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 January 7th, 1991, has concurred in the recommendations contained therein, except as noted below, and submits same to Council for approval and adoption.

On motion of Councillor O'Shaughnessy, the Report of the Committee on Planning and Community Services, dated January 7th, 1991, was considered clause by clause.

West Committee Room,
Council Building,
Winnipeg, January 7th, 1991.

His Worship the Mayor & Councillors:

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

Lease Agreement with the Mid-Canada Boat Show for Harbourmaster Exhibit
File E-5.1.

346 - 1. Your Committee on Planning and Community Services has been advised that the Riverbank Management Committee at its meeting held on December 13th, 1990, considered an invoice received from Mid-Canada Boat Show in the amount of $481.50 for leasing space at the Mid-Canada Boat Show to be held at the Winnipeg Convention Centre from February 27th to March 3rd, 1991, to accommodate the Harbourmaster's Exhibits, and displays by the City of Winnipeg with respect to Rivers and Streams management.

The Riverbank Management Committee instructed that the cost of leasing space at the Mid-Canada Boat Show in the total amount of $481.50 be authorized for payment from Account Number 01-229804-001008, and authorized the Clerk to pay the total amount of $481.50 from the said account.

The Riverbank Management Committee referred the agreement to your Committee on Planning and Community Services with a recommendation for favourable consideration.

Your Committee on Planning and Community Services concurs in the recommendation of the Riverbank Management Committee and recommends:

I. Approval of the lease agreement for the participation of the City as an exhibitor in the Mid-Canada Boat Show at the Winnipeg Convention Centre to be held from February 27th to March 3rd, 1991.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the above recommendation including the execution of said agreement.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

Amendment to By-law No. 3541/83 to regulate Non-Smoking Areas in Restaurants
File EH-1.2.

347 - 2. By-law No. 3541/83 being a By-law of the City of Winnipeg to regulate smoking in Public Places was passed by Council on September 28th, 1983. The said By-law was heralded as one of the first of its kind in Canada and was a large step forward in the protection of the health of the public. Since that time other governments have enacted similar pieces of legislation and/or by-laws. Most recently Bill 16 was passed in the Manitoba Legislature, which is an Act to Protect the Health of Non- Smokers.

On September 12th, 1990, your Committee on Planning and Community Services considered a communication from Mr. J. Perry, 46 Dahlia Avenue requesting amendments to the aforementioned By-law.

Bill 16, an Act to Protect the Health of Non-Smokers comes into effect on April 1st, 1991. Section 3(2) of the Act states in part: "The size of any smoking area designated under section (1) for a restaurant whether or not the restaurant is a licensed premises, shall not exceed 50% of the total seating."

In addition to the 50% stipulation Bill 16 does not exclude restaurants with 30 seats or less. In keeping with section 6 of this same legislation, a municipality may enact a by-law to limit or ban smoking in any enclosed public space but the provisions of the By-law cease to have effect unless they are more restrictive or extensive than the provisions of the Act. Section 10 of By-law No. 3541/83 will cease to have effect as of April 1st, 1991 as it is less restrictive than Bill 16.

Upgrading of Section 10 will allow By-law 3541/83 to remain in effect, allowing administration time to consult with industry on increasing no smoking areas beyond 50%. From past experience, it is evident that air exchange mechanisms in most public dining areas are not designed to remove smoke in a fashion that would preclude inhalation by non smokers. It is the intention of the Health Department to promote a smoke free environment for restaurant patrons, however, the Administration realizes that this would be best accommodated in a progressive step by step procedure in cooperation with the industry.

Federal Government studies show that approximately 70% of the population do not smoke. (Source "Smoking Behaviours of Canadians", W. Millar, Health and Welfare Canada, Ottawa). A review of government studies in this area on a two year basis is required to ensure By-law No. 3541/83 is kept current and reflects the needs of the public.

Your Committee on Planning and Community Services recommends:

I. That By-law No. 3541/83, being a By-law to Regulate Smoking in Public Places, be amended to include a subsection providing for 50% of the seating capacity in restaurants be designated a no smoking area, and to delete the exclusion for restaurants with 30 seats or less.

II. That the City Solicitor be requested to prepare the necessary amending by-law and forward same to Council for all three readings.

