17,200 square feet).

The proposed restaurant would replace the existing restaurant, with a larger facility located at the westerly end of the site. Parking provision for this larger restaurant is adequate, and if the north limit of the site is properly developed to protect adjacent housing, the effects of the development should not be significantly different than those of the existing use.

The City-owned buffer abutting the north limit of the site separates commercial uses from housing on Chippawa Bay, and a large landscaped rear yard is not necessary to protect that housing. Fencing is required to screen the park/buffer strip and housing from the use. The acquisition of a corner cut at the intersection of Archibald Street and Fermor Avenue is required. Such acquisition is considered as a matter for negotiation in establishing the terms of a sales agreement respecting the applicant's purchase from the City of the westerly portion of the site, and is not recommended as part of a Zoning Agreement.

A Public Hearing was held before the St. Boniface-St. Vital Community Committee on April 14th, May 19th and June 16th, 1992.

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

Mr. Walter Loewen, Waltco Inc., Box 122, St. Norbert P.O., Winnipeg, R3V 1L5,
Mr. Joe Colosimo, 21 Cyril Place, Winnipeg, R2J 3B1, (on behalf of Country Style Donuts),
Mr. Terry Segal, 960 Elizabeth Road, Winnipeg, R2J 1B3,
Mr. John G. Wlasichuk, 74 Pine Bluff Road, Winnipeg, R2J 2N5.

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

Mr. Glen Hewitt, Chairperson, St. Boniface-St. Vital Residents' Advisory Group, c/o 604 St. Mary's Road, Winnipeg, R2M 3L5,
Mrs. Cecile Anderson, 41 Cherokee Bay, Winnipeg, R2J 2C4,
Mr. Julius and Mrs. Helen Arkos, 30 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. W. B. Barr, 10 Pawnee Bay, Winnipeg, R2J 2C9,
Mr. Don Bourns, 30 Pawnee Bay, Winnipeg, R2J 2C9,
Mr. Roy H. Broadfoot, 12 Iroquois Bay, Winnipeg, R2J 2E1,
Mrs. Laraine Carbotte, 1 Iroquois Bay, Winnipeg, R2J 2E1,
Mr. F. M. Cavers, 7 Mohawk Bay, Winnipeg, R2J 2C6,
Mrs. N. J. Cleveland, 4 Iroquois Bay, Winnipeg, R2J 2E2,
Mrs. Margaret Cook, 37 Cherokee Bay, Winnipeg, R2J 0C4,
Mr. S. and Mrs. Cecile Cucheran, 13 Iroquois Bay, Winnipeg, R2J 2E1,
Mr. T. Doerksen, 8 Iroquois Bay, Winnipeg, R2J 2E2,
Mr. Steve Doyle, 5 Cherokee Bay, Winnipeg, R2J 2C4,
Mrs. Mildred Eakin, 16 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. John A. Evan, 6 Mohawk Bay, Winnipeg, R2J 2C7,
Mr. W. Ctareth Evans, 9 Mohawk Bay, Winnipeg, R2J 2C7,
Mr. Fenton, 12 Pawnee Bay, Winnipeg, R2J 2C9,
Mrs. Rose-Marie Gieni, 23 Iroquois Bay, Winnipeg, R2J 2E1,
Mr. G. Cliff Green, 33 Cherokee Bay, Winnipeg, R2J 2C4,
Mr. Dennis Halford, 9 Chippawa Bay, Winnipeg, R2J 2E3,
Mrs. Gayle Hall, 2 Chippawa Bay, Winnipeg, R2J 2E4,
R. J. Harrison, 21 Pawnee Bay, Winnipeg, R2J 2C8,
Mr. Len and Mrs. Patricia Hilding, 42 Pawnee Bay, Winnipeg, R2J 2C4,
Mrs. Josephine Hogg, 16 Cherokee Bay, Winnipeg, R2J 2C4,
Mr. Howard B. Horne, 2 Mohawk Bay, Winnipeg, R2J 2C7,
Mr. Craig and Mrs. Linda Henderson, 21 Chippawa Bay, Winnipeg, R2J 2E3,
Mr. Tim Jichuk, 18 Chippawa Bay, Winnipeg, R2J 2E4,
Mr. Don Kruk, 45 Mohawk Bay, Winnipeg, R2J 2C6,
Mr. Paul and Mrs. Laverne Lucko, 34 Pawnee Bay, Winnipeg, R2J 2C9,
Mrs. G. Major, 4 Pawnee Bay, Winnipeg, R2J 2C9,
Mrs. Marie Mallette, 17 Chippawa Bay, Winnipeg, R2J 2E3,
Mrs. Sally McCulloch, 32 Iroquois Bay, Winnipeg, R2J 2E2,
Dr. James Miller, 5 Mohawk Bay, Winnipeg, R2J 2C6,
Mr. Jim and Mrs. Lorraine Miln, 32 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. Howard A. Mitchell, 29 Cherokee Bay, Winnipeg, R2J 2C4,
Mrs. Susan Morrison, 26 Iroquois Bay, Winnipeg, R2J 2E2,
Mrs. Judy Nayler, 2 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. Roman and Mrs. Anne Nemecek, 40 Pawnee Bay, Winnipeg, R2J 2C9,
Mr. Kevin Olafson, 27 Pawnee Bay, Winnipeg, R2J 2C8,
Ms. Jane Petroni, 44 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. John Poirier, 38 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. Leonard Rivard, 27 Iroquois Bay, Winnipeg, R2J 2E1,
Mr. A. C. Roberts, 11 Mohawk Bay, Winnipeg, R2J 2C6,

Mr. H. W. and Mrs. Aileen Robinson, 24 Iroquois Bay, Winnipeg, R2J 2E2,
Mrs. Elsie Semchuk, 10 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. Fred Smando, 3 Iroquois Bay, Winnipeg, R2J 2E1,
Mr. Louis and Mrs. Dorothy M. Steinke, 39 Cherokee Bay, Winnipeg, R2J 2C4,
Mr. R. A. Sullivan, 43 Mohawk Bay, Winnipeg, R2J 2C6,
Mr. Gerald and Mrs. Mireille Theriault, 13 Chippawa Bay, Winnipeg, R2J 2E3,
Mr. Fred R. and Mrs. Roberta Van Aertselaer, 8 Cherokee Bay, Winnipeg, R2J 2C5,
Mr. Ronald F. Weed, 8 Mohawk Bay, Winnipeg, R2J 2C7.

