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 November 26th, 1990, has concurred in the recommendations contained therein and submits same to Council for approval and adoption. On motion of Councillor Gilroy, the Report of the Committee on Planning and Community Services, dated November 26th, 1990, was considered clause by clause.

West Committee Room,
Council Building,
Winnipeg, November 26th, 1990.

His Worship the Mayor and Councillors:-

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

Appointments to Heritage Winnipeg Corporation, Files G-3 and GC-7

251 - 1. Section 2:01 of the By-laws of the Heritage Winnipeg Corporation established the Corporation to promote the establishment of Heritage conservation areas in the Province of Manitoba with particular focus on the City of Winnipeg through the encouragement, support, and protection of building restoration, revitalization and preservation.

Council on November 7th, 1990, referred to your Committee on Planning and Community Services the matter of appointment of three members of Council to the Heritage Winnipeg Corporation, comprised of the following:

One (1) Council representative from the City Centre-Fort Rouge Community Committee;

One (1) Council representative from the Committee on Planning and Community Services;

One (1) Councillor-at-large representative.

On November 20th, 1990, the City Centre-Fort Rouge Community Committee nominated Councillor Murray for appointment as its representative to the Heritage Winnipeg Corporation.

Your Committee on Planning and Community Services recommends that the following Councillors be appointed for a one-year term to the Heritage Winnipeg Corporation, namely:-

Nominee	Representing
Councillor Murray	City Centre-Fort Rouge Community Committee
Councillor Mendelson	Committee on Planning and Community Services
Councillor Diamant	Councillor-at-large.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

Report of the Committee on Planning and Community Services dated November 26th, 1990.

Appointment of Council representatives and alternates to the Riverbank Management Committee. Files E-5.1 and GC-7.

52 - 2. Clause 1 of the Report of the Committee on Planning and Community Services dated February 15th, 1988, as adopted by Council on March 23rd, 1988 and By-law No. 4444/86 as amended by By-law Nos. 4938/88 and 5448/90, established the Riverbank Management Committee.

Council on November 7th, 1990, referred to all Standing Committees the matter of the appointment of representatives and alternates from each Standing Committee to the Riverbank Management Committee.

The Committees on Planning and Community Services, Protection Parks and Culture, and Works and Operations, nominated the following Councillors for appointment as their representatives and alternate representatives on the Riverbank Management Committee, namely:-

Committee	Representative	Alternate Member
Planning and Community Services (2)	Councillor Ernie Gilroy Councillor Mike O'Shaughnessy	Councillor Glen Murray to act as an alternate member in the absence of either appointed rep.
Protection Parks and Culture	Councillor Donovan Timmers	Councillor Terry Duguid
Works and Operations	Councillor Evelyn Reese	Councillor Rick Boychuk

It is anticipated that the Committee on Finance and Administration will be submitting by way of motion their nominees for appointment to the Riverbank Management Committee following conclusion of their November 27th, 1990 meeting which is to be reconvened on December 3rd, 1990.

It is therefore recommended that the following Councillors be appointed to the Riverbank Management Committee, namely:

Committee	Representative	Alternate Member
Planning and Community Services (2)	Councillor Gilroy Councillor O'Shaughnessy	Councillor Murray to act as an alternate member in the absence of either appointed rep.
Protection Parks and Culture	Councillor Timmers	Councillor Duguid
Works and Operations	Councillor Reese	Councillor Boychuk
Finance and Administration	(nominee to be submitted by way of motion)	(nominee to be submitted by way of motion)

effective from the date of Council's approval and that said Councillors hold office until their successors have been appointed, pursuant to Section 62.1 of the Procedure By-law No. 5400/90.

Moved by Councillor Gilroy,
Adoption of the clause.

In amendment,

Moved by Councillor Selinger,
Seconded by Councillor Thomas,
THAT Clause 2 of the Report of the Committee on Planning and Community Services dated November 26th, 1990, be amended by adding the following Councillors opposite Committee on Finance and Administration for

Report of the Committee on Planning and Community Services dated November 26th, 1990.

appointment as its representatives on the Riverbank Management Committee, namely:-

Representative	Alternate
Councillor Demare	Councillor Golden

Carried.

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

Appointments to the Historical Buildings Committee. Files G-3.1 and GC-7.

253 - 3. By-law No. 1474/77, as amended, established the Historical Buildings Committee to operate as an Advisory Committee for the conservation and preservation of buildings of an architectural and historic interest in the City of Winnipeg.

Council on November 7th, 1990, referred to your Committee on Planning and Community Services the matter of the following appointments of Council representatives to the Historical Buildings Committee, namely:

One (1) Council representative from the Committee on Planning and Community Services;

One (1) Councillor-at-large representative, and; One (1) member of Council to act as an alternate in the absence of either of the two Council appointees.

Your Committee on Planning and Community Services recommends that the following Councillors be appointed to the Historical Buildings Committee:

Councillor	Representative
Glen Murray	Committee on Planning and Community Services
Gloria Mendelson	Councillor-at-large
Peter Diamant	Alternate Member to act in the absence of either of the two Council appointees

effective on the date of Council's approval, and that said Councillors hold office until their successors have been appointed, pursuant to Section 62.1 of the Procedure By-law.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

ZONING TEXT AMENDMENTS to Zoning By-law 1558 with regard to Parking regulations and Building Materials, Sales, enclosed within a structure, St. James-Assiniboia Community.
File No. DAZ 234/90.

254 - 4. 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 the Text of Zoning By-law No. 1558 with regard to the parking space regulations and the use "building materials, sales". A description of the proposed changes are as follows:

Report of the Committee on Planning and Community Services dated November 26th, 1990.

(1) PARKING SPACE REGULATIONS

The parking space regulations in Zoning By-law No. 1558 came into effect in 1970. These same parking space regulations were also adopted in Zoning By-law No. 1800 for the Assiniboine Park-Fort Garry Community in 1971. Through the application of these parking space regulations since that time it has been found that they were inadequate in some aspects. In the preparation of the East Kildonan-Transcona Zoning By-law 4440 and the Lord Selkirk-West Kildonan Zoning By-law 4450 the parking space regulations were upgraded. By-laws 4440 and 4450 were adopted in 1986.

In 1988 Council passed a by-law adopting the upgraded parking space regulations in the Assiniboine Park-Fort Garry Zoning By-law No. 1800. The parking space regulations proposed for the St. James-Assiniboia Zoning By-law No. 1558 are these upgraded parking standards as shown in Schedule "A" for DAZ 234/90 attached to this report. The Department of Environmental Planning recommends that these new parking standards be inserted into By-law No. 1558, which will provide standard parking space regulations throughout the City.

(2) BUILDING MATERIALS, SALES, ENCLOSED WITHIN A STRUCTURE

The use "Building Materials, Sales, Enclosed" is a permitted use in the "C2", "C3", and "C6" Districts in Zoning By-law No. 1558. It was intended that this use would be permitted when both the sale and storage of building materials were completely enclosed within a structure. The intended interpretation being that a structure is a building.

