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 May 11th, 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 May 11th, 1992, was considered clause by clause.

West Committee Room,
Council Building,
Winnipeg, May 11th, 1992.

His Worship the Mayor and Councillors:-

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

Study of Salmonella Infections in Winnipeg.
File EH-1.

972 - 1. Your Committee on Planning and Community Services has been advised that the City of Winnipeg Health Department at the request of the Laboratory Centre for Disease Control (LCDC), Health and Welfare Canada is participating in a study to determine the particular types of Salmonella which are causing foodborne illness, and to try to identify the source of the infection.

The City of Winnipeg Health Department is responsible for the investigation of all cases of foodborne illness in its jurisdiction. Salmonella are a common cause of foodborne illness in Winnipeg and elsewhere; in the Inner City an average of 50 cases per year are investigated.

The Laboratory Centre for Disease Control has designed a study of Salmonella infections which is being carried out by public health agencies and laboratories across Canada. In Manitoba, the City of Winnipeg Health Department was asked to participate because of the availability of cases and the Department's expertise in the area of foodborne illness.

Since the Health Department already investigates all cases of salmonellosis, the additional work required for the study was not excessive. It consisted of administering a specialized questionnaire to patients who have been ill and who consented to participate in the study, and ensuring that the Salmonella organism which caused the infection were sent to the Cadham Provincial Laboratory for special studies.

The activities required to participate in the study were organized with the Cadham Provincial Laboratory and Manitoba Health. Pilot tests indicated that the Health Department could provide the required services to the Laboratory Centre for Disease Control. In return, LCDC agreed to provide to the City funds for any additional expenses which might be incurred, upon receipt of a signed contract.

This study is an excellent opportunity for the City of Winnipeg Health Department to participate in practical applied research which builds on the Department's own expertise in the area of prevention of foodborne illness. The results of the study will be used to target the Health Department's activities in the prevention of foodborne illness. The agreement (Appendix "A") has been reviewed by the Law Department and found satisfactory for City of Winnipeg purposes. The Health Department hopes to participate in many future studies.

Report of the Committee on Planning and Community Services dated May 11th, 1992.

Your Committee on Planning and Community Services recommends that the Proper Officers of the City be authorized to execute the contract as outlined in Appendix "A" relating to a Salmonella Surveillance Survey being conducted from September 1991 to September 1992.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 978 for attachments.)

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

973 - 2. LAID OVER BY EXECUTIVE POLICY COMMITTEE FOR FURTHER CONSIDERATION

(Note: See Pages 1427 – 1429 for official set of minutes for the above Clause)

Agreement with the Italian Canadian Foundation re book collection at Centennial Library and Delegation of Authority for similar agreements. Files L-1 and L(22.1).

974 - 3. Your Committee on Planning and Community Services has been advised that the Italian Canadian Foundation would like to establish a collection of Italian books to be housed at the Centennial Library. The collection would be on "permanent consignment" to the library.

The collection is being established in honour of two recently deceased members of the Italian community. Most of the material would be in the Italian language but other languages might also be included. Funds would be raised, and donations of new material accepted by the Foundation would be used towards the development of this collection. Funds may be used for purchases made by the Foundation directly or deposited into library accounts to pay for orders channelled through the library's acquisitions department.

Material purchased will be of a quality suitable for high use public library collections. Donations accepted by the Foundation for inclusion in this collection will be of a high quality in both content and format.

The Italian material would be catalogued and processed normally and housed on the second floor of the Centennial Library in the Italian section of the Multilingual collection. The material in other languages would be incorporated into the general collection. All items would be identified by a book plate to be designed and produced by the Foundation.

All rules and regulations regarding borrowing privileges and responsibilities, withdrawal of items, interlibrary loans, fines, policies and deposit arrangements, etc. would apply and be consistent with current library practices.

Your Committee on Planning and Community Services is of the opinion that this arrangement with the Italian Canadian Foundation, could result in a significant collection in size and quality of library materials and could serve as a model for linkages with other community groups.

Your Committee on Planning and Community Services therefore recommends:

I. That an agreement be entered into between the Italian Canadian Foundation and the City of Winnipeg to provide for the establishment of a collection of Italian books to be housed at the Centennial Library in accordance with the terms outlined above.