The St. Boniface-St. Vital Community Committee recommended that the proposed zoning change be not proceeded with for the following reasons:

1. The residents in the immediate area of the commercial site have expressed opposition to the construction of a second commercial building on the site, as same would adversely affect the country-like setting and character of this unique community.

2. The substantial resident opposition to this application must be recognized.

3. Informal meetings held between the applicant and the area residents in an attempt to discuss other options and realize a compromise for the development of the subject property have proven to be unsuccessful.

4. The proposed expansion would require the purchase of city-owned park lands, within Papoose Park, thereby reducing the greenspace and ambience of the area.

5. The traffic generated by the addition of a second commercial building on the site would adversely impact on the residential community off Comanche Road.

6. As a regional street, Archibald Street maintains a regular flow of traffic, in both north and south directions near Fermor Avenue, and the construction of a second commercial operations at this location, without a left turn stacking onto the commercial site could increase the probability for vehicular traffic accidents and mishaps.

Your Committee on Planning and Community Services concurs in the recommendation of the St. Boniface-St. Vital Community Committee and recommends that the proposed zoning change to amend The St. Boniface Town Planning Scheme 1957 by rezoning the land under File No. DAZ 207/92 from a "C1" Limited Commercial District to a "C2" Commercial District be not proceeded with."

Your Committee on Planning and Community services re-affirms its previous recommendation of September 8th, 1992 that the proposed zoning change to amend The St. Boniface Town Planning Scheme 1957 by rezoning the land under File No. DAZ 207/92 from a "C1" Limited Commercial District to a "C2" Commercial District be not proceeded with.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

REZONING - area bounded by Stafford Street to Assiniboine River and first lane south of Yale Avenue to first lane north of Kingsway Avenue, City Centre-Fort Rouge Community. File DAZ 227/92.

1525 - 3. 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. 16502 by rezoning the area bounded by Stafford Street to the Assiniboine River and the first lane south of Yale Avenue to the first lane north of Kingsway Avenue from an "R1" One-Family District and an "R2" Two-Family District to a "PR" Park and Recreational District, and an "R1-6" One-Family District and an "R1-9" One-Family District to reflect the existing land use.

At present, the subject area is zoned "R1" One-Family District and "R2" Two-Family District. The "R1" District is a single-family zoning district which requires a minimum lot width of 40 feet and lot area of 4,400 square feet. Only 4 lots in the advertised area are zoned "R2" Two-Family District. These are 2, 4 and 6 Ruskin Row and 408 Wellington Crescent. The "R2" District Regulations will permit two family occupancy. The properties at 2 and 6 Ruskin Row and

408 Wellington Crescent are legally established as two-family dwellings. At the time this zoning change was initiated, it was assumed that these properties were in single-family occupancy. Because there was no intention to create non- conformities, it is recommended that the "R2" District lands remain as such.

It is proposed to rezone the remaining predominantly single- family residential lands to reflect the prevailing density and lot size, and to rezone the park areas to a "PR" Park and Recreational District.

The two single-family residential zoning categories considered are:

"R1-6" One-Family District

minimum lot width	-	50 feet
minimum lot area	-	6,000 square feet
minimum side yard	-	5 feet
minimum corner side yard	-	10 feet

"R1-9" One-Family District

minimum lot width	-	75 feet
minimum lot area	-	9,000 square feet
minimum side yard	-	8 feet
minimum corner side yard	-	15 feet

The existing lots between Ruskin Row and Wellington Crescent more closely conform to the "R1-9" District density, however, if the larger side yard requirements of this District are considered a problem, the "R1-6" District category would be appropriate.

Any existing lot which cannot conform to the proposed minimum district lot size will have "lot of record" status and will continue to have rights as a conforming lot in perpetuity.

A Public Hearing was held before the City Centre-Fort Rouge Community Committee on September 1st, 1992.

The following persons appeared in support of the application:

Mrs. C. Knoll, District Planner, Planning Department, 395 Main Street, Winnipeg, R3B 3E1,
Morley Shatsky, 6 Ruskin Row, Winnipeg, R3M 2R6.

Miss Daphne Petrakos, 6 Ruskin Row, Winnipeg, R3M 2R6 appeared in opposition thereto.

The City Centre-Fort Rouge Community Committee recommended that the proposed zoning change be approved for the following reasons:

1. Only 4 lots (2, 4, and 6 Ruskin Row and 408 Wellington Crescent) in the advertised area are zoned "R2" Two-Family District. The properties at 2 and 6 Ruskin Row and 408 Wellington Crescent are legally established as two-family dwellings. At the time this zoning change was initiated it was assumed that these properties were in single-family occupancy. Because there was no intention to create non-conformities it is recommended that the "R2" District lands remain as such.

2. It is proposed to rezone the remaining predominantly single-family residential lands to reflect the prevailing density and lot size, and to rezone the park areas to a "PR" Park and Recreational District.

3. Any existing lot which cannot conform to the proposed minimum district lot size will have "lot of record" status and will continue to have rights as a conforming lot in perpetuity.