The Law Department has made a legal interpretation that a fenced enclosure also constitutes an enclosed structure. The implications of this interpretation are that Building Materials Sales areas with large areas of outside storage, which would have the appearance of a lumber yard, could be established in "C2", "C3" and "C6" Districts. These districts are located along Portage Avenue and inside some shopping centres. The use, "Lumber Yards", are permitted uses only within the Industrial Districts of By-law No. 1558.

As stated, the original intent of the permitted use, "Building Materials, Sales Enclosed" was that everything (all building materials, etc.) was to be within a building and not visible from the street or adjoining lands. In order to clarify this intent, the Department of Environmental Planning recommends that the term "structure" be changed to
"building" and the word "display" added with regard to said use, which will eliminate any controversy over the interpretation of what is meant by "enclosed".

A Public Meeting was held before the St. James-Assiniboia Community Committee on September 18th, 1990.

Mr. D. Nelson, District Planner, appeared on behalf of the Commissioner of Planning and Community Services in support of the application.

No one appeared in opposition thereto.

The St. James-Assiniboia Community Committee recommended that Zoning By-law No. 1558 be amended as follows:

1. That the parking tables V-III, VI-III, VII-V, VIII-III and IX-III attached hereto and marked as Schedule "A" to DAZ 234/90, pages 1 to 11 dated November 6th, 1990, be substituted for said tables within By-law No. 1558, with the exception of "Hotels" under parking group number 8 in Table VIII-III, and that parking for "Hotels" be maintained in accordance with existing standards in By-law No. 1558 which provide for 1 parking stall per guest room and 1 parking stall for every four (4) seats in all auxiliary rooms including eating or drinking places, beverage rooms, cocktail bars, banquet halls and meeting rooms;

   NOTE: Schedule "A" to DAZ 234/90, pages 1 to 11, dated November 6th, 1990 attached to this report has been amended in accordance with the above.

Report of the Committee on Planning and Community Services dated November 26th, 1990.

2. That Table I of PART V of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the line for the use listed as "athletic fields", the number 2;

3. That Table I of PART VI of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the line for the use listed as "athletic fields", the number 2;

4. That Table I of PART VIII of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the lines for each use listed under the heading "drive-in establishments", the number 14;

5. That Table I of PART IX of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the lines for each use listed under the heading "drive-in establishments", the number 14;

6. That the Commercial use Table VIII-I, of PART VIII, of By-law No. 1558 be amended as follows: Change the wording "Building material sales, enclosed, is permitted when both the sale and storage of building materials are within completely enclosed structures" found at the bottom of the second page of the table to read as follows: "Building material sales, enclosed is permitted when the sale, storage and display of all building materials are within a wholly enclosed building".

The St. James-Assiniboia Community Committee recommended the above listed text amendments for the following reasons:

1. The zoning text amendment to By-law No. 1558 concerning parking space regulations will provide standard parking space regulations throughout the City.

2. The zoning text amendment to By-law No. 1558 concerning building materials, sales, enclosed within a structure will eliminate any controversy over the interpretation of what is meant by "enclosed".

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

I. That By-law No. 1558 be amended as follows:

   1. That the parking tables V-III, VI-III, VII-V, VIII-III and IX-III attached hereto and marked as Schedule "A" to DAZ 234/90, pages 1 to 11 dated November 6th, 1990, be substituted for said tables within By-law No. 1558;

   2. That Table I of PART V of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the line for the use listed as "athletic fields", the number 2;

   3. That Table I of PART VI of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the line for the use listed as "athletic fields", the number 2;

   4. That Table I of PART VIII of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the lines for each use listed under the heading "drive-in establishments", the number 14;

   5. That Table I of PART IX of By-law No. 1558 be amended by inserting in the column headed "Parking Group Number", in the lines for each use listed under the heading "drive-in establishments", the number 14;

   6. That the Commercial use Table VIII-I, of PART VIII, of By-law No. 1558 be amended as follows: Change the wording "Building material sales, enclosed, is permitted when both the sale and storage of building materials are within completely enclosed structures" found at the bottom of the second page of the table to read as follows: "Building material sales, enclosed is permitted when the sale, storage and display of all building materials are within a wholly enclosed building".

Report of the Committee on Planning and Community Services dated November 26th, 1990.

II. That the City Solicitor be requested to prepare the necessary text amending zoning by-law in accordance with the above 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 Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute No. 260 for attachment.)

REZONING - North side Dawson Road,
east of Royal Mint Drive,
St. Boniface-St. Vital Community.
File No. DAZ 235/90 (c/r DASSF 599/90).

255 - 5. Your Committee on Planning and Community Services has been advised that an application has been received from ARC & CADD INC., B1-11 Evergreen Place to amend The St. Boniface Town Planning Scheme 1957 by rezoning the land on the north side of Dawson Road, east of Royal Mint from an "A1" Agricultural District and a "C2" Commercial District to an "R1-5" One-Family District and a "C2" Commercial District to allow for future commercial development and future single family dwellings.

To the north of the subject lands exists P.T.H. No. 1 (Fermor Avenue). On the opposite side of P.T.H. No. 1 is developed industrial land, zoned "M1". The land to the east of the land in question is vacant and also zoned "M1". The area to the west is vacant for the main part and zoned "A1" for agricultural purposes. To the south is a developing single family neighbourhood.

Esso Petroleum Canada intends to establish separate title for the existing truck stop on the land in order to allow sale of that business. Because Dawson Road will eventually be closed in this area, and because a vacant "C2" site without frontage on Fermor Avenue would inevitably conflict with housing to the south, Esso has agreed to the proposal under consideration.

The "C2" site fronting Fermor Avenue includes the existing commercial use, and the site retains its present zoning except for a small parcel fronting on Royal Mint Drive to be acquired from the City.

The "C2" site fronting on Royal Mint Drive is vacant, and although two-thirds of the land retains its present zoning, the other third being acquired from the City is now zoned "A1". This site is suitable for commercial uses serving the neighbourhood to the south.

The "R1-5" site will not be developed until the closing and consolidation of the portion of Dawson Road to the south allows for a one-family subdivision. This will ensure that the existing residential area to the south of Dawson Road will abut housing rather than commercial uses.

This proposal substantially reduces the area of commercial zoning and eliminates potential ill effects on housing located on Blue Mountain Road.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on August 14th, 1990.

The following persons appeared in support of the application:

Mr. Murray Wilson, B1-11 Evergreen Place, Winnipeg, R3L 2T9,

Report of the Committee on Planning and Community Services dated November 26th, 1990.

Mr. M. C. MacLean, Esso Petroleum, 1661 Portage Avenue, Winnipeg, R3J 0C8.

No one appeared in opposition thereto.

The St. Boniface-St. Vital Community Committee recommended that the proposed zoning change be approved for the following reason:

> The parcel of land in question is a small piece of surplus City land, which had to be integrated with the existing "C2" and "R1-5" and this is the best possible solution of making use of the land."

