**Agenda – Council – February 27, 2013**

**Report – Standing Policy Committee on Property and Development – February 19, 2013**

**Item No. 12 Encroachment Agreement – 1585 Henderson Highway**

STANDING COMMITTEE RECOMMENDATION:

On February 22, 2013, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submits the following to Council:

1. That the use as described in the Ukelish Enterprises Ltd. (d.b.a. Douglas Auto) Encroachment Agreement be changed to read "The Subject Property shall only be used as an automobile repair station and a retail sales site for up to six passenger motor vehicles and up to two recreational motor vehicles at any given time".

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

**Report – Standing Policy Committee on Property and Development – February 19, 2013**

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On February 22, 2013, the Executive Policy Committee concurred in the recommendations of the Standing Policy Committee on Property and Development and the East Kildonan-Transcona Community Committee, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On February 19, 2013, the Standing Policy Committee on Property and Development concurred in the recommendation of the East Kildonan-Transcona Community Committee and submitted the matter to the Executive Policy Committee and Council.

COMMUNITY COMMITTEE RECOMMENDATION:

On January 22, 2013, the East Kildonan-Transcona Community Committee passed the following motion, namely:

WHEREAS Ukelish Enterprises Ltd. (d.b.a. Douglas Auto) has been a long-standing business in the North Kildonan Community located in the Chief Peguis Trail Public Right of Way;

AND WHEREAS the business has at times sold a small number of cars or recreational vehicles without causing any duress to the surrounding community;

AND WHEREAS the City has recently started to enforce a clause in the Encroachment Agreement which restricts activities on the site to an "automobile repair station only";

AND WHEREAS Ukelish Enterprises Ltd. Saw a large increase in fees for the encroachment agreement charged by the City of Winnipeg effective July 1, 2011;

THEREFORE BE IT RESOLVED THAT the use as described in the Ukelish Enterprises Ltd. (d.b.a. Douglas Auto) encroachment agreement be changed to read "The Subject Property shall only be used as an automobile repair station and a retail sales site for up to six passenger motor vehicles and up to two recreational motor vehicles at any given time",

and forwarded to the Standing Policy Committee on Property and Development.