4. The neighbourhood has been under some pressure for lot subdivision and commercial redevelopment and these measures are needed to protect the integrity of the single-family large lot residential character of the neighbourhood and the riverbank lands.

5. The proposed rezoning would contribute to the stabilization and maintenance of land values as well as residential stability of the neighbourhood.

6. There was no opposition to the final report.

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 227/92, attached hereto and dated September 17th, 1992, to an "R1-6" One-Family District, an "R1-9" One-Family District and a "PR" Park and Recreational District.

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

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

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 1531 for attachment.)

REZONING - 215 St. Anne's Road,
St. Boniface-St. Vital Community.
File No. DAZ 235/92 (c/r DAOC 3/92 & DAV 383/92).

1526 - 4. Your Committee on Planning and Community Services has been advised that an application has been received from J. Nejmark, 701 - 281 McDermot Avenue, on behalf of Westfair Properties Ltd., to amend The St. Vital Town Planning Scheme 1951 by rezoning the land at 215 St. Anne's Road from an "R1" One-Family District to a "C2" Commercial District and that portion of Fermor Avenue being closed to a "C2" Commercial District to allow for the expansion of an existing supermarket and accessory parking lot.

The proposed Supervalu expansion would be located entirely on the portion of Fermor Avenue proposed to be closed, (which land would become zoned "C2" upon closing), and therefore, the zoning change is not necessary to accommodate that expansion. The lane closing and relocation and the rezoning from "R1" to "C2" on the Regal Avenue side of the site are proposed to allow consolidation of lands owned by Westfair Properties Ltd. and to expand the accessory parking area.

Residents of Regal Avenue perceive that neighbourhood stability is reduced by the existing configuration of development on the Supervalu site. This configuration has resulted in non-local use of the public lane south of Regal Avenue, a considerable noise nuisance because of the orientation of loading to the park and low-density housing, and other problems which stem from the juxtaposition of a regional use and one-family dwellings. The final configuration of development on this site should be that which contributes most to the re-establishment of neighbourhood stability.

Demolition of housing to allow commercial parking to penetrate an existing neighbourhood cannot generally be recommended, because it is likely to reduce neighbourhood stability. If the existing commercial site is expanded by the closing and sale of a portion of Fermor Avenue, the expanded site can accommodate both the proposed addition and parking at the ratio of 5.5 stalls per 1,000 square feet of floor area. The rezoning and demolition of housing on Regal Avenue are not necessary to this expansion, if the problems experienced by residents can be eliminated as conditions of expansion. This would require that adequate noise attenuation be constructed on the east and north limits of the existing site, and that access to the site from the existing lane be eliminated in the design of that noise attenuation.

If the existing commercial site is expanded both by the closing and sale of a portion of Fermor Avenue, and by consolidation of the existing lane and nine dwellings on Regal Avenue, the boundary between this regional use and low-density housing will be relocated but not eliminated. It is considered that this zoning change and demolition can be justified only if conditions of approval apply to the existing site as well as the area of expansion, and only if those conditions are sufficient to re-establish neighbourhood stability as desired by area residents.

Rezoning and lane relocation without adequate control of development will result only in the relocation of problems into closer proximity to remaining residents. If rezoning and lane relocation are approved, but current problems are not reduced or eliminated to an extent consistent with neighbourhood stability, it cannot be expected that a further application will be made to permit other necessary conditions to be imposed.

A Public Hearing was held before the St. Boniface-St. Vital Community Committee on September 8th, 1992.

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

Joseph Nejmark, J. Nejmark Architect, 701 - 281 McDermot Avenue, Winnipeg, R3B 0S9,
George D. Seslija, Vice-President, Westfair Developments Ltd., 101 Weston Street, Winnipeg, R3E 2T4,
Murray and Maxine Armstrong, 289 Regal Avenue, Winnipeg, R2M 0P4,
Norm Beaver, 312 Regal Avenue, Winnipeg, R2M 0P5,
Anne Harcus, 311 Regal Avenue, Winnipeg, R2M 0P6,
Natasa S. Juck, 43 Peacock Place, Winnipeg, R3T 5A4, (on behalf of J. Nejmark Architect),
Cheryl and Ken Meyer, 324 Regal Avenue, Winnipeg, R2M 0P5,
Ken Nolan, 103 Southwell Road, Winnipeg, R2G 2X4, (on behalf of The Real Canadian Superstore),
Don Wookey, 322 Regal Avenue, Winnipeg, R2M 0P5.

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

Doug Browning, 80 Harrowby Avenue, Winnipeg, R2M 0G9,
Robert L. and Suzanne Cormier, 310 Regal Avenue, Winnipeg, R2H 0P5,
Agatha Dueck, 293 Regal Avenue, Winnipeg, R2M 0P4,
Andy and Pat Lecuyer, 295 Regal Avenue, Winnipeg, R2M 0P4,
Jo-anne and R. Lowenberger, 303 Regal Avenue, Winnipeg, R2M 0P4,
Wendy Ralley, 314 Regal Avenue, Winnipeg, R2M 0P5,
Robert McKay, 319 Regal Avenue, Winnipeg, R2M 0P4,
George Schamber, 3 Avondale Road, Winnipeg, R2M 0N8,
George A. and Joyce Schwartz, 308 Regal Avenue, Winnipeg, R2M 0P5.

The following persons appeared and registered for information purposes only:

F. Bulloch, 326 Regal Avenue, Winnipeg, R2M 0P5,
Marguerite Fillion, 299 Regal Avenue, Winnipeg, R2M 0P4,
John Gudmundson, 81 Harrowby Avenue, Winnipeg, R2M 0G8,
C. A. Hie, 321 Regal Avenue, Winnipeg, R2M 0P4,
Larry Jones, 31 Penticton Bay, Winnipeg, R2J 1S8, (on behalf of the St. Vital Curling Club),
R. Lahaie, 27 Cedar Place, Winnipeg, R2H 1L5,
Phyllis McKay, 319 Regal Avenue, Winnipeg, R2M 0P4,
Reta Silvester, 332 Regal Avenue, Winnipeg, R2M 0P5.