II. That the Proper Officers of the City do all things necessary to implement the foregoing including the execution of the agreement.

III. That the Committee on Planning and Community Services be delegated the authority to authorize all similar agreements in the future.

Report of the Committee on Planning and Community Services dated May 11th, 1992.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

Sub-Phasing approval - Plan of Subdivision on lands located east of the C.P.R. Subdivision and south of McGillivray Boulevard - Assiniboine Park-Fort Garry Community. File No. DASZ 58/85.

975 - 4. On June 20th, 1990, Council adopted Clause 10 of the Report of the Committee on Planning and Community Services dated May 20th, 1990, which report recommended that the plan of subdivision proposed under File No. DASZ 58/85 be approved in 5 phases subject to the applicant entering into a corresponding phased Development Agreement. The 5 phases are identified as Phases 6 to 10 on attached Schedule "A". Phases 6, 7 and 8 have been registered in the Winnipeg Land Titles Office and Phases 9 and 10 remain to be developed.

Due to the volatility of the current housing market, the Developer (Cairns Development Ltd., 235 - 530 Kenaston Boulevard, Winnipeg) has requested that Phase 9 be allowed to proceed in sub-phases as illustrated on attached Schedule "B".

The Land Development Department and District No. 6 Operations have reviewed the Developer's proposal and find that it would be acceptable from a servicing and traffic circulation point of view. It was also suggested that consideration be given to a blanket approval to allow further sub-phases of the balance of Phase 9 and also Phase 10 once Phases 9A and 9B have been registered in the Winnipeg Land Titles Office. The Subdivision Branch has no objection to further sub-phases since Phases 9 and 10 only contain residential lots and no school sites.

Your Committee on April 16th, 1992 considered Administrative report recommending that Phases 9 and 10 of the Whyte Ridge residential subdivision approved under DASZ 58/85 as shown on Schedule "A" attached hereto and dated April 2nd, 1992, be registered and developed in sub-phases as approved by the Commissioner of Works and Operations, having regard to servicing and traffic circulation, subject to Addenda to Development Agreement AG 58/85, being entered into for each sub-phase. Said Addenda would identify the land covered by each sub-stage and the servicing requirements for each sub-phase to the satisfaction of the Commissioner of Works and Operations.

After reviewing the recommendation your Committee referred the matter to the Administration for a report identifying the costs to the City of registering and developing Phases 9 and 10 of the Whyte Ridge Residential Subdivision in sub-phases, in light of Committee's concern that approval of sub-phases could result in a cost to the City since the City has invested capital in facilities such as Bishop Grandin Boulevard, libraries, police stations, etc. together with maintenance costs associated with such facilities and that the City will now have to wait longer to recover its costs.

On May 11th, 1992, your Committee was advised by the Land Development Department that the phasing boundaries of the Whyte Ridge Development Agreement AG 58/85 were actually established in 1986 when the draft terms of the Development Agreement were approved by Council. Large phasing boundaries (containing over 200 lots per phase) were viable at the time since the housing market was about four times larger than it is today.
Following execution of Development Agreement AG 58/85, Cairns Development Ltd. entered into another agreement with the City for development of other lands within the Whyte Ridge area (AG 2/89). Consequently, the company began developing on two fronts in 1989, which reduced its need for large phases, particularly with the onset of the recession. The last phase of lots under AG 2/89 will be developed this year.

Report of the Committee on Planning and Community Services dated May 11th, 1992.

Cairns Development Ltd. have developed lots in Whyte Ridge as fast as the market has permitted. By 1991 the Company had doubled the market share of the Whyte Ridge Community to 13% of the Winnipeg market.

The Land Development Department concurs in the recommendation of the Planning Department that Phases 9 and 10 of the Whyte Ridge residential subdivision approved under DASZ 58/85 be registered and developed in sub-phases.

Cairns Development Ltd. has advised that the current area of Phase 9 (containing 250 lots) is too large to accommodate the absorption rate of the present housing market. Consequently, the Company has requested that its Development Agreement be amended to permit it to proceed with development in smaller and more manageable sub-phases.

