CONSIDERATION OF REPORT OF THE

COMMITTEE ON WORKS AND OPERATIONS

The Executive Policy Committee has had before it the Report of the Committee on Works and Operations, dated May 12th, 1992, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor Duguid, the Report of the Committee on Works and Operations, dated May 12th, 1992, was considered clause by clause.

North Committee Room,
Council Building, Winnipeg.
May 12th, 1992.

His Worship the Mayor and Councillors:

Your Committee on Works and Operations submits the following Report and recommends:

Closing of Part Cosmo Place adjoining Lots 17/19, Plan 1034 - East Kildonan- Transcona Community. File DAC 26/90

992 - 1. The proposed closing, shown dotted on Misc. Plan No. EKT 8090, was requested by the Winnipeg Cosmopolitan Club, the owner of Lots 17 to 23, Plan 1034. The Club requires the land for additional parking. An inspection by the Land Surveys and Real Estate Department found the street to be physically open, paved and already used for parking.

The proposal was circularized in the usual manner with no objections being received. However, an easement is required by Inter-City Gas for an 8 inch medium pressure gas main. Winnipeg Hydro has advised that a street lamp will require removal--such removal or relocation to be at the sole expense of the purchaser. The Streets and Transportation Department advises as follows:

"1. That an easement be retained over the entire right-of-way of 20.116 metres (66 feet) to accommodate existing and future utilities.

2. The area covered under the easement be used for parking only.

3. That a curb be constructed across the closed portion of Cosmo Place complete with a 12.0 metre radius at no cost to the City.

4. The owner make application for a private approach to serve the proposed parking area.

5. The existing guardrail at the west end of Cosmo Place is to be removed at no cost to the City."

The District Engineer recommends the land be leased only as the District maintains a major 850 millimetre sewer, a 375 millimetre sewer and a 200 millimetre water main in the land and that, with the exception of pavement, no other construction be allowed in, over or under the subject land.

The East Kildonan-Transcona Community Committee considered the proposal at its meeting held January 15th, 1991, concurred with the proposal and recommended the closing be approved as to planning considerations, providing the City retains ownership of the subject land; and also conditional upon the land being leased to the applicant (Winnipeg Cosmopolitan Club) only.

The Club has orally advised that a lease would be agreeable.

The Committee on Planning and Community Services, at its meeting held March 11th, 1991, approved the closing as to planning details subject to the Community Committee's provisions.

Your Committee on Works and Operations has approved the proposal and recommends:-

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the closing of part Cosmo Place adjoining Lots 17/19, Plan 1034, in the manner shown on Misc. Plan No. EKT 8090; the cost of the by-law, estimated to be $200.00, to be borne by the City-at-large.

2. That upon first reading of the by-law being subsequently given, the City Clerk be authorized to post the necessary notices in accordance with The City of Winnipeg Act.

3. That the Proper Officers of the City do all things necessary to implement the foregoing.

Copy of Misc. Plan No. EKT 8090 regarding this proposal is on file in the office of the City Clerk.
Moved by Councillor Duguid,
Adoption of the clause.

Carried.

Widening of Main Street - Former C.P.R. Bergen Cut-Off Lands - Lord Selkirk-West Kildonan Community.
File DAO 3/90

993 - 2. The land required for the proposed widening of Main Street, former C.P.R. Bergen Cut-Off Lands, was acquired by the City in connection with the Kildonan Corridor Capital Project. The proposed street widening has been circularized to all interested parties through the Capital Works process with no objections having been received. The construction of the widening has been completed and it now remains to legally open the land as public street.

Your Committee on Works and Operations has approved the proposal and recommends:-

1. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the widening of Main Street, former C.P.R. Bergen Cut-Off Lands, in accordance with Plan No. LSWK 7805; the cost of the by-law, estimated at $200.00, to be borne by the City-at-large.

2. That the Proper Officers of the City do all things necessary to implement the foregoing.

Copy of Plan No. LSWK 7805 is on file in the office of the City Clerk.

Moved by Councillor Duguid,
Adoption of the clause.

Carried.

Street Opening/Proposed Widening in Vicinity of 434 Archibald Street - St. Boniface-St. Vital Community.
File DAO 14/92

994 - 3. On April 15th, 1992, Council adopted Clause 3 of the Report of the Committee on Finance and Administration dated March 31st, 1992, which approved the partial acquisition of 434 Archibald Street. The lands shown as "Proposed Widening" on Misc. Plan No. SBSV 7597/3 are required to maintain sight visibility and to permit future radius improvements at the curve on Archibald Street.