The St. Boniface-St. Vital Community Committee recommended that the proposed zoning change be approved subject to conditions which are incorporated in the following recommendation for the following reasons:

1. The applicant has participated with the local residents in informal meetings in an attempt to reach a compromise and mitigate their concerns expressed relative to the landscaping and noise attenuation barriers and this Committee is satisfied that all parties have acted in good faith in the development of these lands.

2. Because of the cooperative efforts of all parties and given that the concerns of the neighbourhood can be addressed, this proposal should proceed without any detrimental effect to the neighbourhood.

3. The proposed landscaping for the subject site will enhance the overall aesthetics of the area, particularly along Regal and Fermor Avenues, and the noise attenuation barrier will be an asset and welcomed addition to the community.

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

I. That The St. Vital Town Planning Scheme 1951 be amended by rezoning:

   A. Lots 13 to 21, Plan 6168, except any portion of Lot 21 lying to the east of the proposed relocation of the public lane south of Regal Avenue;

   B. that portion of the public lane south of Regal Avenue proposed to be closed; as shown on Schedule "A" for File No. DAZ 235/92, attached hereto and dated September 24th, 1992, to a "C2" Commercial District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to apply to the subject site and to adjoining lands owned by the applicant, being:

I) Parcel A, Parts of Lots 1 to 12, Part Lot 35, Plan 6168;

ii) part of Kingswood Avenue and the public lane east of St. Annes Road now closed; and

iii) that portion of Fermor Avenue proposed to be closed; to provide for the following:

1. that the use of the land be restricted to the following uses:

   (a) grocery store (supermarket);
   (b) accessory uses;
   (c) conditional use;

2. that the parking spaces be provided and maintained on the land at a minimum ratio of one space for each 200 square feet of floor area established on the land;

3. that development be limited to a maximum Floor Area Ratio of 0.25;

4. that no vehicular approach for ingress to or egress from the land be located on Regal Avenue or the public lane south of Regal Avenue;

5. that no building or structure, parking area, fencing, landscaping or sign be erected or located on the land and that no exterior alterations or additions be made to existing buildings on the land except in accordance with plans approved by the St. Boniface-St. Vital Community Committee;

6. That a noise attenuation barrier be designed by a qualified engineer and maintained at the interior limit of landscaped yards on the east and north limits of the land, in accordance with plans approved by the St. Boniface-St. Vital Community Committee;

7. that landscaped set-backs be provided and maintained to any building, structure, parking or loading area, or refuse storage facility as follows:

   (a) on lots 13 to 21, Plan 6168, and the public lane south of Regal Avenue proposed to be closed;

      (I) from Regal Avenue not less than 31 feet in depth to reflect the front yard alignment on the south side of Regal Avenue;

      (ii) from the east limit of lands, not less than 20 feet in depth to accommodate landscaping of a noise attenuation barrier;

   (b) on the remainder of the site, from Regal Avenue and from St. Anne's Road, not less than 20 feet in depth;

8. that a 10 percent 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 land;

9. that no occupancy permit for a building addition on the land be issued prior to the completion of the noise attenuation barrier and installation of landscaping to the north and east limits of the land;

10. that the development incorporate a parking aisle abutting and parallel with the west limit of the St. Vital Curling Club and that no fence be constructed on the west limit.

II. 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.

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 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.

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.

Your Executive Policy Committee recommends that the above clause be amended as follows:

1. That item 1. in section I. B. iii) be deleted in its entirety, inasmuch as it is deemed that a restriction of use is not necessary if development on the land is limited by a floor area ratio.

2. That item 6. in section I. B. iii) be deleted in its entirety and the following substituted therefor:

"That a noise attenuation barrier, designed by a qualified engineer, be erected and maintained north and east of any loading area in accordance with plans approved by the St. Boniface-St. Vital Community Committee."

3. That item 7. (a) (ii) in section I. B. iii) be deleted in its entirety, inasmuch as the location of a noise attenuation barrier, as determined by the engineer, is south of the lands in question.

Your Executive Policy Committee further recommends that the consecutive numbering of the above recommendations be amended accordingly.

Moved by Councillor Douglas,
Adoption of the clause.

In amendment,

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

Carried.

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

(Note: See Minute No. 1532 for attachment.)

REZONING - 892-894 Corydon Avenue,
City Centre-Fort Rouge Community.
File No. DAZ 238/92.

1527 - 5. Your Committee on Planning and Community Services has been advised that an application has been received from The Junior League of Winnipeg to amend By-law No. 16502 by rezoning the land at 892 - 894 Corydon Avenue from a "C1" Limited Commercial District to allow for the establishment of a second hand store (thrift shop).

The site is developed with a two-storey structure and attached garage. The main floor has been occupied as a retail store and the second floor is occupied as a dwelling. The property is zoned "C1" Limited Commercial District with a Zoning Agreement.

The north and south sides of Corydon Avenue in this block are developed with a mix of multiple family housing and commercial uses on lands zoned "R3" Multiple-Family District and "C1" and "C2" Commercial Districts.

To the south of the subject site is a 20 foot wide public lane and low density residential development zoned "R2".

The subject property was rezoned under DAZ 267/83 to a "C1" Limited Commercial District and is presently subject to a Zoning Agreement which restricts the use of the land as follows:

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 except:

(I) a dressmaking shop on the main floor;

(ii) residential use on the second floor. It is understood and agreed that the said dressmaking shop shall not be open for business on Sunday or between the following hours during week days:

Monday to Wednesday	-	6:00 p.m. to 8:00 a.m.
Thursday and Friday	-	9:00 p.m. to 9:00 a.m.
Saturday	-	6:00 p.m. to 9:00 a.m.