The short-form subdivision application (DASSF 599/90) was laid over by the St. Boniface-St. Vital Community Committee at its meetings on August 14th and September 12th, 1990 to its meeting on October 9th, 1990. This matter was subsequently dealt with at the October 9th, 1990 meeting of the Community Committee.

The St. Boniface-St. Vital Community Committee recommended that the short-form plan of subdivision proposed under File No. DASSF 599/90 be approved pursuant to Section 642(30) of The City of Winnipeg Act and in accordance with Schedule "A" attached hereto dated July 30th, 1990, subject to the following conditions:

1. That the applicant be requested to enter into a Servicing Agreement with the City containing therein all of the conditions outlined in the report of the Administrative Co- ordinating Group dated July 9th, 1990, and the report dated September 11th, 1990, from the Land Development Department amending condition 1(a) of the Administrative Co-ordinating Group report dated July 9th, 1990.

2. That the applicant be required to enter into a Subdivision Agreement with the City, containing therein the following conditions:

   (a) That the landscaped set-back and wood fence referred to in conditions I(5) and (6) of the District Planner's report dated July 30th, 1990, (in connection with DAZ 235/90), be provided and maintained prior to any development of the "R1-5" One Family District;

   (b) That no building permits be issued on the lands zoned "R1-5" unless and until the landscaped set-back and wood fence referred to in (a) above have been provided.

3. That the Proper Officers of the City be authorized to execute the Servicing and Subdivision Agreements.

4. That the Director of Planning be authorized to sign and release the surveyor's mylars for DASSF 599/90 upon execution of all necessary agreements and receipt of payment of the ten percent cash dedication."

Your Committee on Planning and Community Services concurred in part with the recommendations of the St. Boniface-St. Vital Community Committee under File No. DASSF 599/90 for the following reasons:

> The Community Committee recommended that a Subdivision Agreement be required to incorporate the following conditions:

2. (a) That the landscaped set-back and wood fence referred to in conditions I(5) and (6) of the District Planner's report dated July 30th, 1990, (in connection with DAZ 235/90), be provided and maintained prior to any development of the "R1-5" One Family District;

   (b) That no building permits be issued on the lands zoned "R1- 5" unless and until the landscaped set-back and wood fence referred to in (a) above have been provided.

Report of the Committee on Planning and Community Services dated November 26th, 1990.

These conditions can be incorporated into the Zoning Agreement recommended under DAZ 235/90, applying to Site C (Lot No. 3 as identified on attached Schedule "A"), thereby negating the need for an additional agreement;

With respect to Condition 4 of the Community Committee's recommendation there is no ten percent cash dedication payment required because the number of sites being created for "C2" development will not establish any additional lots. Dedication for the "R1-5" lands will be collected in the future when the "R1-5" lands (Site "C") are re-subdivided. Therefore, the part of Condition 4 referring to dedication can be deleted;

Pursuant to Section 642(30) of The City of Winnipeg Act your Committee on Planning and Community Services approved the subdivision of the subject lands under File DASSF 579/90 as shown on Schedule "A" for File No. DAZ 235/90 subject to the following:

1. That the applicant be required to enter into a Servicing Agreement with the City containing therein all of the conditions outlined in the report of the Administrative Co- ordinating Group dated July 9th, 1990, and the report dated September 11th, 1990, from the Land Development Department amending condition 1(a) of the Administrative Co-ordinating Group report dated July 9th, 1990, attached hereto as Schedule "B" and "C".

2. That the following conditions be added to the zoning agreement as pertaining to Site C (Lot 3):

   (8) That the landscaped set-back and wood fence referred to in conditions I(5) and (6) of the Zoning Agreement attached to DAZ 235/90, be provided and maintained prior to any development of the "R1-5" One Family District;

   (9) That no building permits be issued on the lands zoned "R1-5" unless and until the landscaped set-back and wood fence referred to in (8) above have been provided.

3. That the Proper Officers of the City be authorized to execute the Servicing Agreement.

4. That the Director of Planning be authorized to sign and release the surveyor's mylars for DASSF 599/90 upon execution of all necessary agreements.

Your Committee on Planning and Community Services concurs in the recommendations of the St. Boniface-St. Vital Community Committee under File DAZ 235/90 and recommends:

I. That The St. Boniface Town Planning Scheme 1957 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 235/90, attached hereto and dated November 9th, 1990, to an "R1-5" One-Family District and a "C2" Commercial District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 605(1) of The City of Winnipeg Act to apply to site A (Lot 1 being the existing "C2") and to Site B (Lot 2 being proposed "C2" on Royal Mint Drive) to provide for the following:

   1. that the following uses not exceed an aggregate total floor area of ten percent of the area of the site: a. bowling alley or theatre;
      b. restaurant or cabaret;
      c. commercial club or private club;
      d. similar places of assembly, including dance halls, auditoriums and the like;

   2. that parking spaces be provided and maintained on the land at a minimum ratio of five parking spaces for each 1,000 square feet of floor area established on the land;

Report of the Standing Policy Committee on Planning and Community Services dated November 26th, 1990.

3. 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 and the Commissioner of Planning and Community Services;

4. that the total floor area of commercial uses not exceed Floor Area Ratio of 0:25;

5. that a landscaped set-back be provided and maintained to any building, structure, parking or loading area, or refuse storage facility from the "R1-5" One-Family District not less than 25 feet in depth;

6. that an opaque wood fence, not less than 6 feet in height, be established and maintained on lot limits abutting the "R1-5" One-Family District;

and to apply to site C (Lot 3 being proposed "R1-5") to provide:

7. that no building permits shall be issued on the lands zoned "R1-5" One-Family District until the land is further subdivided and a Servicing Agreement entered into for the said "R1-5" lands and that the land not be subdivided until Dawson Road is closed where it abuts Site C.

8. that the landscaped set-back and wood fence referred to in conditions I(5) and (6) of the Zoning Agreement be provided and maintained prior to any development of the "R1-5" One- Family District.

9. that no building permits be issued on the lands zoned "R1-5" unless and until the landscaped set-back and wood fence referred to in condition 8 above have been provided.

II. That because the area being downzoned to "R1-5" greatly exceeds any area being re-zoned to "C2", it is recommended that the standard ten percent dedication for the "C2" rezoning be waived in this instance.

III. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings when the Zoning Agreement and the Servicing Agreement under File DASSF 599/90 have been executed.

IV. 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.

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

VII. That in the event this application is not proceeded with expeditiously and the By-law is not enacted within 24 months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 261, 262 and 263 for attachments.)

Report of the Committee on Planning and Community Services dated November 26th, 1990.

REZONING - 758, 766 & 770 McDermot Avenue City Centre-Fort Rouge Community.
File No. DAZ 256/90.