Your Executive Policy Committee recommends that the above recommendations be deleted and the following substituted therefor:-

"I. That By-law No. 3541/83, being a By-law to Regulate Smoking in Public Places, be amended to include a subsection providing for 50% of the seating capacity in restaurants be designated a no smoking area, and to delete the exclusion for restaurants with 30 seats or less.

II. That the enactment of the By-law referred to in recommendation I. coincide with the proclamation of Bill 16, an Act to Protect the Health of Non-Smokers, on April 1st, 1991.

III. That the City Solicitor be requested to prepare the necessary amending by-law and forward same to Council for all three readings."

Report of the Committee on Planning and Community Services, dated January 7th, 1991

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

In amendment,

Moved by Councillor Clement,
That the recommendation of the Executive Policy Committee be adopted.

Carried.

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

Food Handler Certification Training Program
by the City Health Department
File EH-1.6.

348 - 3. Your Committee on Planning and Community Services has been advised that education is a necessary component of any successful preventative public health program, along with inspection/verification and enforcement. Provincial governments have required, in their Public Health Acts, that food handlers complete a certified training course in food safety. Winnipeg lags behind other major cities in Western Canada in food handler training.

The Public Health Inspectors of the Food Protection Division, under the guidance of the Division's Training Officer have carried out the duties of instructors in the current food handler program for 5 years. The program utilizes the certification material of the Canadian Restaurant and Food Services Association (C.R.F.S.A.) with all fees being collected and held by the Manitoba Restaurant and Food Services Association.

In 1989 a new food handler certification course was produced by the University of British Columbia called "Food Safe". The Food Protection Division feels this program is vastly superior to the present program and have purchased the program as a replacement.

Food handler training is a major component in all viable food protection programs. The provinces of British Columbia, Alberta and Saskatchewan have made food handler training mandatory under public health legislation. In discussion with the Acting Chief Medical Officer of Health at the Province of Manitoba, it was indicated that the Province will be moving in the same direction in 1991.

The Food Protection Division of the City Health Department strongly supports this initiative, and intends to commence it's own voluntary program in March 1991. The Food Protection Division anticipates an attendance of 500 people over 10 sessions next year. The course will be taught by staff Public Health Inspectors and will involve material costs and training room rental fees. There will however, be a course fee that will provide offsetting revenue. The cost of pamphlets, training booklets, course material and certificates will be $4,500.00, and rental for a lecture theatre at Red River Community College for 10 sessions will be $500.00. The total cost is estimated at $5,000.00.

The revenue, based on a student fee of $40.00 with an expected attendance of 500, will be $20,000.00. It is anticipated that a mandatory training program, as carried out in Calgary and Edmonton, would require an attendance level of at least 1200 students per year to meet the normal 3 year compliance deadline. Thereafter, turnover and a 5 year re-training stipulation, would maintain attendance at approximately 1000 per year. Increased material costs and additional staffing costs to carry out a mandatory food handler certification program would be offset by increases in revenue.

Your Committee on Planning and Community Services recommends that the implementation of a Health Department operated food handler certification training program be approved.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

In amendment,

Moved by Councillor Murray,
Seconded by Councillor O'Shaughnessy,
That Clause 3 of the Report of the Committee on Planning and Community Services, dated January 7th, 1991, be amended by adding the following words at the end of the recommendation in the last paragraph thereof, namely:-

"and that the appropriate accounts be established to facilitate the anticipated expenses and positive revenues as detailed in this report."

Carried.

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

Amendment to the Social Services By-law No. 2466/79 with regard to Exemption of Goods and Services Tax Credits
Files EH-2 & GG-1

349 - 4. Your Committee on Planning and Community Services has been advised that Bill C-62 incorporates the payment of the Goods and Services Tax Credit to Canadians with incomes less than $30,000.00 annually - the initial payment to be made in December 1990 - and payable in quarterly installments thereafter.