Your Committee on Works and Operations has approved the proposal and recommends:-

1. That the City Solicitor be instructed to prepare the necessary street opening by-law for street widening in the vicinity of 434 Archibald Street in accordance with Misc. Plan Nos. SBSV 7597/3 and 7597/4; the cost of the by-law, estimated at $200.00, to be charged to the Future Right-of-Way for Regional Transportation Purposes Account.

2. That the Proper Officers of the City do all things necessary to implement the foregoing.

Copy of Misc. Plan Nos. SBSV 7597/3 and 7597/4 regarding this proposal are on file in the office of the City Clerk.

Moved by Councillor Duguid,
Adoption of the clause.

Carried.

Handicapped Parking Program. File ST-2

995 - 4. The City of Winnipeg Handicapped Parking Program has been in place since 1979. This program enables eligible persons for an annual fee of $25.00 to park in metered or other parking areas, without further charge for periods up to 4 hours. However, the Handicapped are subject to the provision of more restrictive regulations, such as the peak hour stopping prohibitions.

Under Section 124.1 of The Highway Traffic Act and the regulations pursuant thereto, the Provincial Handicapped Parking Program was put in place in 1991. This program reserves designated on/off street parking spots for eligible persons. Parking spots must be designated by appropriate signs and markings. The program is administered by The Society for Manitobans with Disabilities with a fee of $10/3 years. The permit holder is subject to the provisions of more restrictive regulations, such as the peak hour stopping prohibitions. The permit holder is required to pay all appropriate parking fees.

Although the Provincial Handicapped Parking Program was developed after the City of Winnipeg's program, it is evident that the City of Winnipeg's program is supplementary to the Province's and is not contrary to it. Thus, if the provisions of the City's program are appropriate, this program could be retained in its present form.

Because there are two programs in place directed essentially at the same group of persons, "the Disabled", there is merit in considering a "simplified one-step" permit process. In this regard, the following should be noted:

1. City of Winnipeg's Handicapped Parking Program Only the handicapped individual can obtain a permit to operate a vehicle themselves and then only if the vehicle has hand controls or with a physician's certificate. In 1991, 53 permits were issued with revenue of $1,325.00.

2. Provincial Handicapped Parking Program Any person/organization transporting persons permanently requiring a mobility aid or with a physician's certificate may obtain a permit. As of March 1st, 1992, 9,490 permits to 6,975 individuals have been issued.

3. Since 1990 the City of Brandon has allowed handicapped drivers to park at meters free of charge for periods of time not exceeding 4 hours, subject to more stringent stopping regulations. On March 1st, 1992, these provisions were extended to the holders of provincial handicapped parking permits.

If a simplified one-stop permit system were to be implemented, two options are available:

1. To discontinue the City of Winnipeg's Handicapped Parking Program and enable the Provincial Program to apply to metered parking, similarly to that which is occurring in the City of Brandon. Because of the more stringent eligibility rules under the City of Winnipeg's program, this may result in increased handicapped metered parking, resulting in lost revenue from meters together with the loss of permit fees.

2. Allow The Society for Manitobans with Disabilities to administer on behalf of the City of Winnipeg the current City of Winnipeg program, complete with the more stringent conditions. Presumably this would require a special permit for display to identify the permit holder as being eligible. A preliminary discussion with Terry Weibe, Communications Manager for The Society for Manitobans with Disabilities, indicated that they might be receptive to administering such a program.

   On balance it is suggested that Option 1 is preferable wherein the Provincial permit holders are enabled to park at meters under the existing terms of the 3 applicable City by-laws. However, the City of Winnipeg Police, through its corps of Commissionaires, should monitor and report on the extent to which the Provincial Parking Permits are displayed at parking meters. In light of the information obtained over the summer months, the impacts of the program could be assessed.

In reviewing the 3 applicable by-laws associated with this issue, it was noted that the Unauthorized Parking on Private Property By-law inadvertently does not enable the use of the International Symbol of Access for the Handicapped. This symbol has been in general use for a number of years and the by-law should therefore be amended. It was suggested that if approval is given to discontinuing issuing Handicapped Parking Permits, consideration should be given to rebating a prorated portion of the annual permit fee.