256 - 6. Your Committee on Planning and Community Services has been advised that an application has been received from the University of Manitoba, to amend By-law No. 16502 by rezoning the land commonly known as 758, 766 and 770 McDermot Avenue from an "R2" Two-Family District to a "C2" Commercial District to allow for the establishment of professional offices.

The University of Manitoba Faculty of Dentistry and Medicine lies on lands to the north.

There is a three storey apartment building located at the south-west corner of Emily Street and McDermot Avenue to the east. Immediately to the west of the apartment and east of the subject property known at 758 McDermot Avenue, is a single family dwelling. The India Gardens Restaurant is located between 758 and 766 McDermot Avenue. All are zoned "R2" Two-Family Districts.

To the west, there are single family dwellings zoned "R2". A sixteen foot wide public lane lies to the south of the subject site. To the south of the lane is a parking structure serving the Health Sciences Centre Complex.

The applicant has indicated that the present plans for the properties in question are to convert the existing dwellings for offices and/or storage purposes for uses associated with the Faculty of Dentistry or Medicine. The applicant indicates that the long term plan is to redevelop the lands for office purposes and/or parking when further properties in the block are acquired.

The subject property is within the boundaries of the Health Sciences Centre precinct bounded by Notre Dame Avenue, Tecumseh Street, and the north side of William Avenue. Within this area, the Planning Department considers development of lands for hospital and university expansion purposes acceptable, so long as it is done in an orderly and contiguous fashion and in such a manner as to minimize any adverse impact on remaining residential lands within this precinct.

The Planning Department considers use of the existing residential structures on the subject lands for office and storage purposes as acceptable, but is concerned that demolition of these structures should not occur until re-development plans are imminent and that re-development should not occur until substantial contiguous property ownership is achieved.

It is therefore recommended that this rezoning be subject to the standard zoning agreement covering other lands within the Health Sciences Centre precinct with additional clauses to ensure that the existing structures are maintained at this time in order to protect the residential character of this block.

A Public Meeting was held before the City Centre-Fort Rouge Community Committee on October 30th, 1990. Ms

Bev Sawicki, Room 202 Administration Building, The University of Manitoba, Winnipeg, R3T 2N3 appeared in support of the application.

Mr. James Aird, Chairman, Resident Advisory Group, 103 - 86 Young Street, Winnipeg, R3C 1Y6 appeared in opposition thereto.

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

1. The subject property is within the boundaries of the Health Sciences Centre precinct bounded by Notre Dame Avenue, Tecumseh Street and the north side of William Avenue.

2. Within this area development of lands for hospital and university expansion purposes is considered acceptable, so long as it is done in an orderly and contiguous fashion and in such a manner as to minimize any adverse impact on remaining residential lands within this precinct.

Report of the Committee on Planning and Community Services dated November 26th, 1990.

3. Use of the existing residential structures on the subject lands for office and storage purposes is acceptable.

4. Demolition of the subject structures should not occur until re-development plans are imminent and any re-development should not occur until substantial contiguous property ownership is achieved.

5. Enactment of a standard zoning agreement similar to that covering other lands within the Health Sciences Centre precinct, with additional clauses to ensure that the existing structures are maintained at this time, will ensure the protection of the residential character of this block.

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 256/90, attached hereto and dated November 9th, 1990, to a "C2" Commercial District subject to the following:

A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 605(1) of The City of Winnipeg Act to provide for the following:

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

1. Hospitals, medical or dental clinics and laboratories.

2. Institution of an educational and philanthropic nature, except those of a correctional nature.

3. Kindergartens or day nurseries.

4. Multiple dwellings, subject to the "R3" Multiple-Family District Regulations.

5. University, college or school, not conducted as a business enterprise.
6. Accessory uses when located on the same lot.
7. Accessory off-street parking and loading areas or structures.

8. Any of the following incidental businesses, conducted as a service, provided that there is no entrance to such place of business except from the interior of the building and that no sign advertising such businesses shall be erected on the exterior of the building:

a. bank
b. barber shop or beauty salon
c. confectionery store
d. drug store
e. florist or gift shop
f. laundry, clothes cleaning or pressing establishment
g. news stand
h. offices, business or professional
i. optician
j. postal sub-station of the Government of Canada
k. restaurant, without dancing or entertainment
l. book or stationery store.

9. Any additional retail store or retail business, subject to the approval of the City Centre-Fort Rouge Community Committee.

Report of the Committee on Planning and Community Services dated November 26th, 1990.

10. That no building or structure or parking lot shall be erected or located on the land and no building permit issued for construction on the land unless and until plans including the design and location of the proposed buildings or structures, accessory parking areas, fencing and landscaping are submitted to and approved by the Commissioner of Planning and Community Services of the City and thereafter identified by the signature of that Commissioner under the designation "Schedule 'A' to Zoning Agreement DAZ 256/90", and no buildings or structures shall be erected or located on the land except in accordance with that Schedule "A" to this agreement.

11. That no demolition permits be issued for any of the three existing dwelling structures located on the subject lands unless otherwise approved by the City Centre-Fort Rouge Community Committee.

12. That a ten percent 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 the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings when the Zoning Agreement has been executed.

III. That the rezoning by-law shall become effective when the Zoning Agreement has been registered as a caveat with first charge against the subject land at the Winnipeg Land Titles Office.

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

V. That in the event this application is not proceeded with expeditiously and the By-law is not enacted within 18 months after adoption of this report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time.

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 Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute No. 264 for attachment.)

REZONING - 999 Fife Street -
Lord Selkirk-West Kildonan Community
File DAZ 258/90.

257 - 7. Your Committee on Planning and Community Services has been advised that an application has been received from Sid's Complete Car Care Services, 999 Fife Street, Winnipeg, to amend By-law No. 4450/86 by rezoning the land commonly known as 999 Fife Street from an "R1-4" Single-Family District to an "MP-2" Industrial Park District to allow for the establishment of a parking/compound area.

All of the lands to the north and south projecting east from the midway point in the Hydro Right-of-Way are zoned "R1-4" Residential. The lands west of the midway point in the Right-of-Way are zoned "MP-2" Industrial Park. The properties to the west of the Transmission Line are occupied by a range of industrial warehouses and businesses. Properties to the east are owned and occupied by residential homeowners.

Properties directly to the east are zoned "R1-4" Single-Family lots and occupied with single-family dwellings.

The entire Fife Street frontage between Redwood Avenue and Boyd Avenue is occupied by a vehicle repair business - Sid's Complete Car Care Service.

In August, 1989, the Lord Selkirk-West Kildonan Community Committee approved an application by Mr. S. Minuk to vary the "MP-2" district regulations of By-law No. 4450 to permit the maintenance of an automobile storage compound at the rear of Sid's Complete Car Care Centre. The area in question fell within a portion of the Hydro Right-of-Way being leased by Mr. Minuk. The application had been the centre of a controversy which had been ongoing for some

months. On the one side of the dispute were the homeowners living in the residential area to the east who were unanimously opposed to any expansion of the businesses along Fife Street.