Council has approved a number of exemptions under the Social Services By-law No. 2466/79 of federal and provincial income support payments. Section 4 of By-law No. 2466/79 reads as follows:

"Notwithstanding clause (d) of Section 2, the following things shall be excluded from the Director's calculation of the financial resources of the applicant for, or recipient of, assistance:

(a) Family Allowances;
(b) Casual gifts of small value;
(c) Contributions other than ordinary maintenance to a recipient or dependents who require special care;
(d) Cash surrender value of life insurance policies up to a maximum value of $2,000.00;
(e) Equity in the house in which the applicant resides; (f) Earned income up to an amount as determined by Council from time to time;
(g) Income tax rebates received on or after January 1st, 1987;
(h) Annual payments received pursuant to the Indian Act (Canada) under a treaty between Her Majesty the Queen and an Indian band;
(i) (i) Criminal Injuries Compensation benefits;
(ii) Workers' Compensation benefits; and
(iii) Motor Vehicle and Public Liability Insurance benefits;
of such amounts as determined by Council from time to time;
(j) Child Related Income Support Program (CRISP) benefits;
(k) 55-Plus Manitoba Income Supplement Benefits;
(l) Maintenance payments up to an amount as determined by Council from time to time."

On November 26th, 1990, the Province of Manitoba announced that the Federal Government's proposed Goods and Services Tax Credit will be exempt from consideration as income in the calculation of benefits for clients of the Provincial Government's Social Allowances Program. The Federal Government has stated that "low-income earners pay a disproportionate share of tax because they tend to consume more as a percentage of income than higher-income earners". This statement has been echoed by the National Council of Welfare - which notes that "the higher the income, the lower the proportion devoted to necessities, for the simple reason that there is more money available to cover the cost of food, clothing and shelter".

Report of the Committee on Planning and Community Services, dated January 7th, 1991

It is estimated that the application of the Goods and Services Tax Credit against the City's social assistance costs would reduce those costs by $343,000.00 in 1991 (City's share). The table outlined in Appendix I (attached hereto) demonstrates how the annual GST credit will impact on families at various income levels.

Your Committee on Planning and Community Services recommends:

I. That approval be given to the exemption of the Goods and Services Tax Credit for low income Canadians, (i.e. Social Assistance recipients).

II. That the Social Services By-law 2466/79, Eligibility of Applicants, Section 4, be amended by adding thereto a further subsection as follows:-

(m) Goods and Services Tax Credits, as adjusted annually by the Federal Government.

III. That the City Solicitor be requested to prepare the necessary amending by-law and forward same to Council for all three readings.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

(Note: See Minute No. 358 for attachment.)

Cost-Sharing of Special Grants to Social Agencies File FG-1.1.

350 - 5. Your Committee on Planning and Community Services has been advised that a significant portion of the funding which The City of Winnipeg provides to various social agencies could be eligible for cost-sharing with the Federal Government under the terms of the Canada Assistance Plan and the Vocational Rehabilitation of Disabled Persons Agreement. As the Canada Assistance Plan allows for retroactivity, recovery could be requested for funds paid out in years past, as well as for future grants.

The Canada Assistance Plan (C.A.P.) and the Vocational Rehabilitation of Disabled Persons Agreement allow for cost-sharing directly with the provinces (indirectly with municipalities) for certain social service programs and for specific costs (e.g. staff salaries) within those programs. Upon application by the Provincial Government up to one half of all eligible costs are reimbursed by the Federal Government.

A preliminary review of the history and nature of City of Winnipeg funding to social agencies suggests that a number of the special grants, per capita grants and other special funding which the City has made to local social agencies may be eligible for cost-sharing.

It is important that City and Provincial Officials act quickly on this issue. The Federal Government has been examining the Canada Assistance Plan with a view towards placing a ceiling on cost-sharing with individual provinces. Expeditious exploration of potential cost-sharing is indicated.

Your Committee on Planning and Community Services recommends:

I. That the Director of Social Services provide the Province of Manitoba with documentation on special grants and other funding which The City of Winnipeg has made to social agencies, in order to assist the Province of Manitoba to apply to the Government of Canada for cost-sharing of funding under the terms of the Canada Assistance Plan and the Vocational Rehabilitation of Disabled Persons Agreement.

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II. That the City Treasurer and the City Clerk assist the Director of Social Services in gathering data on City funding to social agencies.