If Cairns Development Ltd.'s request were to be denied the company would likely take one of the following two courses of action:

a) If it were forced to develop all 250 lots in Phase 9 the Company's General Manager has advised that his firm would suffer substantial carrying costs as the majority of the lots created could not be sold for several years. The Company might have no choice but to not proceed with any development and to wait for the market to strengthen further with the hope that development would recommence in 1993. Consequently, there would be fewer lots created in 1992 than would be the case if the request for smaller sub-phases were approved. Receipt of increased tax revenue by the City would therefore be delayed.

b) A prudent Developer will only service sufficient land to provide it with the minimum inventory of lots which can be absorbed by the prevailing housing market, regardless of whether a subdivision is registered in large or small phases. If, for example, the entire Phase 9 area of Whyte Ridge were registered, Cairns Development Ltd. would likely still only service and sell lots in the proposed smaller 9A sub-phase area. Obviously, market conditions will dictate how quickly, or slowly, a subdivision will be completed. The size of various phases is immaterial. However, if the Company was forced to register the entire Phase 9 area, even though it would proceed to initially develop only a small portion of the phase, it would have to pay increased realty taxes on the entire phase as a consequence of the property being rezoned from an agricultural classification to a residential classification.

Although an executed agreement is in place, it is submitted that it would be unreasonable for the City to refuse the Developer's request to register smaller subdivision sub-phases simply to provide an opportunity for the City to generate increased tax revenue without regard to market conditions and the current business climate. This action would necessitate the creation of residential lots or blocks which cannot immediately be sold and which would have to be carried in inventory by the Developer. It is considered more appropriate that realty tax revenue be generated as a consequence of natural market forces.

The cost to the City of registering and developing Phases 9 and 10 of the Whyte Ridge subdivision in sub-phases would be a delay in the receipt of increased realty tax revenue since a portion of the lands would remain zoned for agricultural use until market conditions caused their development to be viable. Conversely, if the request for sub- phasing were denied, and the Developer deferred development of the lands for a year or more, there would also be a delay in the receipt of increased realty tax revenues. In this case the impact on tax revenues could be more significant since house construction could be deferred as well as subdivision, rezoning and servicing of the land.

Your Committee on Planning and Community Services therefore recommends:-

I. That Phases 9 and 10 of the Whyte Ridge residential subdivision approved under DASZ 58/85 as shown on Schedule "A" attached hereto and dated April 2nd, 1992, be registered and developed in sub- phases as approved by the Commissioner of Works and Operations, having regard to servicing and traffic circulation, subject to Addenda to Development Agreement AG 58/85, being entered into for each sub-phase. Said Addenda would identify the land covered by each sub-stage and the servicing requirements for each sub-phase to the satisfaction of the Commissioner of Works and Operations.

Report of the Committee on Planning and Community Services dated May 11th, 1992.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the above recommendation including the execution of said Addenda to Development Agreement AG 58/85.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

(Note: See Minute No. 979 for attachments.)

Amendment to Servicing Agreement AG 14/87 - Foxwarren Lake Subdivision - Roebuck Ltd., impoundment area and water well, Lord Selkirk-West Kildonan Community. File DASZ 14/87.

976 - 5. On December 2nd, 1987, Council approved application DASZ 14/87 and subsequently Roebuck Ltd. entered into Servicing Agreement AG 14/87 with the City of Winnipeg.

In September 1990 the possible need for a water well to maintain water levels in the retention lake was identified and discussion began with the administration with respect to the need and the funding for the well.

In June 1991, the Developer made representation before the Lord Selkirk-West Kildonan Community Committee with respect to City funding for the well construction. The Community Committee referred the issue back to the Administration for further negotiation.

Agreement between the Developer and the Waterworks, Waste & Disposal Department was reached resulting in this recommended amendment to the Servicing Agreement.

The Administration is in agreement with the proposed 50-50 cost sharing for the cost of the water well. This is a new and somewhat unique situation where a water well is required for the long term replacement of evaporated water to maintain the level in the retention lake. There has been a similar situation whereby a water well was installed at a Developer's cost to maintain levels over the short term until full development of a subdivision is complete, but in this case there is the possibility that there may be a level problem even when all contemplated development has occurred.