On the other side was Mr. Minuk who argued successfully that the narrowness of his existing site and the success of his business warranted some consideration for increasing the size of his existing compound area. The Community Committee and the administration were finally able to agree upon a compromise solution which essentially allowed for a 75 foot wide storage area with limited access and provision for extensive landscaping/fencing etc. to be provided for and maintained by the applicant. The 75 foot wide storage area corresponded first with the width of the "MP-2" Industrial Zoning Area and second with the mid-way point of the Hydro Right-of-Way. The eleven conditions attached to the variance were also regarded as general guidelines for the use of the subject Hydro Right-of-Way in the broader context. With that in mind, the same set of conditions had been applied to a similar variance request by a neighbouring business - Midwest Material Handling.

Mr. Minuk subsequently concurred with the conditions established by Community Committee. However, the neighbouring resident's group appealed the decision.

At the Variance Appeal Committee hearing on October 19th, 1989, the Appeal Committee upheld the decision of the Community Committee with a single modification to one of the conditions, i.e. access to any prospective compound would not be restricted outright to Fife Street. Alternative accesses might be approved subject to the approval of the Streets and Transportation Department.

In June, 1990, Mr. Minuk constructed his compound enclosure (chain link fence) but it exceeded the maximum 75 feet stipulated in the variance order and encroached well into that part of the Hydro Right-of-Way zoned "R1-4" Single-Family District. It should be noted that, in the interim, Mr. Minuk had expanded the area of his lease within the Hydro-Right-of-Way practically all the way east to the residential property lines.

On June 25th, 1990, the Acting Zoning Administrator informed Mr. Minuk that the newly constructed fence defining the area of the storage compound area, was neither a permitted use in the "R1-4" Residentially-zoned area or in compliance with the explicit instructions of Variance Order No. DAV 957A/88.

It was suggested by the Zoning Enforcement Branch that Mr. Minuk either seek to legitimize the existing structure through the rezoning process or be prepared to face prosecution. It should be noted at this point that the City's Legal Department is satisfied that while Manitoba Hydro is not subject to City zoning by-laws, tenants of Manitoba Hydro have no such immunity. The immunity of Manitoba Hydro does not run with its land for the benefit of tenants. Manitoba Hydro has been so notified of the City's position in this regard.

Mr. Minuk continues to utilize the bulk of the enclosed storage compound area and has made application (with the authorization of Manitoba Hydro) to rezone the subject Hydro Right-of-Way lands to an "MP-2" Industrial Park District to permit said storage area.

The Department of Environmental Planning is strongly opposed to the proposed rezoning of the lands in question to an Industrial category, for the reasons hereinafter stated by the Lord Selkirk-West Kildonan Community Committee.

A Public Meeting was held before the Lord Selkirk-West Kildonan Community Committee on October 23rd, 1990.

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

Mr. Sid Minuk, Sid's Complete Car Care Centre, 999 Fife Street, Winnipeg, R2X 2T5
Rickie Minuk, Sid's Complete Car Care Centre, 999 Fife Street, Winnipeg, R2X 2T5
Mr. James Allan Derkson, Manitoba Hydro, P.O. Box 815, Winnipeg, R3C 2P4

The following persons appeared in opposition to the application:-

Mr. Peter Small, 1255 Redwood Avenue, Winnipeg, R2X 0Y7,
Mr. Walter Hewak, 1279 Redwood Avenue, Winnipeg, R2X 0Y7,
Mr. Gerald Bilenky, 42 Madrigal Close, Winnipeg, R2P 0H8.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed zoning change amendment be not proceeded with, for the following reasons:-

1. Expansion of the existing industrial area is not warranted. The original concession on the part of the Community Committee allowing for the controlled use of the most westerly 75 feet of the Hydro Right-of-Way was in the Community Committee's view, an infinitely fair solution to the problem. Mr. Minuk was granted the right to store vehicles at the rear of his property (subject to conditions) and a satisfactory buffer area was to be sustained between the adjacent residences and the enclosed compound area.

2. Endorsement of the subject rezoning would be precedent setting and would encourage continued efforts to rezone the remaining Transmission properties to the north and south to an Industrial Park District category. The Community Committee, by approving Mr. Minuk's request, would be hard pressed not to support similar applications made by any of the existing businesses along Fife Street.

3. Expansion of the industrial/commercial operations along Fife Street into the east half of the existing Hydro Right-of-Way would, to some degree, have an adverse effect on the adjacent residential neighbourhood. In this particular situation, the Department of Environmental Planning takes the position that the rights of the neighbouring property owners must be given first consideration. Especially when the Department of Environmental Planning is satisfied that the applicant's needs for expansion were considered fairly and met through Variance Order DAV 957A/88.

4. Finally, the businesses which have been established along Fife Street have been generally aware from the outset of the obvious constraints on development and expansion. It is not incumbent upon the City to convert existing natural buffer areas such as the entire Hydro Right-of-Way simply to facilitate industrial expansion or rectify a problem which was not of the City's making. It is the responsibility of the businesses operating along Fife Street to select alternate sites either in or outside of the Industrial Park area when it becomes obvious that their spatial requirements exceed that which is obviously available.

Your Committee on Planning and Community Services concurs in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends that the proposed zoning change to amend Zoning By-Law No. 4450/86 by rezoning land under File DAZ 258/90 from an "R1-4" Single-Family District to an "MP-2" Industrial Park District, be not proceeded with.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

SUBDIVISION AND REZONING - East side Tache Avenue between the public lane north of Goulet Street and the public lane south of Dollard Boulevard, St. Boniface-St. Vital Community.
File No. DASZ 15/90 & DAC 19/90.

258 - 8. Your Committee on Planning and Community Services has been advised that an application has been received from D. S. Lea Consultants Ltd., 111 - 93 Lombard Avenue, Winnipeg, on behalf of the St. Boniface General Hospital for approval of a plan of subdivision and related zoning change to The St. Boniface Town Planning Scheme 1957, by rezoning lands within the proposed plan from an "R2-T" Two-Family Transitional District to a "C2" Commercial District for hospital development (expansion) and to close streets and lanes to establish separate traffic circulation systems for the hospital and for the existing neighbourhood.

Land Acquisition by the St. Boniface General Hospital east of Tache Avenue, has destabilized the neighbourhood in which acquisition was carried out. No limits were identified for hospital expansion, and acquisitions were not contiguous.

Where hospital expansion will be accommodated it is essential that limits of a Medical Precinct be identified. These limits are intended to provide assurance to adjacent residents that:

firstly, land acquisition and proposals for redevelopment by the hospital will be restricted to that Precinct, so that a measure of stability is afforded to the neighbourhood;

secondly, land acquisition and proposals for redevelopment by any other developer of uses associated with the hospital will be restricted to that Precinct, which implies that your Committee on Planning and Community Services will not recommend the development of doctors offices, clinics, parking areas, and the like, beyond the limits of the identified Precinct;

thirdly, the adjacent neighbourhood will be protected from uses associated with the hospital (any medical uses) beyond the limits of the Precinct, but that dwellings within the identified Precinct cannot reasonably be offered the protection and amenities of a residential neighbourhood.