III. That the City negotiate an agreement with the Province of Manitoba for refund to the City of all or a portion of any federal funding recovered through cost-sharing on both past and future grants made by The City of Winnipeg to local social agencies.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

Future Directions for The Forks
File FR-3 (PA3).

351 - 6. On November 9th, 1990 the Executive Policy Committee referred back Clause 1 of the Report of the Committee on Planning and Community Services, dated October 22nd, 1990 with regard to New Directions for The Forks, for further review, respectfully requesting the Committee to develop a consensus for a report that can be supported by the majority of Members of Council.

Your Committee on Planning and Community Services submits herewith for the record, the report of the former Committee on Planning and Community Services, dated June 25th and October 22nd, 1990, entitled "New Directions for The Forks".

Your Committee on Planning and Community Services reconfirms its opinion that the development that has occurred to date at the Forks is consistent with the Phase I Concept and Financial Plan, and your Committee applauds the Forks Renewal Corporation for the successful development of the Forks Public Market as well as the Forks Market Plaza.

The development mandate for the Forks Renewal Corporation is found in the Phase I Concept and Financial Plan approved by the three levels of government in 1987. The Concept Plan Theme relates to the Forks being redeveloped as a "Meeting Place" - a special and distinct all-season gathering and recreation place at the junction of the Red and Assiniboine Rivers. The "Meeting Place" theme evokes many exciting perspectives including the Forks as Canada's crossroads - the meeting of old and new - the meeting of diverse peoples - and a place for people to meet, work and play throughout the year. Phase I components are anticipated to achieve this Concept Plan Theme.

Your Committee on Planning and Community Services has reviewed the previous Committee's recommendations with respect to the "New Directions for The Forks" and submits the following report and recommends that it be adopted as Council's position with regard to "Future Directions for The Forks", namely:

FUTURE DIRECTION FOR THE FORKS

The Committee on Planning and Community Services is of the opinion that the efforts of the Forks Renewal Corporation and development to date within the Forks, represents a valuable addition to the community and is a positive reflection of the potential for this all- important site. The Committee also recognizes that the public overwhelmingly finds existing development to be an exciting and unequivocal success.

In order that future development of the Forks will continue to be of such quality and will continue to realize the enormous potential of this site, your Committee on Planning and Community Services recommends:-

Strengthening the Partnership, Participation and Accountability

1. That the Committee on Planning and Community Services be designated to meet, on a regular basis, with His Worship the Mayor, the City's appointed members on the Board of The Forks Renewal Corporation, and with the Board of The Forks Renewal Corporation, to exchange information and to discuss matters of mutual interest, and report back to Council on such discussions. His Worship the Mayor shall be acknowledged as the representative of the City as a shareholder of The Forks Renewal Corporation.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

2. That the timing of public hearings into and development of the Phase II Concept Plan be accelerated and that the content of the Phase II Concept Plan have more precision than the Phase I Concept Plan. Further, any subsequent contemplated changes or additions to the Phase II Concept Plan shall be subject to the review and approval of the three shareholders.

Recognition of the City's Planning Role and Integrated Planning Strategy

3. That the Committee on Planning and Community Services review the City's planning strategy for the Downtown to include the integration of the Forks development with the Exchange District, the North Main Development area south of the C.P.R. underpass at Higgins Avenue, and the East Bank of the Red River between Lyndale Drive and the Seine River.

4. That the City of Winnipeg recognize its land use and planning authority for the Forks lands. That the City review the zoning in the Forks within the context of the proposed impending comprehensive review of the Downtown Zoning By-law.

Identification and Review of Components in Phase I of the Forks Development

5. That the Forks Renewal Board be requested to identify any remaining components of Phase I that the Board feels can be implemented by 1992 for review and approval by the shareholders.

6. That the Concept Plan be clarified regarding the "meeting place" theme, with a view to emphasizing public amenity, recreation and heritage uses of the site.

7. That the Concept Plan be clarified to confirm our Aboriginal Heritage as a significant priority, particularly the historical and spiritual importance of the site to the Native Community; that Multi-Cultural Heritage also be a significant priority with programming to reflect the diverse cultural richness of Winnipeg.