The Administration's position generally is that the initial filling of the lake and the maintenance of the water level at design elevations is the responsibility of the Developer. Unfortunately this is somewhat vague in that it can be argued that the "maintenance of the water level" refers only to the design of the facility not the physical filling of the lake. For future applications the Administration will be watchful for similar situations to ensure that it is very clear what the Developer's responsibilities entail. However because of the ambiguity in the current situation, the Waterworks, Waste & Disposal Department has proposed a cost sharing of the well installation as being reasonable and fair in this instance.

Your Committee on Planning and Community Services recommends:

I. That Servicing Agreement AG 14/87 be amended to incorporate the following conditions/requirements:

1. The Developer shall construct at its own cost a water well, appurtenances and ancillary works, to enable maintenance of impoundment water level, all in accordance with drawings and specifications approved by and to the satisfaction of the Commissioner of Works and Operations.

Report of the Committee on Planning and Services dated May 11th, 1992.

2. The City shall have unrestricted access for inspection of the works specified by Recommendation 1. above during and after construction completion.

3. The Developer shall maintain the works specified by Recommendation 1. above against any and all defects or deficiencies or otherwise which may arise for a period of one (1) year from the date of satisfactory construction completion as determined by the Commissioner of Works and Operations.

4. The City shall upon completion of construction of the water well, appurtenances and ancillary works to the satisfaction of the Commissioner of Works and Operations undertake to operate the water well. The City and Developer acknowledge that the City's operating obligation during the one (1) year warranty period commencing at the date of satisfactory construction completion shall be limited to monitoring of impoundment water level elevations, activating and in-activating the water well pump, and payment for associated electric power costs.

5. The City shall in the budget year following construction of the works specified by Recommendation 1. above reimburse the Developer for fifty (50) percent of the construction cost including engineering as certified and approved by the Commissioner of Works and Operations, upon and subject to the approval of capital funding by Council and rectification by the Developer of any and all defects and deficiencies identified by the said Commissioner during the one (1) year warranty period.

6. The City shall maintain the works specified by Recommendation 1. above subsequent to the expiration of the one (1) year warranty period and subject to rectification by the Developer of any and all defects and deficiencies identified by the said Commissioner.

II. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing, including the execution of the amendment to Servicing Agreement AG 14/87.

Moved by Councillor Douglas,
Adoption of the clause.

Carried.

SUBDIVISION AND REZONING - of land bounded by the Perimeter Highway on the west, Charleswood Road on the east, the abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the north, and the CNR Mainline/Wilkes Avenue on the south, Assiniboine Park-Fort Garry Community.
File No. DASZ 7/91.

977 - 6. LAID OVER BY EXECUTIVE POLICY COMMITTEE FOR FURTHER CONSIDERATION

(Note: See Pages 1433 – 1440 for official set of minutes for the above Clause)

978 - Appendix “A” referred to in Clause 1 of the Report of the Committee on Planning and Community Services, dated May 11th, 1992.

SEE PAGES 1441 – 1451 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

979 - Schedule “A” referred to in Clause 4 of the Report of the Committee on Planning and Community Services, dated May 11th, 1992.

SEE PAGES 1452 – 1453 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Reese,
Seconded by Councillor Thomas,
980 - WHEREAS there are no guidelines for the delegated authority of the Committee on Finance and Administration as it relates to leasing arrangements for private properties;

THEREFORE BE IT RESOLVED that the July 18th, 1979, authority delegated to the Committee on Finance and Administration as it relates to leasing of private properties by the City for City purposes be amended by providing for guidelines and further guidelines for the $1 million ceiling, or for less than $1 million.

Automatic Referral to
Committee on Finance and
Administration in accordance
with Section 16.1 of the
Procedure By-law.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAWS

981 - On motion of Councillor Douglas, By-law No. 5828/92, a By-law of The City of Winnipeg to amend By-law No. 965/78, a By-law establishing a Secondary Plan for North St. Boniface, being a statement of the City's policies and proposals for the development of the North St. Boniface Area, was read a second and third time, and was passed and ordered to be signed and sealed. File No. EP-1.2 (AAP 36/91).

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

By-law No. 5959/92, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 16502 for the enactment of a zoning change on the west side of Strathcona Street between Wolever and Riddle Avenues in the City Centre- Fort Rouge Community. File No. DASZ 9/91.

By-law No. 5960/92, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change at 781 Winnipeg Avenue in the City Centre-Fort Rouge Community. File No. DAZ 206/92.