Identification of a Medical Precinct implies that, upon acquisition of land within the Precinct by the hospital, the rezoning of such land for expansion will be considered to be logical and consistent.

The definition of a Medical Precinct for the St. Boniface General Hospital east of Tache Avenue is based upon the limit of acquisition to date. In order to separate residential and hospital traffic systems, it is proposed that portions of Bertrand and Thomas Berry Streets be closed, and that a new street be opened connecting those streets to create a residential "bay". This implies that no additional acquisition will take place to the east of the alignment of the west limit of that new street.

Between Tache Avenue and the alignment of the west limit of the new street, there can be little or no protection offered to residents in respect of the maintenance of residential character.

The "site" proposed for expansion represents lands acquired by the hospital within the Central St. Boniface Neighbourhood, and zoned "R2-
T". Lands between Tache Avenue and the public lane to the east are already zoned "C2" or "C2-B", and can be used for buildings or parking as a part of redevelopment.

The proposed zoning change would affect lands east of that public lane, to the north/south alignment of the proposed new street connecting Bertrand and Thomas Berry Streets. The associated street and lane closings would consolidate a single land-holding by the St. Boniface General Hospital.

The proposed closings of streets and lanes were circularized to various utilities and City Departments, and no objections to the proposal were received.

Both utilities and the City will require that services in these streets be protected by easements, unless and until such services are relocated, at the developer's expense.

The construction of a turnaround for the public lane north of Goulet Street and the construction of a turnaround for the public lane south of Dollard Boulevard are considered to be necessary conditions to the closings.

The Fire Department and District No. 5 Operations have recommended that all vacant buildings be demolished before the streets are physically closed, and various Departments have recommended that the new connection between Bertrand Street and Thomas Berry Street be paved before the streets and lanes are physically closed.

The objective of the street and lane closings is not merely the consolidation of a hospital site, but far more important, the physical separation of hospital traffic and local residential streets and lanes. Therefore, it is essential that the closings be accompanied by fencing to prevent any vehicular access whatsoever from the hospital site to Bertrand and Thomas Berry Streets, and to lanes which serve the residential neighbourhood.

This proposal is recommended only because the St. Boniface General Hospital has acquired lands zoned "C2" and "C2-B" east of Tache Avenue, which now can be used for expansion of the hospital; and, because identification of a Medical Precinct and establishment of conditions in a Zoning Agreement affecting all lands owned by the hospital east of Tache Avenue, can prevent the destabilization of the residential neighbourhood which would result from additional acquisition.

The concept proposed is founded upon the separation of hospital and residential traffic systems, and the absolute demarcation of the easterly limit of hospital expansion at the westerly limit of the proposed new street and its production north and south. Although the City cannot prevent acquisition to the east of this line by the hospital, or by others proposing related uses, any approval of non-residential uses to the east of this line would vitiate the development concept intended to protect the integral neighbourhood.

There are obvious benefits to adjacent residents if Bertrand and Thomas Berry Streets (and associated lanes) are closed east of Tache Avenue and if those streets are then connected farther east to establish separate traffic systems. No expansion east of Tache Avenue should be permitted until these changes to the street system are effected. It is totally inappropriate that hospital traffic use either Bertrand Street or Thomas Berry Street for access or parking. The consolidated site should be physically separated from any street or public lane serving the neighbourhood before any parking area is allowed on the land.

Proposed Lot 2 (Lot 68, and Part Lot 69, Plan 692) should not be rezoned unless and until the intervening lands are acquired and Thomas Berry Street is closed to the east limit of Lot 68.

Approval of this consolidation and rezoning should result in limits on the use and height of all hospital buildings east of Tache Avenue, to ensure compatibility with adjacent housing.

A public meeting was held before the St. Boniface-St. Vital Community Committee on October 9th, 1990.

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

Mr. Ross Mitchell, D. S. Lea Consultants Ltd., 111 - 93 Lombard Avenue, Winnipeg, R3B 3B1
Mr. Jack Litvack, Executive Vice President, St. Boniface General Hospital, 409 Tache Avenue, Winnipeg, R2H 2A6
Mrs. M. G. Fritz-Lonergan, 293 Provencher Boulevard, Winnipeg, R2H 0G6, on behalf of the Association des Residents du Vieux St. Boniface.
Mr. Sam Scaletta, 166 Thomas Berry Street, Winnipeg, R2H 0P7
Mrs. Janet Sabourin-Gatin, 436 rue Jeanne D'Arc, Winnipeg, R2H 2G5
Mr. Gilbert Michaud, 447 rue Jeanne D'Arc, Winnipeg, R2H 2G4
Mr. Ken Samuda, 430 rue Jeanne D'Arc, Winnipeg, R2H 2G5
Mr. Ernest Wehrle, 1100 One CDA Centre, 447 Portage Avenue, Winnipeg, R3B 3H5, on behalf of St. Boniface General Hospital.
Mr. Scott Ingram, 701 - 400 Tache Avenue, Winnipeg, R2H 3C3, on behalf of St. Boniface General Hospital.
Mr. Richard Tebinka, 111 - 93 Lombard Avenue, Winnipeg, R3B 3B1, on behalf of D.S. Lea Consultants Ltd.
Mr. Gerald Besyk, 216 - 819 Sargent Avenue, Winnipeg, R3E 0B9, on behalf of Manitoba Association of Health Care Professionals.
Mr. Jerry and Mrs. Doris Kondi, 214 Thomas Berry Street, Winnipeg, R2H 0R1
Mr. R. Dufresne, 216 Thomas Berry Street, Winnipeg, R2H 0R1
Mr. Etienne Aubry, 8 - 207 rue Masson, Winnipeg, R2H 0H3
Mr. Real Cloutier, c/o 409 Tache Avenue, Winnipeg, R2H 2A6, on behalf of St. Boniface General Hospital.

The following persons appeared in opposition to the applications:-

Mr. Lyle M. Smordin, 805 - 386 Broadway, Winnipeg, R3C 3T5, on behalf of Co-op Life Insurance and 90113 Canada Ltd.
Ms. Jackie Dykeman, L - 156 Thomas Berry Street, Winnipeg, R2H 0P7
Mr. Jason Northridge, M - 156 Thomas Berry Street, Winnipeg, R2H 0P7.

The St. Boniface-St. Vital Community Committee recommended that the proposed subdivision and rezoning and street and lane closings be approved subject to a number of conditions, all of which have been incorporated within the following recommendations.

Your Committee on Planning and Community Services concurred in the recommendations of the St. Boniface-St. Vital Community Committee under File DAC 19/90 and approved as to planning details the proposed street and lane closings shown hatched on Schedule "A" attached hereto and dated November 15th, 1990, subject to the owners of Lots 7, 8, 9 & 10, Plan 737, fronting on Dollard Boulevard to the east of the north/south lane east of Tache Avenue between Bertrand Street and Dollard Boulevard, being given first right of refusal to acquire the east/west lane proposed to be closed to the south of their property.