Self Sufficiency Balanced with Public Amenity

8. That the City of Winnipeg investigate, with its other two partners, methods by which the existing pressure for The Forks Renewal Corporation's self-sufficiency can be relieved. This does not imply the elimination of revenue generating projects provided they are compatible with the historical heritage and meeting place themes. There is also a need to explore alternative vehicles to traditional public or private sector funding. Long term planning and stewardship for this unique site must take precedence over the short-term pressure for financing.

9. That the City of Winnipeg continue its negotiations to purchase the C.N.'s interest in the Forks area (approximately 18 acres plus the transfer track right-of-way between The Forks and the C.P.R. main line) in order to complete the public land assembly of the Forks area.

10. That the City of Winnipeg investigate the implications (such as alternative equivalencies) of delaying construction of the York/St. Mary extension beyond 1992.

11. That the final form of the Forks lands shall include substantial landscaped open public space. The open space component shall link together the various development and preservation initiatives to be located at the Forks, as well as linking together the Forks site and the adjoining community.

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12. That a comprehensive site plan be established to embody the components of Phase II of the Forks development. Future Planning

13. That planning for Phase II and public hearings to determine components of Phase II be advanced to 1991. That the following questions be included in those to be addressed in the public hearing process.

    (a) What should be the vision/theme for the Forks in Phase II? In reviewing the submissions and discussing the issues, the Committee on Planning and Community Services believes that the Forks continues to represent a unique opportunity for Winnipeggers, Manitobans and Canadians to establish a place of international distinction and significance. All future development should reflect the historical significance of the site as it pertains to the development of Winnipeg, Manitoba and Western Canada.

    (b) What remaining components of Phase I should be identified and implemented by 1992?

    (c) What components should be included?

    (d) What alterations, if any, should be made to the current corporate model of the Forks Corporation to enhance public participation, structure and process?

    (e) To what extent should the concept of self-sufficiency be revisited given the need to ensure long term planning for and stewardship of this unique site?

    (f) Should there be more emphasis on a public amenity approach to the site to ensure public enjoyment?

Moved by Councillor McKee,
Adoption of the clause.

The motion for the adoption of the clause was put. Councillor Mitchelson called for the yeas and nays, which were as follows:-

Yea: Councillors Wade, Boychuk, Diamant, Douglas, Fleisher, Fraser, Golden, McKee, Mendelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Thomas, Timmers, Young and Eadie. 18

Nay: Councillors Kaufmann and Mitchelson. 2

and the motion was declared carried.

(Note: Copy of the Report "New Directions for The Forks", dated June 25th, 1990, referred to in the above clause, is on file in the Office of the City Clerk.)

Review of Letters of Intent received by the Forks Renewal Corporation
File FR-3(P.A.3).

352 - 7. Your Committee on Planning and Community Services is of the view that all letters of intent, which are still pending before the Forks Renewal Corporation Board, should be reviewed by the Committee on Planning and Community Services with a view to determining what impact, if any, they may have on Phase II Development of the Forks lands and for the purpose of submitting comments and recommendations for consideration by the three shareholders to the agreement.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

With this in mind, the Committee on Planning and Community Services recommends that the Commissioner of Planning and Community Services provide the Committee with a status report on any existing letters of intent before the Forks Renewal Corporation Board and any new letters of intent which may be pending, to facilitate the review of same by the Committee.

Your Committee on Planning and Community Services further recommends that Council recommend to the Forks Renewal Corporation Board that no further letters of intent and no extensions be undertaken by the Board until the three shareholders have reviewed said letters of intent; and that the Committee on Planning and Community Services meet with the City Board Members on the Forks Renewal Corporation to discuss all matters relating to the Forks.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Moved by Councillor Reese,
That the question be now put.

Carried.

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

Listing of Klinic Community Health Centre Building, 545 Broadway, on the Historical Buildings Conservation List File G-3.1.1.

353 - 8. Your Committee on Planning and Community Services has been advised that the Historical Buildings Committee visited and evaluated the Klinic Community Health Centre building located at 545 Broadway on June 12th, 1990, at the request of the owner Charlemore Investments, through their agent the Smith Agency Limited, who wish to proceed with the demolition of this building to provide a new office building facility.

Since this building is on the "Inventory of Historic Buildings", the demolition permit could not be issued prior to an evaluation to determine the historical status of the building.