It is understood and agreed that no addition to the front of the existing building on the land shall be permitted during such time as either of the lots immediately adjacent to the land remain residentially zoned.

It is understood and agreed that the front yard set-back for any new building or structure constructed or located on the land shall be not less than 7 feet.

The Junior League of Winnipeg is proposing to establish a second hand thrift store selling clothing, jewellery, shoes, gifts, houseware, furnishings, toys, etc. on the main floor of the existing building and to convert the attached garage for either additional retail space or storage. The applicant also proposes to convert the second storey dwelling units into office space and meeting rooms for their use.

The proposed main floor retail thrift store use is similar in function and character to the dressmaking shop (clothing store) presently permitted on the site, and with other established commercial uses in this block and is therefore considered to be an acceptable use for this site.

However, the proposed conversion of the second floor space for office use represents a substantial intensification of the commercial use on this site. There is still a significant residential component in this block. Maintenance of the second floor residential use on this site would help to preserve these residential uses.

Also, because parking in the area is limited, intensification of the commercial component is a concern. The Planning Department is not supportive of conversion of the second floor of this building for office purposes.

A Public Hearing was held before the City Centre-Fort Rouge Community Committee on September 1st, 1992.

The following persons appeared in support of the application:

David Deleeuw, 117 Lindenwood Drive East, Winnipeg, R3P 1P6,
Mrs. Kim Chipman, Box 17, Group 21, R.R. 1, Headingley, ROH OJO
Mrs. Victoria L. Moore, 500 Laidlaw Boulevard, Winnipeg, R3P OK9,
Diane Johnston, 154 Oxford Street, Winnipeg, R3M 3J5,
Michelle Rowan, 51 Kingshead Close, Winnipeg, R3R 2E2.

The following persons appeared in opposition thereto:

Olga Rozwood, 898 Corydon Avenue, Winnipeg, R3M OY4,
Mrs. J. Zwierciadlowski, 890 Corydon Avenue, Winnipeg, R3M OY4.

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 recommendation for the following reasons:

1. There was no opposition from the community. The two adjacent neighbours whose concerns were satisfactorily resolved, had subsequently indicated support of the application.

2. There is a balanced mix of residential and light commercial activities in the area.

3. The proposed rezoning would contribute to the stability of the neighbourhood.

4. It would not have any injurious effect on the neighbourhood.

Your Committee on Planning and Community Services concurs in the recommendation 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 238/92, attached hereto and dated September 21, 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. 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 except:

   (I) a second hand store (thrift store) or any permitted "C1" Limited Commercial District use excepting a restaurant on the main floor, including the attached garage;

   (ii) non-profit organization or business or professional office or dwellings on the second floor.

2. It is understood and agreed that no addition to the front of the existing building on the land shall be permitted during such time as either of the lots immediately adjacent to the land remain residentially zoned.

3. It is understood and agreed that the front yard set-back for any new building, addition, or structure constructed or located on the land shall be not less than 7 feet.

4. That final construction plans indicating any additions or exterior modifications to the existing building or new structure including elevations and details of exterior finishing materials, accessory parking and loading areas, fencing, landscaping and garbage enclosures be subject to the approval of the Commissioner of Planning and Community Services.

5. That all signs be subject to the approval of the Commissioner of Planning and Community Services.

6. 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 for open space, park and recreational use, based on the increase in the market value of the land.

II. 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.

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

IV. That the Rezoning By-law shall become effective when the Zoning Agreement has been registered by caveat as a first charge against the subject land at the Winnipeg Land Titles Office provided that the said effective date occurs within 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.

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 Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 1533 for attachment.)

REZONING - Armstrong's Point Properties
on East Gate, Middle Gate, West Gate, Blanchard
Avenue and south of Cornish Avenue, City Centre-Fort Rouge
Community. File No. DAZ 239/92.

1528 - 6. 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. 16502 by rezoning the land commonly known as Armstrong Point from an "R1" One-Family District to an "R1-6" One-Family District to reflect the existing land use.

This application was initiated at the request of the Armstrong's Point Association. The area is presently zoned "R1"

One-Family District, wherein a minimum lot width of 40 feet and minimum lot area of 4,400 square feet are required. All lots within the Armstrong Point area are larger than the "R1" District minimum, with the majority of lots being 75 feet wide and over 9,000 square feet in area.

The "R1-6" One-Family District zoning requires a minimum lot width of 60 feet and lot area of 6,000 square feet. This proposed "R1-6" District zoning would more accurately reflect the present lot sizes than the present "R1" District zoning and would serve to protect the character of the area.

If this zoning is approved, any existing lots which are smaller than the "R1-6" District minimum would be deemed to comply.

A Public Hearing was held before the City Centre-Fort Rouge Community Committee on September 1st, 1992.

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

Mrs. C. Knoll, District Planner, Planning Department, 395 Main Street, Winnipeg, R3B 3E1,
Mrs. Patricia Thomson, 34 Middle Gate, Winnipeg, R3C 2C4,
Christine Singh, 134 West Gate, Winnipeg, R3C 2E1,
Gilles Huizinga, 62 Ethelbert Street, Winnipeg, R3G 1V3,
Mrs. Kathy Squair, 28 Middle Gate, Winnipeg, R3C 2C4,
Carole Basarab, 90 Spence Street, Winnipeg, R3C 1Y3.

David Kovnats, 89 East Gate, Winnipeg, R3C 2C2 appeared in opposition to the application.

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 recommendation for the following reasons:

1. The proposed rezoning application was initiated at the request of the Armstrong's Point Association Inc.

2. All lots within the Armstrong's Point area are larger than the "R1" District minimum, with the majority of lots being 75 feet wide and over 9,000 square feet in area.