Your Committee on Planning and Community Services concurs in the recommendations of the St. Boniface-St. Vital Community Committee under File DASZ 15/90 and recommends:

I. That the plan of subdivision proposed under File No. DASZ 15/90 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" attached hereto and dated November 15th, 1990, for registration in the Winnipeg Land Titles Office subject to the following:-

A. That the said plan of subdivision is amended as follows:

1. That the north/south lane intersecting with Dollard Boulevard be eliminated;

2. That a turnaround be provided/dedicated at the westerly limit of the east/west public lane between Dollard Boulevard and Bertrand Street.

B. That the applicant enter into a development agreement with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group dated September 25th, 1990, attached hereto as Schedule "C".

II. That the proposed new street be named "Bertrand Street" to avoid confusion which would be caused by the introduction of a new name.

III. That the Director of Environmental Planning and the Director of Land Surveys and Real Estate be authorized to certify any documents in connection herewith.

IV. That the City Solicitor be requested to prepare the necessary Subdivision by-law upon submission by the applicant of a sworn plan of subdivision in accordance with Recommendation I. above.

V. That the St. Boniface Town Planning Scheme 1957 be amended by rezoning the subject land as shown on Schedule "B" attached hereto and dated November 15th, 1990, excepting Lot 2, to a "C2" Commercial District (the applicant at the Public Meeting withdrew the zoning change in respect of Lot 2); subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 605(1) of The City of Winnipeg Act to apply to all of proposed Lot 1, to provide for the following:-

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

   a. hospital;
   b. accessory uses, not including any parking structure;

2. that no building or structure, parking area, fencing, landscaping or sign be erected or located on the land except in accordance with plans approved by the St. Boniface-St. Vital Community Committee and the Commissioner of Planning and Community Services;

3. that no building or structure on the land exceed the height limit defined by the slope: from 25 feet above grade at the easterly limit of the proposed new street (and its productions north and south) increasing 10 feet above grade for each seventy-five feet in horizontal distance to the west from that limit and its production;

4. That a landscaped set-back be provided and maintained to any building, structure (other than a fence), parking or loading area, or refuse storage facility not less than 25 feet in depth from the easterly limit of the "C2" District;

5. That an opaque wood fence, 4 feet in height, be established and maintained:

   on the east limit of the land;

   on the north limit of the land, to the east of the north-south public lane lying east of Tache Avenue;

   on all limits of the land which abut public rights-of-way except Tache Avenue and the north-south public lane lying east of Tache Avenue;

6. that no vehicular ingress to or egress from the land be located on any public right-of-way which intersects with Kenny Street;

7. that a 10% 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.

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

VII. That the subdivision/rezoning by-law(s) shall become effective when the plan of subdivision has been registered in the Winnipeg Land Titles Office and the development agreement has been executed, except that the rezoning of the lands affected by the zoning agreement shall not come into force and effect until the zoning agreement has been filed by caveat as a first charge at the Winnipeg Land Titles Office against said lands.

VIII. That the street and lane closing by-law(s), and transfers of closed streets and lanes, be registered in the Winnipeg Land Titles Office in series with the plan of subdivision under DASZ 15/90.

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

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

XI. 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.

For the record, the following Policy statement was adopted by the St. Boniface-St. Vital Community Committee, namely:

> That the boundary of the Medical Precinct be established as the Easterly limit of the Medical Precinct for the St. Boniface General Hospital and related uses, legally described as: "The east limit of Lot 65, Plan 737; the east limit of Lot 13 and Lot 68, Plan 692 and the production north and south of that line excepting 156 Thomas Berry Street".

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 265, 266 and 267 for attachments.)

SUBDIVISION AND REZONING - Extension of Scurfield Boulevard and Invermere Street, south of Sigma Avenue and west of Post Street - Assiniboine Park Fort Garry Community. File DASZ 18/90.

259 - 9. Your Committee on Planning and Community Services has been advised that an application has been received from Cairns Developers (a Division of Carma Developers Ltd.) 153 Scurfield Boulevard, Winnipeg, for approval of a plan of subdivision and related amendment to By-law No. 1800 by rezoning the lands located at Scurfield Boulevard and Invermere Street, south of Sigma Avenue and west of Post Street from an "A" Agricultural District to an "R1-4" Single-Family District for the purpose of establishing approximately 146 single family building lots on the submitted street pattern.

The proposed plan of subdivision represents a further expansion of the Cairn's Whyte Ridge residential development area.

The proposed plan indicates an inter-community connection via the extension of Scurfield Boulevard northward, along with a connection to Invermere Street. The subdivision would yield approximately 146 single family building lots to be zoned "R1-4" Single Family District.

The majority of the land concerned is owned by the City of Winnipeg, with the exception of two small holdings already owned by Cairns. Cairns have entered into an option to purchase the subject land from the City. The street and lane rights-of-way that fall within the subdivision plan area are in the process of being closed under File DAC 9/90. The closings were recommended for approval by the Assiniboine Park-Fort Garry Community Committee on July 31st, 1990 and by your Committee on Planning and Community Services on September 10th, 1990.

The subject application has been circulated to the usual administrative agencies for comment and reviewed by the Administrative Co-ordinating Group. The plan is consistent with the concept plan for this area and there were no objections to the subdivision. The following comments, however, should be noted.

The Parks and Recreation Department has recommended that the developer provide a cash payment in lieu of land dedication and park landscaping and services. It is their position that the area is adequately served by parks already provided within the Whyte Ridge Area.

Also, in order to provide for two means of vehicular access within the subdivision and to accommodate watermain looping; a temporary street connection and a watermain located on two back-to-back lots between Leander Crescent and Invermere Street is required.

A public meeting was held before the Assiniboine Park-Fort Garry Community Committee on October 23rd, 1990.

The following persons appeared in support of the application:

> Mr. James Gallagher, Cairns Developers, 153 Scurfield Boulevard, Winnipeg, R3Y 1L6
> Mr. Richard McMillan, Whyte Ridge Residents' Association, 75 Pincarrow Road, Winnipeg, R3Y 1E6.

No one appeared in opposition thereto.

The Assiniboine Park-Fort Garry Community Committee recommended that the proposed subdivision/rezoning be

approved for the following supporting reasons:-

1. This is infill development and the planned continuation for the residential subdivision of Whyte Ridge.

2. The Whyte Ridge Residents' Association has indicated their support for this application.

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

I. That the plan of subdivision proposed under File No. DASZ 18/90 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 18/90 attached hereto and dated November 9th, 1990, for registration in the Winnipeg Land Titles Office subject to:- A. The applicant entering into a development agreement with the City according to the draft terms of which are set forth within Schedule "B" for File DASZ 18/90 attached hereto and dated October 11th, 1990.