The building was evaluated as a Grade III which means:

1) This is a moderately significant heritage building worthy of listing.
2) Exterior alterations and additions may be permitted where deemed suitable.

3) There is no restriction on the design of interior alterations. The Historical Buildings Committee evaluated this building on its age; historical and architectural significance only and at its meeting held on June 14th, 1990 recommended that the building be listed as a Grade III Building on the Historical Buildings Conservation List for the following reasons:

    1) This building is a very good example of an early 20th century brick residence designed in the Queen Anne style of which only a few survive.

    2) The Historical Buildings Committee considers that this is a particularly attractive building because of the excellence of the design and composition of the exterior.

    3) The house was designed by one of Winnipeg's best known architects - John H. G. Russell. He designed many monumental churches in the city as well as warehouses, office buildings and residences of which only a few remain.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

On November 5th, 1990 and January 7th, 1991, your Committee on Planning and Community Service reviewed the above recommendation by the Historical Buildings Committee. The Committee heard representations from Mr. R. A. L. Nugent, Q.C., Solicitor, Thompson, Dorfman, Sweatman, Barristers and Solicitors, 2200 - 201 Portage Avenue, on behalf of Charlemore Investments Ltd., accompanied by Mr. M. Haid, Architect, Marshall Haid Associates, 5th Floor, 321 McDermot Avenue, and Mr. T. Smith, The Smith Agency Limited, 716 - 294 Portage Avenue, agents for the owner of the subject building, Charlemore Investments Ltd., in opposition to the Grade III listing of the building on the Historical Buildings Conservation List and the suggestion that the existing building be incorporated into the design of any new building on the site.

The delegation advised that the retention of the building on the site would have a major financial impact on the construction of underground parking facilities, and that some of the components of the existing building could be worked into the design of the new structure. The delegation also advised that there are a number of options available in terms of recording the existing building, such as in a three dimension form or by installing a bronze plaque of the existing building in the new structure.

The Committee on Planning and Community Services concurs in the recommendation of the Historical Buildings Committee and recommends:

I. That pursuant to the provisions of the Historical Buildings By-law No. 1474/77 and amendments thereto, the Klinic Community Health Centre building located at 545 Broadway be listed as a Grade III designation on the Historical Buildings Conservation List.

II. That the Owner, Charlemore Investments Ltd., and their Architect, Marshall Haid Associates, be invited to explore alternative proposals for preserving the exterior components of the existing building into the new building.

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Councillor Eadie called the Deputy Speaker, Councillor Wade, to the Chair, and left the Chamber.

The Speaker returned to the Chamber and resumed the Chair.

The motion for the adoption of the clause was put. Councillor Brown called for the yeas and nays, which were as follows:-

Yea: Councillors Wade, Boychuk, Diamant, Duguid, McKee, Mendelson, Murray, O'Shaughnessy, Reese, Selinger, Thomas, Timmers, Young and Eadie. 14

Nay: Councillors Brown, Clement, Demare, Douglas, Fleisher, Fraser, Golden, Kaufmann, Lazarenko, Mitchelson and Prystanski. 11

and the motion for the adoption of the clause was declared carried.

(Note: See Minute No. 359 for attachment.)

ZONING AGREEMENT AMENDMENT
60 - 70 Whellams Lane
East Kildonan-Transcona Community
File No. DAZ 210/74 (ZAA 23/90)

354 - 9. LAID OVER BY EXECUTIVE POLICY COMMITTEE FOR FURTHER CONSIDERATION

(NOTE: CHECK PAGES 366 TO 369 FOR OFFICIAL SET OF MINUTES WITH RESPECT TO THE ABOVE CLAUSE)

Report of the Committee on Planning and Community Services, dated January 7th, 1991

REZONING - East side of Cumberland
Avenue at Notre Dame Avenue
City Centre-Fort Rouge Community
File No. DAZ 261/90.

355 - 10. 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 By-Law No. 16502 by rezoning the land on the east side of Cumberland Avenue at Notre Dame Avenue from an "R4" Multiple-Family District and a "C2" Commercial District to a "C3" Commercial District to reflect the existing land use.