Your Committee on Works and Operations recommends:-

1. That the City of Winnipeg discontinue issuing Handicapped Parking Permits.

2. That the following By-laws be amended to enable:

a) Permits issued under the Province of Manitoba's Handicap Parking Program to be applicable and enforceable at metered locations within the City of Winnipeg:

I) Sections 2 and 3 and Schedule "A" as appropriate, of the Unauthorized Parking on Private Property By-law (3010/81),

ii) Section 4 of the Parking Meter By-law (820/74), iii) Section 27 of the Traffic By-law (1573/77), and iv) Schedule "A" of the Voluntary Payment of Penalty By-law (789/74).

b) That the Unauthorized Parking on Private Property By-law (3010/81) be amended to enable the use of the International Symbol of Access for the Handicapped.

3. That if approval is given to discontinue the issuing of Handicapped Parking Permits, that a prorated portion of the permit fee be rebated to the applicant.

4. That the City of Winnipeg Police Department, through its corps of Commissionaires, monitor and report on the use of metered parking spots by vehicles displaying the Provincial Handicapped Parking Permit.

5. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Duguid,
Adoption of the clause.

Carried.

Temporary Closure of Corydon Avenue for Entertainment Purposes. File SC-3.13

996 - 5. The Corydon Avenue Business Improvement Zone has requested the temporary closure of Corydon Avenue between Stafford Street and Daly Street from 18:00 Friday, September 11th, 1992, to 24:00 Sunday, September 13th, 1992, to hold a street festival.

Corydon Avenue between Stafford Street and Daly Street contains a 12.2 metre roadway and carries approximately 11,000 vehicles in a 12-hour weekday period between 07:00 and 19:00. Corydon Avenue (Route 95) extends between Osborne Street (Route 62) to the east and Roblin Boulevard (Route 105) to the west.

According to the applicant, it is proposed that an enclosed beer and wine garden with a free stage be installed at Lilac Street and Corydon Avenue and at Hugo Street and Corydon Avenue, with Wonder Shows setting up a midway between these two intersections. Council's policy on temporary street closures for entertainment purposes provides, inter alia, that:

"The closure should not involve the high volume and/or high speed major Regional thoroughfares providing a major transportation connection into, out of or within the City."

Corydon Avenue is a high volume Regional thoroughfare providing a major transportation connection within the City.

Your Committee on Works and Operations recommends:-

1. That the above-quoted Council policy be waived in this instance, to permit the Corydon Avenue Business Improvement Zone to hold a street festival on the Corydon Avenue regional thoroughfare.

2. That Corydon Avenue between Stafford Street and Daly Street be temporarily closed from Friday, September 11th, 1992, to Sunday, September 13th, 1992, subject to the conditions listed in the attached Appendix "A".

3. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Councillor Duguid,
Adoption of the clause.

Carried.

COMMITTEE ON WORKS AND OPERATIONS

MOTIONS

Moved by Mayor Norrie,
Seconded by Councillor Duguid,
997 - WHEREAS Canada will celebrate its 125th anniversary in 1992;

AND WHEREAS Canada 125, the official organizer of Canada's 125th anniversary celebrations are encouraging all Canadians to recognize our country's birth;

AND WHEREAS one such event promoted by Canada 125 is the National Neighbourhood Party on Sunday, June 14th, 1992, where Canadians from coast to coast will be asked to have a "get together" with their neighbours to celebrate goodwill and friendship; AND WHEREAS Winnipeg is the birthplace of the Neighborhood Party and many citizens in Winnipeg have expressed the desire to close off the street in front of their homes on Saturday, June 13th to make their party safe for children and allow room for more neighbours;

AND WHEREAS Canada 125 has requested that the policy of charging a permit fee for such residential street closures be waived for this one occasion;

THEREFORE BE IT RESOLVED that the permit fees for a block party on a local residential street be waived for this occasion only.

Carried.

Moved by Councillor Mitchelson,
Seconded by Councillor Young,
998 - WHEREAS citizens of Winnipeg are very much aware and interested in environmental issues affecting the quality of life in Winnipeg and an extended use of renewable resources;

AND WHEREAS recycling is one issue about which the citizens of Winnipeg are particularly interested and anxious for a program, as soon as possible, to recycle materials introduced in the City;

AND WHEREAS any approach to recycling should include an integrated approach including both the private and public sectors;

AND WHEREAS the City of Winnipeg presently subsidizes recycling throughout the City by way of tipping fees collected;

AND WHEREAS the citizens of Winnipeg and members of City Council should have a say in the final decision respecting any contract awarded relating to a recycling program in the City;

THEREFORE BE IT RESOLVED that the final decision relating to recycling in the City, including any contracts awarded, be a decision of Council.