II. That the Director of Environmental Planning and the Director of Land Surveys and Real Estate be authorized to certify any documents in connection herewith.

III. That the City Solicitor be requested to prepare the necessary subdivision by-law upon submission by the applicant of a sworn plan of subdivision in accordance with Recommendation I. above.

IV. That By-law No. 1800 be amended by rezoning the subject land as shown on Schedule "A" for File No. DASZ 18/90 attached hereto and dated November 9th, 1990 to a "R1-4" Single-Family District.

V. That the City Solicitor be requested to prepare the necessary subdivision/rezoning by-law in accordance with the above.

VI. That the subdivision/rezoning by-law shall become effective when the plan of subdivision has been registered in the Winnipeg Land Titles Office and the Development Agreement has been executed. VII. That the Proper Officers of the City be authorized to execute all necessary agreements.

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

IX. 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.

Moved by Councillor Gilroy,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 268 and 269 for attachments.)

260 – Schedule "A" referred to in Clause 4 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGES 255-265 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

261 – Schedule “A” referred to in Clause 5 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGE 266 FOR OFFICIAL SET OF MINUTES FOR ATTACHMEN)

262 – Schedule “B” referred to in Clause 5 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGES 267-269 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

263 – Schedule "C" referred to in Clause 5 of the Report of the Committee on Planning and Community Services, November 26th, 1990.

(SEE PAGE 263 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

264 – Schedule "A" referred to in Clause 6 of the Report of the Committee on Planning and Community Service, dated November 26th, 1990.

(SEE PAGE 271 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

265 - Schedule “A” referred to in Clause 8 of the Report of the Committee on Planning and Community Service, dated November 26th, 1990.

(SEE PAGE 272 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

266 - Schedule “B” referred to in Clause 3 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGE 273FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

267 – Schedule “C” referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGES 274 - 276 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

268 – Schedule “A” referred to in Clause 9 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGE 277 FOROFFICIAL SET OF MINUTES FOR ATTACHMENT)

269 – Schedule “B” referred to in Clause 9 of the Report of the Committee on Planning and Community Services, dated November 26th, 1990.

(SEE PAGES 269 – 270 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor Lazarenko,
Seconded by Councillor Young,

270 - WHEREAS pursuant to Section 6 of By-law No. 4444/86:-

(1) There shall be established a Variance, Conditional Use and License Appeal Committee, being the Designated Committee under Section 625(11) and Section 627(6) of The City of Winnipeg Act as well as the License Appeal Committee referred to in Section 4(10) of the License By-law No. 4007/85, respectively, for the purposes of hearing and determining appeals against:

(a) Orders made by the Community Committees on applications for variances and conditional uses, and

(b) Orders made by Community Committees on applications for licenses.

(2) The Variance, Conditional Use and License Appeal Committee shall take the form of four separate panels, one for each three month period of the year. Each panel shall be comprised of the Mayor, or the Deputy Mayor as his alternate, and six other members, one from each of the Community Committees, and shall continue as the Variance, Conditional Use and License Appeal Committee until it is succeeded by a panel for the next three months.

(3) Where a member of a panel, other than the Mayor or the Deputy Mayor, for any reason is not in attendance at a meeting of the Variance, Conditional Use and License Appeal Committee, a member of Council may act as an alternate for that member provided both these members are from the same Community Committee.

AND WHEREAS the three month term of office for the current members of the said Committee expires on December 31st, 1990;

THEREFORE BE IT RESOLVED that the following appointments be made to the Variance, Conditional Use and License Appeal Committee for the year 1991 in accordance with the provisions of By-law No. 4444/86, namely:-

1991 Variance, Conditional Use and License Appeal Committee

January to March

Councillor Diamant,
Councillor Wade,
Councillor Boychuk,
Councillor Prystanski,
Councillor Demare,
Councillor Eadie,
His Worship Mayor Norrie.

April to June

Councillor Young,
Councillor Yuen,
Councillor Mitchelson,
Councillor Mendelson,
Councillor Selinger,
Councillor Douglas,
His Worship Mayor Norrie.

July to September

Councillor Fleisher,
Councillor Murray,
Councillor Duguid,
Councillor Lazarenko,
Councillor Golden,
Councillor Douglas,
His Worship Mayor Norrie.

October to December

Councillor Clement,
Councillor Timmers,
Councillor Timm-Rudolph,
Councillor O'Shaughnessy,
Councillor Kaufmann,
Councillor Fraser,
His Worship Mayor Norrie.

Carried.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

CONSIDERATION OF BY-LAW

271 - On motion of Councillor Gilroy, 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. 5572/90, a By-law of the City of Winnipeg to change the names of certain highways in the City of Winnipeg. File No. SC-3.14(24).

By-law No. 5573/90, a By-law of the City of Winnipeg to change the names of certain highways in the City of Winnipeg. File No. SC-3.14(21).

By-law No. 5574/90, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change in the East Kildonan-Transcona Community. File No. DAZ 246/89.

By-law No. 5575/90, a By-law of the City of Winnipeg to amend Zoning By-law No. 1800 for the enactment of a zoning change in the Assiniboine Park-Fort Garry Community. File No. DAZ 274/89.

By-law No. 5576/90, a By-law of the City of Winnipeg to amend Zoning By-law No. 4440/86 for the enactment of a zoning change in the East Kildonan-Transcona Community. File No. DAZ 208/90.

By-law No. 5577/90, a By-law of the City of Winnipeg to amend The Springfield Town Planning Scheme 1959 for the enactment of a zoning change in the Rural Municipality of Springfield. File No. DAZ 268/89.

By-law No. 5578/90, a By-law of the City of Winnipeg to approve a Plan of Subdivision and to amend Zoning By-law No. 1800 for the enactment of a zoning change in the Assiniboine Park-Fort Garry Community. File No. DASZ 1/89.

By-law No. 5579/90, a By-law of the City of Winnipeg to amend The Springfield Town Planning Scheme 1959 for the enactment of a zoning change in the Rural Municipality of Springfield. File No. DAZ 218/88.

By-law No. 5580/90, a By-law of the City of Winnipeg to amend Zoning By-law No. 4450/86 for the enactment of a zoning change in the Lord Selkirk-West Kildonan Community. File No. DAZ 250/90.

By-law No. 5581/90, a By-law of the City of Winnipeg to amend Zoning By-law No. 4450/86 for the enactment of a zoning change in the Lord Selkirk-West Kildonan Community. File No. DAZ 254/90.

On motion of Councillor Gilroy, 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. 5584/90, a By-law of The City of Winnipeg to amend Zoning By-law No. 4450/86 for the enactment of a zoning change in the Lord Selkirk-West Kildonan Community. File No. DAZ 278/86 (c/r DASSF 219/86).

By-law No. 5585/90, a By-law of The City of Winnipeg to amend The St. Vital Town Planning Scheme 1951 for the enactment of a zoning change in the St. Boniface-St. Vital Community. File No. DAZ 241/90 (c/r DASSF 608/90).