The subject rezoning involves two parcels. One is vacant residual City owned land zoned "C2". The second parcel is presently developed with a restaurant which includes a drive-through facility. The restaurant is located on land zoned "C3" and "R4" Multiple Family District.

The subject site is bounded by street rights-of-way on all three sides. To the north, north-east and north-west, both sides of Notre Dame Avenue are developed with commercial uses and are zoned as "C2" and "C3" Commercial District. To the south, south-east and south-west along Cumberland Avenue and Sherbrook Street, development consists of low density residential uses zoned "R3" and "R4" Multiple-Family Districts.

On August 2nd, 1989, Council approved a land exchange agreement between Champs Notre Dame Ltd. and the City. The agreement provided for acquisition by the City for a widening of Notre Dame Avenue and also a settlement of an outstanding 1969 expropriation required for Cumberland Avenue. In exchange, Champs Notre Dame Ltd. was to acquire surplus City owned lands to the south of its site, described in the settlement and exchange agreement as Parcel C. The settlement and land exchange is, among other things, conditional upon the City rezoning parcel C from an "R4" Multiple-Family Residential District to the appropriate commercial zoning. The majority of the site in question is presently zoned "C3" Commercial District. The "C3" Commercial District zoning is consistent with the established zoning on lands to the east and is considered an appropriate zoning for the block in question.

A Public Meeting was held before the City Centre-Fort Rouge Community Committee on November 20th, 1990.

Mrs. C. Knoll, District Planner, Planning Department, 395 Main Street, Winnipeg appeared on behalf of the Commissioner of Planning and Community Services, in support of the application.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

No one 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 settlement and land exchange with Champs Notre Dame Ltd. is conditional upon the City rezoning Parcel C to the appropriate commercial zoning.

2. The majority of the site in question is presently zoned "C3" Commercial District.

3. The "C3" Commercial District zoning is consistent with the established zoning on lands to the east and is considered an appropriate zoning for the block in question.

4. The subject site is bounded by street rights-of-way on all three sides while to the north, north-east and north-west both sides of Notre Dame Avenue are developed with commercial uses and are zoned "C2" and "C3" Commercial Districts. 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 261/90, attached hereto and dated December 14th, 1990, to a "C3" Commercial District.

II. That the 10 percent dedication 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, be waived.

III. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.

IV. 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.

V. 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 O'Shaughnessy,
Adoption of the clause.

Carried.

(Note: See Minute No. 360 for attachment.)

ZONING AGREEMENT AMENDMENT -
1099 Kingsbury Avenue Lord Selkirk-West
Kildonan Community
ile No. DASZ 11/79 (ZAA 24/90)

356 - 11. Your Committee on Planning and Community Services has been advised that an application has been received from Starlight Investments Ltd., 1099 Kingsbury Avenue to amend the Zoning Agreement affecting 1099 Kingsbury Avenue to add a church to the list of permitted uses.

The subject property is zoned "C2-S Commercial" and a church is not one of the listed permitted uses in the Zoning Agreement. The Planning Department is of the opinion that the existing commercial mall is capable of handling the proposed use and the required parking particularly as it will only be utilized in the off-hours and on Sundays. The establishment of a small church in this facility will not have any adverse effect on the surrounding area. The mall is well removed from the neighbouring residential areas with direct access to McPhillips Street and Kingsbury Avenue.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

A Public Meeting was held before the Lord Selkirk-West Kildonan Community Committee on November 13th, 1990.

The following persons appeared in support of the application:

Ralph Glesmann, 63 Battleford Bay, Winnipeg, R3Y 1K3,
Andrew Yaworsky, 1174 Hector Bay West, Winnipeg, R3M 3R9,
R. Riddle, 215 - 77 Swindon Way, Winnipeg, R3P 0X2,
Raymond Proulx, 7 - 110 Mapleglen Drive, Winnipeg, R2P 0A6,
Andrew Demchuk, 466 Blackdale Road, Winnipeg, R3C 2E8,
Theodore Pauls, 439 Adsum Drive, Winnipeg, R2P 0W9,
George A. Gawryluk, 111 Tallman Street, Winnipeg, R2R 2P7,
Leonard McGale, 972 Winnipeg Avenue, Winnipeg, R3E 0R9.