3. The proposed "R1-6" District zoning would more accurately reflect the present lot sizes than the present "R1" District zoning and would serve to protect the character of the area.

4. Many properties in Armstrong's Point area would qualify for the heritage support program for older residences with historic designation.

5. There has been a majority of representations in support of the proposed rezoning.

6. There has been a public process publicized within the area and sponsored by the neighbourhood association which generated no opposition.

7. The proposed rezoning would not create any injurious effect on the sole opponent as it does not preclude him from applying to acquire an additional lot or two lots through the variance/rezoning process.

Your Committee on Planning and Community Services concurs in the recommendation 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 239/92, attached hereto and dated September 17th, 1992, to an "R1-6" One-Family District and the lot area and width of each lot contained within the said "R1- 6" One Family District shall be deemed to comply with lot area and lot width requirements of that "R1-6" One-Family District.

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

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

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 1534 for attachment.)

REZONING - 3102 Roblin Boulevard,
Assiniboine Park-Fort Garry Community.
File Nos. DAZ 240/92 and DAV 484/92D.

1529 - 7. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. Vince Decaria, General Delivery, Box 332, Elie, Manitoba, to amend By-law No. 1800 by rezoning the land at 3102 Roblin Boulevard from an "R1-5" Single-Family District to a "C1" Local Commercial District to allow for the establishment of a beauty salon in an existing building.

The proposal involves the commercial rezoning of a residential property for purposes of establishing a beauty salon. The applicant proposes to maintain the residential character of the building and property. No exterior alterations or additions have been proposed. A detached garage on the property is being retained. A related variance application under File No. DAV 484/92D would permit the maintenance of the house and garage with substandard yards under the commercial zoning.

It is not uncommon for commercial development and single- family housing to co-exist along major arteries such as Roblin Boulevard and Grant Avenue in Charleswood. However, many of these relationships evolved when commercial development was needed to service a growing resident population and, more importantly, was likely to occur at a scale suited to the village environment that characterized Charleswood in the early years.

With the passage of Zoning By-law 1800 in 1971, it became customary, especially in suburban situations, to plan for the segregation of commercial and single-family residential development into cohesive blocks, for the protection of both development types from mutually disruptive land use conflicts which can arise in mixed-use areas.

In light of the above, the present application presents a dilemma for the Planning Department. While the Department doesn't doubt the applicant's intentions to maintain the residential character of the property and operate his business with respect for his neighbours, it is simply not evident that the proposed rezoning is in the best interests of the immediate area.

This particular block on Roblin Boulevard is entirely residential in zoning and land use, and the condition and quality of the housing is very good. The rezoning cannot, therefore, be justified on the basis of property upgrading being beneficial to an area regardless of its end use.

Wexford Street currently demarcates the eastern limit of commercial development on Roblin Boulevard in old Charleswood. Charleswood is currently oversupplied with commercial space, with a vacancy rate in the order of 20 percent. The rezoning cannot, therefore, be justified on the basis of the community needing commercial expansion.

Finally, a mid-block commercial rezoning in this situation would send a dangerous and unintended signal to property investors and would be offensive to neighbouring residents who are maintaining and improving their properties in spite of the less than favourable location adjacent to a regional traffic artery.
A Public Hearing was held before the Assiniboine Park-Fort Garry Community Committee on September 21st, 1992.

Vince Decaria, General Delivery, Box 332, Elie, Manitoba, R0H 0H0, appeared in support of the application.

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

Howard Ferch, 3030 Roblin Boulevard, Winnipeg, R3R 0B8,
Alvin J. Klause, 3016 Roblin Boulevard, Winnipeg, R3H 0B8.

A motion of the Assiniboine Park-Fort Garry Community Committee to recommend the application be proceeded with for a single use only (beauty salon) for a period of one year from the date of the enactment of the By-law, resulted in a tie vote. In accordance with Section 642(4) of The City of Winnipeg Act, the Assiniboine Park-Fort Garry Community Committee has referred DAZ 240/92 to your Committee on Planning and Community Services without a recommendation.

Your Committee on Planning and Community Services recommends:

I. That By-law 1800 be amended by temporarily rezoning the subject land as shown on Schedule "A" for File No. DAZ 240/92, attached hereto and dated September 15th, 1992, to a "C1" Local Commercial District, the said land to revert to an "R1-5" Single-Family District upon the occurrence of one of the following:

a) April 1st, 1995;
b) the existing building is demolished, removed or destroyed by fire, or;
c) the land ceases to be used for a beauty salon.

II. That the applicant enter into a Zoning Agreement with the City pursuant to Section 591(1) of The City of Winnipeg Act to provide for the following:

a) that the use of the land be restricted to a beauty salon and accessory uses;
b) that additions to the building be prohibited and no exterior building 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 beauty salon be limited to between the hours of 9:00 A.M. and 6:00 P.M. Tuesday through Saturday with the exception of one of these days the hours being extended to 9:00 P.M. and closed Sunday and Monday.

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 as a first charge against the subject land at 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.

VI. 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.

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.

Referred back by Executive Policy Committee to the Committee on Planning and Community Services

REZONING - area bounded by Henderson Highway, Essar Avenue, the Red River and Slater Avenue, East Kildonan-Transcona Community. File DAZ 241/92.

1530 - 8. 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 rezone the land located between the Red River on the west, Henderson Highway on the east, Essar Avenue on the north and Slater Avenue on the south, from an "R1-5" Single-Family District to a "PR" Park and Recreational District.

