No. 17

Council Chamber,
Winnipeg, July 31st, 1991.

Council met this day at 1:05 p.m.

The Speaker called the meeting to order.

Opening Prayer read by Councillor Eadie.

The Clerk called the roll.

Present: The Speaker Councillor Eadie, Councillors Wade, Boychuk, Brown, Clement, Diamant, Douglas, Duguid, Fleisher, Gilroy, Golden, Hyman, Kaufmann, Lazarenko, Mendelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timmers, Timm-Rudolph, Young and Yuen.

His Worship Mayor Norrie and Councillors Demare, Fraser, Lorenc and Mitchelson entered the meeting after roll call.

In Attendance: Mr. D.W. King, Acting City Clerk, Mrs. D. Browton, Acting Deputy City Clerk and Mr. R.S. MacCallum, Acting Committee Clerk.

INTRODUCTION AND WELCOME OF GUESTS AND ANNOUNCEMENTS

1098 - The Speaker announced that effective August 1st, 1991, all live broadcasts and tape re-broadcasts of Council by Videon will be seen on Cable TV, Channel 23, and that dates and times of showing will remain unchanged.

MINUTES

Councillor Fleisher moved that the minutes of the meeting held on April 17th, 1991, be taken as read and confirmed, which motion was carried.

COMMUNICATIONS

The following communications were received as information:

1099 - From the City Solicitor,
Submitting, as instructed by Council on May 29th, 1991, draft by-law for Land Dedication Reserve Fund - financial assistance for Sherwood Park Playground, in the East Kildonan-Transcona Community, which by-law may receive all three readings. File No. PR-2. (By-law No. 5729/91)

1100 - From the City Solicitor,
Submitting, as instructed by Council on June 19th, 1991, draft by-law to amend Schedule "B" of The Social Services By-law No. 2466/79, which by-law may receive all three readings. File No. EH-1. (By-law No. 5730/91)

1101 - From the City Solicitor,
Submitting, as instructed by Council on July 10th, 1991, draft by-law to amend The Solid Waste By-law No. 1340/76, which by-law may receive all three readings. File No. WT-1.2. (By-law No. 5731/91)

1102 - From the City Solicitor,
Submitting, as instructed by Council on April 17th, 1991, draft by-law to close part of east/west lane between Portage Avenue and Broadway Avenue, Inglenook Street and Cameron Street, in the St. James Assiniboia Community, which by-law may receive first reading only. File No. DAC 34/89. (By-law No. 5732/91)

1103 - From the City Solicitor,
Submitting, as instructed by Council on May 8th, 1991, draft by-law to amend By-law No. 1481/77, being the City of Winnipeg Streets By-law, which by-law may receive all three readings. File No. ST-5.3. (By-law No. 5733/91)

1104 - From the City Solicitor,
Submitting, as instructed by Council on September 27th, 1989, draft by-law to authorize expenditure out of the St. Boniface-St. Vital Cash in Lieu of Land Dedication Reserve Account, the sum of $39,000.00 for Ashworth Park improvements, in the St. Boniface-St. Vital Community, which by-law may receive all three readings. File Nos. DASZ 36/85 and DASZ 40/85. (By-law No. 5734/91)

1105 - From the City Solicitor,
Submitting, as instructed by Council on May 8th, 1991, draft by-law for a street name change, from Route 17 to Chief Peguis Trail, in the East Kildonan-Transcona Community, which by-law may receive all three readings. File Nos. SC-3.14(23) and SC-3.14(24). (By-law No. 5735/91)

1106 - From the City Solicitor,
Submitting, as instructed by Council on May 8th, 1991, draft by-law to rezone the land at 764 McDermot Avenue, in the City Centre-Fort Rouge Community, which by-law may receive all three readings. File No. DAZ 203/91. (By-law No. 5736/91)

1107 - From the City Solicitor,
Submitting, as instructed by Council on December 20th, 1989, draft by-law to subdivide and rezone lands bounded by St. Mary's Road, Fraser Road, Two-Mile Road and Red River Floodway, in the St. Boniface-St. Vital Community, which by-law may receive all three readings. File No. DASZ 8/89.
(By-law No. 5737/91)

1108 - From the City Solicitor,
Submitting, as instructed by Council on August 1st, 1990, draft by-law to rezone the land at 1075 Main Street, in the Lord Selkirk-West Kildonan Community, which by-law may receive all three readings. File No. DAZ 222/90. (By-law No. 5738/91)

1109 - From the Hon. J. Ernst, Minister of Urban Affairs,
Submitting communication, dated July 23rd, 1991, from the Minister of Urban Affairs, advising that in a letter dated April 12th, 1991, he advised the City of Winnipeg that he would approve By-law No. 5632/91 subject to three conditions being met. By-law No. 5632/91 as amended by Council fully meets the first two conditions, but only partially fulfills the third condition.

Also advising that with respect to the third condition, Council's wording does not quite meet the intent of the change which he requested. A commitment to "endeavour to construct a public walkway" adjacent to the riverbank is not the same as a policy to protect riverbank land for public access in perpetuity. The intent of the third condition was to ensure that riverbank land is dedicated to the City and is protected in perpetuity for public access.

Further advising that he expects that Council will ensure that a plan of subdivision and any related agreement for the subject land shall dedicate the land adjacent to the riverbank for public access in perpetuity.