Required to Stand as Notice
of Motion.

Moved by Councillor Mitchelson,
Seconded by Councillor O'Shaughnessy,
999 - THAT the following listed local improvements, shown on page 28 of the Schedule to By-law No. 5880/92 be deleted:-

Sidewalks

1. 5 feet on the south side of Bonner Avenue, from Bunn's Grove to Rothesay Street - $14,000.00

2. 5 feet on the south side of McIvor Avenue from the east line of Mornefortune Crescent to Rothesay Street - $13,000.00

3. 5 feet on the south side of McIvor Avenue from the east line of Pentland Street to the west line of Mornefortune Crescent - $11,000.00

Automatic Referral to
Executive Policy Committee in
accordance with Section 16.1
of the Procedure By-law.

Moved by Councillor Reese,
Seconded by Councillor Mendelson,
1000 - WHEREAS in view of the concerns expressed towards the tax exemption obtained by the owners of the Walker Theatre to put on Phantom of the Opera;

THEREFORE BE IT RESOLVED that By-law No. 3107/81 be reviewed by the Committee on Finance and Administration and that the Committee on Finance and Administration consider abolishing the amusement tax exemption and replace it with a system of grants.

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

COMMITTEE ON WORKS AND OPERATIONS

CONSIDERATION OF BY-LAWS

1001 - Councillor Duguid moved that By-law No. 5897/92, a By-law of the City of Winnipeg to amend By-law No. 1573/77, being The City of Winnipeg Traffic By-law, be read a second time. File No. ST-5.2.

Moved by Councillor Prystanski,
That the second and third readings of the by-law be laid over until the next meeting of Council.

Carried.

On motion of Councillor Duguid, 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. 5955/92, a By-law of the City of Winnipeg to widen the street at the north-east corner of Arlington Street and Portage Avenue. File No. DAO 9/91

By-law No. 5956/92, a By-law of the City of Winnipeg to widen the street corner at the south-west corner of Chevrier Boulevard and Pembina Highway. File No. DAO 1/85.

By-law No. 5957/92, a By-law of the City of Winnipeg to widen the street corner at the south-east corner of Pembina Highway and University Crescent. File No. DAO 7/92.

By-law No. 5958/92, a By-law of the City of Winnipeg to widen the street corner at the south-east corner of Ellice Avenue and Colony Street. File No. DAO 6/92.

On motion of Councillor Duguid, the rule was suspended and By-law No. 5954/92, a By-law of the City of Winnipeg to close part of Thomas Berry Street and part of the east/west land between Thomas Berry and Bertrand Streets, was read a first time. File No. DAC 15/91.

Councillor Duguid moved that this constitute the first reading of By-law No. 5954/92, which motion was carried.

COMMITTEE ON WORKS AND OPERATIONS

QUESTION PERIOD

1002 - Councillor Fraser asked the Chairman of Works and Operations, Councillor Duguid, if he is satisfied with the recent introduction of automated garbage pick-up in the test areas.

Councillor Duguid responded that the program was launched last week and that with any new program, obviously there is a transition period, uncertainty and suspicions on the part of the residents who are going to be provided with the service, but most people are happy with the way the administration has been dealing with them. There was a bit of

turmoil at a meeting last evening which is unfortunate and there were some reports in the newspapers which are misleading. His understanding is that for the most part, this has been accepted very well by the residents. In closing, this program has been in place in Regina, Brandon and Lethbridge and has been very well accepted and he expressed the view that the transition period will be overcome.

Councillor Golden asked how this jurisdiction was chosen as the test area and was the neighbourhood polled to ask if they would like to be the test area or was this imposed on them without satisfactory explanation on how it would work.

Councillor Duguid indicated that he was not on the Committee when the area was chosen but he indicated that it was probably chosen because it is largely serviced by backlanes and he believed that it was supported by the Community Committee.

Councillor Golden asked if Councillor Duguid could give any further information as to what if anything, can be done for the recycling depots who are paying tipping fees on materials inadvertently brought to them and if he could report on what can be done for the recycling depots to relieve these costs.

Councillor Duguid indicated that at the last Council meeting he had advised the Councillor that there is a report coming on the possible reduction of tipping fees to recycling industries. He advised that he had written to the administration to attend to the report and to make as part of the report, consideration of surcharges as well. He noted that Councillor Golden may want to appear in delegation at the time the report is before Committee.