The subject lands were purchased by the City of Winnipeg in August, 1988 and are presently zoned "R1-5" Single-Family District under Zoning By-law No. 4440/86. They are approximately 4.047 hectares (10 acres) in area and are a part of the lands forming the now abandoned C.P.R. Bergen Cut-off (North Easterly Branch). The lands still have the railway embankment along their entire length but have no other existing development. There are substantial woodlot areas in the site. The subject lands have riverbank frontage on the Red River in the west. The lands extend easterly for approximately 524.0 metres (1719.1 feet) towards Henderson Highway, but do not have frontage on that street. Additionally, the City of Winnipeg owns lands contiguous with the subject Bergen Cut-off site, which have approximately 220 feet frontage on Essar Avenue east of Appleton Street. The two parcels are presently zoned "R1-5" and are not included within the present rezoning proposal.

It is the opinion of the Planning Department that the proposed zoning is justified in terms of it reflecting the existing

use of the land; that of an unimproved linear parkway. The rezoning of the land also facilitates it's future incorporation within the Park and Recreational system of the community, including development of additional linkages and riverbank development as may be determined by Council.

A Public Hearing was held before the East Kildonan-Transcona Community Committee on September 14th, 1992.

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

A. E. and Dorothy Gascoigne, 171 Slater Avenue, Winnipeg, R2G 0N6,
M. Kruk, 24 Corne Street, Winnipeg, R2G 1K3,
Aron Loewen, 100 Larchdale Crescent, Winnipeg, R2K 0C1,
David W. Blain, 251 Alberhill Crescent, Winnipeg, R2G 4A5,
Ted and Sophie Gierys, 74 Essar Avenue, Winnipeg, R2G 0S5,
R. J. Cordy, 143 Slater Avenue, Winnipeg, R2G 0N6,
K. Stuve, 30 Litz Place, Winnipeg, R2G 0V1,
Walter Dolhan, 153 Slater Avenue, Winnipeg, R2G 0N6,
Nicolas Wiens, 183 Essar Avenue, Winnipeg, R2G 0S6.

Mr. Griff Tripp, President, East River Park & Residential Company Ltd., 5035 Benton Court, Victoria, British Columbia, V8Y 2Z5 was opposed thereto by way of communication.

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 proposed zoning is justified in terms of it reflecting the existing use of the land; that of an unimproved linear parkway.

2. The rezoning also facilitates it's future incorporation within the Park and Recreational system of the community, including development of additional linkages and riverbank development.

3. It is a unique green space in the Community inasmuch as there are 70 species of wildlife and plant life on this site, and will require very little maintenance by the Parks and Recreation Department.

4. Many seniors and residents of the Community actively utilize this area as a passive green space, and have had the expectation that this land would always be a passive park.

Your Committee on Planning and Community Services recommends:

I. That By-law No. 4440/86 be amended by rezoning the subject lands as shown on Schedule "A" for File DAZ 241/92 attached hereto and dated September 8th, 1992 to a "PR" Park and Recreational District from an "R1-5" Single-Family District.

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

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

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 1535 for attachment.)

1531 - Schedule “A” referred to in Clause 3 of the Report of the Committee on Planning and Community Services, dated October 1st, 1992.

(SEE PAGE 2305 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1532 - Schedule “A” referred to in Clause 4 of the Report of the Committee on Planning, Property and Community Services, dated October 1st, 1992.

(SEE PAGE 2309 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1533 - Schedule “A” referred to in Clause 5 of the Report of the Committee on Planning and Community Services, dated October 1st, 1992.

(SEE PAGE 2312 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1534 - Schedule "A" referred to in clause 6 of the Report of the Committee on Planning and Community Services, dated October 1st, 1992.

(SEE PAGE 2313 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1535 - Schedule "A" referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated October 1st, 1992.

(SEE PAGE 2316 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

CONSIDERATION OF REPORT OF THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The Executive Policy Committee has considered the reports of the concerned Community Committees and the recommendations of the Committee on Planning and Community Services, as contained in its Report "A" dated October 1st, 1992, has concurred in the recommendations contained therein, and submits same to Council for approval and adoption.

On motion of Councillor Douglas, Report "A" of the Committee on Planning and Community Services, dated October 1st, 1992, was considered.

West Committee Room,
Council Building, Winnipeg,
October 1st, 1992.

His Worship the Mayor and Councillors:-

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

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

1536 - 1. On September 16th, 1992, the Executive Policy Committee referred back Clause 2 of your Committee's Report dated September 8th, 1992, namely:-

"2. Your Committee on Planning and Community Services has been advised by the Secretary of The Board of Adjustment that Sharon Markesteyn has requested a temporary leave of absence from her position as a Citizen Member on The Board of Adjustment.

Sharon has accepted a term position as a planner and policy analyst with Manitoba Urban Affairs from August 28th, 1992 until March 18th, 1993, and has requested a temporary leave of absence until the expiration of her position.

Under Section 650(2) of The City of Winnipeg Act, 'Council shall appoint not fewer than three members of the Board, and no member may hold a provincial or municipal office by appointment or election while a member of the Board.'

Your Committee on Planning and Community Services concurs with the request of Sharon Markesteyn for a temporary leave of absence from August 28th, 1992 to March 18th, 1993 and recommends that Mr. Alf Skowron, 239 Emerson Avenue, Winnipeg, be appointed temporarily to act as a Citizen Member on The Board of Adjustment until March 18th, 1993."

Your Committee on Planning and Community Services is of the opinion that inasmuch as this temporary leave of absence is only for a period of seven months, it is not necessary to fill this position on a temporary basis.

Your Committee on Planning and Community Services recommends that the temporary appointment not be filled at this time, but that the request of Sharon Markesteyn for a leave of absence be granted.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
UNFINISHED BUSINESS

On motion of Councillor Douglas, Clause 2 of the Report of the Committee on Planning and Community Services, dated June 22nd, 1992, was considered.