Also advising that pursuant to subsection 584(9) of The City of Winnipeg Act, he is granting final approval of By-law No. 5632/91 as amended by Council on May 8th, 1991. File No. EP-1.1 (PW 44/90)

1110 - From the City Solicitor,
Submitting, as instructed by Council on August 1st, 1990, draft by-law to rezone the land on the north side of Kildare Avenue East between Binscarth Street and Alex Taylor Drive, in the East Kildonan-Transcona Community, which by-law may receive all three readings. File No. DAZ 232/90 (c/r DASSF 581/90). (By-law No. 5739/91)

1111 - From the City Solicitor,
Submitting, as instructed by Council on February 13th, 1991, draft by-law to close Vulcan Avenue between Brunswick Street and Gateway Road, in the East Kildonan-Transcona Community, which by-law may receive first reading only. File No. DAC 35/89. (By-law No. 5740/91)

1112 - From the City Solicitor,

Submitting, as instructed by Council on May 29th, 1991, draft by-law to exempt Variety Club of Manitoba, Tent 58, Inc. from the application of certain provisions of The City of Winnipeg License By-law, which by-law may receive all three readings. File No. EL-1. (By-law No. 5742/91)

1113 - From the City Solicitor,
Submitting, as instructed by Council on May 29th, 1991, draft by-law to amend By-law No. 4007/85, being the City of Winnipeg License By-law, which by-law may receive all three readings. File No. EL-1. (By-law No. 5743/91)

1114 - From the City Solicitor,
Submitting, as instructed by Council on May 29th, 1991, draft by-law to amend By-law No. 4007/85, being the City of Winnipeg License By-law, which by-law may receive all three readings. File No. EL-1. (By-law No. 5744/91)

Moved by Councillor Clement,
That the rule be suspended and the following communications which were received too late to be placed on the regular agenda, be received as information.

Carried.

1115 - From the City Solicitor,
Submitting, as instructed by Council on June 19th, 1991, draft by-law for land dedication reserve - 1991 Park Development Projects, in the Assiniboine Park-Fort Garry Community, which by-law may receive all three readings. File Nos. EP-2 and PR-2. (By-law No. 5745/91)

1116 - From the City Solicitor,
Submitting, as instructed by Council on March 20th, 1991, draft by-law to limit the amount of increase in business tax resulting from business reassessment for the year 1991, which by-law may receive all three readings. File No. AA-1. (By-law No. 5746/91)

1117 - From the City Solicitor,
Submitting, as instructed by Council on July 10th, 1991, draft by-law to establish a late payment penalty charge on sundry accounts receivable, which by-law may receive all three readings. File F. (By-law No. 5747/91)

1118 - From the City Solicitor,
Submitting, as instructed by Council on June 19th, 1991, draft by-law to amend By-law No. 821/74, being a by-law relating to mobile houses, tourist camps and trailer parks, which by-law may receive all three readings. File No. FL-2. (By-law No. 5749/91)

1119 - From the City Solicitor,
Submitting, as instructed by Council on May 29th, 1991, draft by-law for a street name change, from Drayton Bay to Overwater Cove, in the Assiniboine Park-Fort Garry Community, which by-law may receive all three readings. File No. SC-3.14(21) (By-law No. 5750/91)

1120 - From the City Solicitor,

Submitting, as instructed by Council on June 19th, 1991, draft by-law for a street name change, from Wakopa Street to Wakopa Place, in the St. Boniface-St. Vital Community, which by-law may receive all three readings. File No. SC-3.14(25) (By-law No. 5751/91)

1121 - From the City Solicitor,
Submitting, as instructed by Council on May 8th, 1991, draft by-law to rezone a portion of the Winnipeg Canoe Club property, in the St. Boniface-St. Vital Community, which by-law may receive all three readings. File No. DAZ 204/91. (By-law No. 5752/91)

1122 - From the City Solicitor,

Submitting, as instructed by Council on July 10th, 1991, draft by-law to rezone the land at 1319 Main Street, in the Lord Selkirk-West Kildonan Community, which by-law may receive all three readings. File No. DAZ 222/91. (By-law No. 5753/91)

DELEGATIONS

1123 - Mr. Ken Guilford appeared before Council regarding Clause 1 of the Report of the Committee on Planning and Community Services, dated June 3rd, 1991, regarding the Pines Project. File Nos. EP-1.1 (PW 1/81), GG-1, DAZ 208/89 and DAV 297/89.

Moved by Councillor Prystanski,
That Rule 54.1 of the Procedure By-law No. 5400/90, be suspended to allow Mr. Wes Pringle, Manitoba Association of University Students, to address Council.

The motion to suspend the rule was put.

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

Yea: Councillors Boychuk, Diamant, Duguid, Fleisher, Golden, Hyman, Kaufmann, Lazarenko, Mendelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timm-Rudolph, Young and Yuen. 18

Nay: Councillors Wade, Brown, Clement, Douglas, Timmers, Mayor Norrie and Councillor Eadie. 7

and the motion to suspend the rule was declared carried.

1124 - Mr. Wes Pringle, President, Manitoba Association of University Students, appeared before Council to request that Council pass a "Motion of Support" for the cause of Manitoba's post-secondary institutions. A copy of the brief submitted to Council is on file in the Office of the City Clerk.

Moved by Councillor Yuen,
That Rule 54.1 of the Procedure By-law No. 5400/90, be suspended to allow Mr. Ray St. Onge, 701 - 134 Smith Street, to address Council in connection with the Winnipeg Jets.

The motion to suspend the rule was put.

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

Yea: Councillors Boychuk, Diamant, Duguid, Golden, Hyman, Kaufmann, Lazarenko, Mendelson, Murray, Reese, Selinger, Thomas, Timm-Rudolph and Yuen. 14

Nay: Councillors Wade, Brown, Clement, Demare, Douglas, Fleisher, Gilroy, Lorenc, O'Shaughnessy, Timmers, Young, Mayor Norrie, and Councillor Eadie. 13

and the motion to suspend the rule was declared lost, not having received the necessary two-thirds majority vote as required by Section 3 of the Procedure By-law.