Councillor Golden asked Councillor Duguid to assure this Council as Chairman of the Committee on Works and Operations, that he would use his best efforts to make sure that the most cost-effective method of instituting recycling depots in providing recycling services to this City will be chosen as opposed to some other politically-motivated solution.

Councillor Duguid replied that he is not sure what Councillor Golden meant by political motivations, however, he stated that the Committee on Works and Operations has been involved in an extensive consultation process with its technical advisory committee, members of the City's administration, representatives of the recycling community and provincial government administration. He stated that the Committee has worked hard in reaching that consensus. They are having a special meeting on recycling and he invited all members of Council to attend and give their views. The solution we do come up with will represent a broad consensus and will serve the citizens of Winnipeg very well.

Councillor Mendelson advised Councillor Duguid that she has had calls from residents who would prefer not to have the bin behind their backyards. If there is another resident who is willing to have it situated behind their backyard, and it may not be an ideal location, would the administration, for the sake of public acceptance, consider the resident's wishes and would he consider instructing them to do so.

Councillor Duguid responded that it is his understanding that the administration is working with the community, doing its best to answer some of the concerns. He advised that he was unable to say how flexible the plan can be because if it is too flexible you place some residents at a disadvantage if you place the bin too far away from their homes but he undertook to direct the administration to be as flexible as they can to satisfy concerns in this transition period.

Councillor Mendelson noted that because this program is being implemented during the summer, there has been no consideration of the program during the winter months. What will be done about the windrows. Now residents have to go through the ridge and walk down perhaps four or five houses to the bin. What plan, if any, is in place to address that problem?

Councillor Duguid responded that first of all, one of the assumptions expressed by Councillor Mendelson is not true about four or five houses down. His understanding is that the furthest one would have to go is thirteen or fourteen steps. Secondly, Regina and Brandon have had this in place. Regina does not plow backlanes. We do plow our backlanes and therefore the conditions, he believes, in backlanes, are much better than Regina.
He has expressed that concern to the administration because a number of people have raised that matter and the administration will monitor that very carefully and ensure lanes are properly cleared.

Councillor Kaufmann asked the Chairman of the Committee on Works and Operations regarding the parking meters that have been taken away from Provencher Boulevard. Are there any plans to do away with paying at parking meters on Saturdays?

Councillor Duguid noted that the previous Committee's decision relating to the token program is still in a pilot project and the City should see how it goes. He indicated he would like to see the reinstitution of free parking but that the project should be monitored for awhile.

Councillor Kaufmann inquired about the 48 parking meters on Portage Avenue that cannot be put in because of the bus problem, and asked if there was any reason why parking could not be allowed on Portage Avenue at those 48 meters on

Saturday and Sunday.

Councillor Duguid replied that the Committee on Works and Operations did make a decision a few weeks ago, to allow parking at those locations commencing from 7:00 p.m. on Saturday evenings and all day Sunday and holidays.

Councillor Mitchelson referred to a recent article in the newspaper with a picture of Councillor Duguid beside a garbage truck. He advised that a constituent had told him that the garbage truck event was staged on a Saturday at the request of the Chairman to have his picture taken. He was also told that the crew that was there with the garbage vehicle was being paid "time and a half" and asked the Councillor to confirm if this was correct or not.

Councillor Duguid replied that he was asked by a reporter to go to the District No. 1 Yards where the truck was. The reporter did not ask Councillor Duguid to stage the event; he asked the duty supervisor. His understanding is that the crew was working on call and he was not aware of any additional expense. He further stated that the article served the public education purpose.

Councillor Mitchelson stated that he was sure everything Councillor Duguid said is accurate however, because he has received reports saying the opposite, that he is asking for confirmation of Councillor Duguid's statement in writing so that he may pass that documentation on.

Councillor Duguid replied that he would undertake to do so.

Councillor Boychuk asked Councillor Duguid to look at sidewalk replacement in his ward and the problems associated therewith of the grass on the boulevards not being properly replaced. Councillor Duguid replied that he would undertake to look into the problem.

Councillor Prystanski inquired with respect to automated garbage, if Councillor Duguid could provide him with a written explanation as to why there are four men going behind the garbage trucks to pick up garbage that is not in the bin. He also asked if the City could be held liable if citizens were to sustain injury while carrying garbage from their home to the bin.

Councillor Duguid responded in the negative but advised that he would take it as notice. He also stated that there is a program in place for those who are unable to take their garbage now to their own backlanes and expressed that there will be some difficulties during the transition period. He noted that some of the comments are misleading and damaging to the pilot project.