Proposed delisting of the Ryan Block,
104 King Street, from the Buildings Conservation
List under By-law No. 1474/77.
File G-3.1.1.

1537- 2. Your Committee on Planning and Community Services has received a request from Bedford Investments, the owner of Ryan Block located at 104 King Street, to remove the said building from the Buildings Conservation List.

Pursuant to the provisions of By-law No. 1474/77 and amendments thereto, your Committee on Planning and Community Services heard the appeal on June 22nd, 1992.

Mr. H. Reiss & Mr. K. Reiss, Bedford Investments, 275 McDermot Avenue, accompanied by Mr. D. Stephen, representing The Old Spaghetti Factory, appeared in support of removing the Ryan Block located at 104 King Street from the Buildings Conservation List as the building cannot be made economically viable for leasing purposes.

Mr. H. Reiss submitted copy of his presentation dated June 22nd, 1992, (Appendix 1), together with a petition purporting to contain 42 signatures from merchants, tenants and property owners who make up the Exchange District in support of the delisting and ultimate demolition of the Ryan Block.

Mr. George Siamandas, Special Projects Director, Heritage Winnipeg, 131 Albert Street, who submitted historical information (Appendix 2), Mr. Herman Holla, Friends of Winnipeg Heritage, 485 Walker Avenue and Rosemary Malamer, representing The Manitoba Historical Society, 470 - 167 Lombard Avenue, who submitted her brief (Appendix 3), appeared in opposition to the delisting of the Ryan Block.

The Historical Buildings Committee evaluated the building as a Grade II structure on August 30th, 1990 based on an interest by the owner, Mr. Harry Reiss, to develop the site into a parkade.

On June 11th, 1992, the Historical Buildings Committee recommended that the former Ryan Block continue to be listed for the following reasons:

1. Located at the corner of King and Bannatyne Streets, the Ryan Block is very important in establishing the unique character of the Exchange District (Winnipeg's only historic district). Situated facing Old Market Square this building is very significant in establishing the dominant visual character of the area and contributes greatly to the historical continuity of the streetscape.

2. While this building is modest in its exterior ornamentation, construction method, and design, the Ryan Block is a typical warehouse structure built in 1895, of which only a few survive. The building still retains most of its original materials and design features. Designed by British architect Hugh S. Griffith, this warehouse is a rare example of his work in Manitoba.

3. The Ryan Block is associated with Thomas Ryan, a significant Winnipeg businessman, City Councillor and Mayor. During his term as Mayor the "Ryan Sunday By-laws" were passed which limited Sunday shopping. The by-laws were seen as his major accomplishment as the result of his religious beliefs.

Your Committee on Planning and Community Services considered the entire matter and a motion was introduced to recommend to Council that the Ryan Block located at 104 King Street remain as a Grade II Building on the Buildings Conservation List. However, the motion was declared lost by virtue of a tie vote having occurred, pursuant to Section 58 of Procedure By-law 5400/90, therefore, the subject is referred to Council without recommendation.

For your information, copy of the petition is on file in the office of the City Clerk.

Moved by Councillor Douglas,
That the clause be considered.

Carried.

Moved by Councillor Golden,
That the Ryan Block continue to be listed as a Grade II Building on the Buildings' Conservation List.

Carried.

Councillor Fleisher asked to be recorded as having voted against the clause, in accordance with Section 50.7 of the Procedure By-law.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
MOTION OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Murray,
Seconded by Councillor O'Shaughnessy,
1538 - WHEREAS under the terms of the Historical Buildings By-law No. 1474/77 the demolition of a Grade I, II or III building on the Buildings Conservation List requires a delisting process that includes a public hearing at the Committee on Planning and Community Services and at Council;

AND WHEREAS a Grade III building on the Buildings Conservation List can also be demolished by the Committee on Planning and Community Services who may approve a Certificate of Suitability for demolition;
AND WHEREAS City Council should have an open debate for or against the demolition of all buildings on the Buildings Conservation List;

BE IT RESOLVED that the City of Winnipeg amend By-law No. 1474/77 to not allow a Grade III building on the Buildings Conservation List to be demolished by a Certificate of Suitability without the approval of City Council.

Carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
MOTIONS

Moved by Councillor Douglas,
Seconded by Councillor Fleisher,
1539 - WHEREAS on June 24th, 1992, Bill 78 received royal assent which amended Section 645(2) of The City of Winnipeg Act allowing the City to send regular mail in place of registered mail of Council decisions to any person who made representations at the public hearing; AND WHEREAS Subsection (a) of Section 11 of the City's Procedure By-law No. 5893/92 (enacted prior to Bill 78) in compliance with that Act and other legislation equating certified mail to registered mail provides that:

"(a) subject to clause (b) the City Clerk shall cause notice to be given by ordinary mail to all persons who attended and made representations at that public hearing of the content of the committee report and the date, time and place at which council is to consider the report; and notice of the subsequent decision of council by certified mail,"

THEREFORE BE IT RESOLVED that the City Solicitor prepare the necessary amendments to By-law No. 5893/92 in order to delete the reference to certified mailing of notices of Council decisions.

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

Carried.

The motion was put and declared carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
CONSIDERATION OF BY-LAWS

1540 - On motion of Councillor Douglas, the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each by-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 6038/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change at 668 McDermot Avenue in the City Centre-Fort Rouge Community. File No. DAZ 224/92.

By-law No. 6039/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change at 562 Keenleyside Street in the East Kildonan-Transcona Community. File No. DAZ 225/92.

By-law No. 6040/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 1800 for the enactment of a zoning change at 757 Lyon Street in the Assiniboine Park-Fort Garry Community. File No. DAZ 230/92.

By-law No. 6041/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 4450/86 for the enactment of a zoning change at 94 McGregor Street in the Lord Selkirk-West Kildonan Community. File No. DAZ 233/92.