No one appeared in opposition thereto.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed zoning agreement amendment be approved for the following reasons:

1. The existing commercial mall is capable of handling the proposed use and the required parking particularly as it will only be utilized in the off-hours and on Sundays.

2. The mall is essentially well removed from the neighbouring residential areas with direct access to McPhillips Street and Kingsbury Avenue.

3. The establishment of a small church in the facility will not have any adverse effect on the surrounding area.

Your Committee on Planning and Community Services concurs in the recommendations of the Lord Selkirk-West Kildonan Community Committee and recommends:

I. That Zoning Agreement DASZ 11/79 be amended as follows:

A. That the use "church" be added to the list of permitted uses on the land.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DASZ 11/79 in accordance with Recommendation I above.

III. That the Proper Officers of the City be authorized to execute said amending agreement.

IV. 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 O'Shaughnessy,
Adoption of the clause.

Carried.

SUBDIVISION AND REZONING - West side of Four Mile Road, south of Prairie Grove Road, St. Boniface-St.Vital Community File No. DASZ 16/90

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357 - 12. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. B. McGarry, 185 Kingston Row, Winnipeg, on behalf of the property owners, for approval of a plan of subdivision and related zoning change to The St. Vital Town Planning Scheme 1951, by rezoning the land located on the west side of Four Mile Road, south of Prairie Grove Road, from an "A1" Agricultural District to an "RR-2" Rural Residential District for the purpose of establishing eight (8) single-family building lots.

The development proposes to create eight (8) single-family building sites, in accordance with the "RR-2" District.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

The subject property and adjacent area are designated under The St. Vital Perimeter South Action Area Plan for residential development on minimum two-acre lots.

This proposal is entirely consistent with the said Plan and with adjacent development. Adjoining development includes a two-acre lot subdivision immediately to the west and also the Prairie Grove Road frontage to the north.

Because this zoning change is for one-family dwellings, a Zoning Agreement is not deemed necessary. Dedication for open space, park and recreation use will be provided in lieu of the 10% land dedication.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on October 10th, 1990.

Mr. B. McGarry, 185 Kingston Row, Winnipeg, R2M 0T1 appeared in support of the application.

No one appeared in opposition thereto.

The St. Boniface-St. Vital Community Committee recommended that the proposed subdivision/rezoning application be approved for the following reasons:

1. The application is in keeping with The St. Vital Perimeter South Action Area Plan.

2. The application is consistent with the surrounding area.

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

I. That the plan of subdivision proposed under File No. DASZ 16/90 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 16/90 attached hereto and dated December 17th, 1990, for registration in the Winnipeg Land Titles Office subject to:

   A. That the developer 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 Schedule "B").

II. That the Director of 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 The St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land as shown on Schedule "A" attached hereto and dated December 17th, 1990, to an "RR-2" Rural Residential District.

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

VI. That the "RR-2" Rural Residential District shall come into effect 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 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.

Report of the Committee on Planning and Community Services, dated January 7th, 1991

Moved by Councillor O'Shaughnessy,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 361 and 362 for attachments.)

358 - Appendix I referred to in Clause 4 of the Report of the Committee on Planning and Community Services, dated January 7th, 1991.

(NOTE: SEE PAGE 374 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

359 - Historic Research referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated January 7th, 1991.

(NOTE: SEE PAGES 375 to 376 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENTS)

360 - Schedule “A” referred to in Clause 10 of the Report of the Committee on Planning and Community Services, dated January 7th, 1991.

(NOTE: SEE PAGE 377 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

361 - Schedule “A” referred to in Clause 12 of the Report of the Committee on Planning and Community Services, dated January 7th, 1991.

(NOTE: SEE PAGE 378 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

362 - Schedule “B” referred to in Clause 12 of the Report of the Committee on Planning and Community Services, dated January 7th, 1991.

(NOTE: SEE PAGE 379 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
MOTIONS

Moved by Councillor McKee,
Seconded by Councillor Murray,
363 - WHEREAS the Government of Canada has almost completely abandoned its once pre-eminent role in funding and facilitating the creation of new housing;

AND WHEREAS the Canada Mortgage and Housing Corporation (CMHC) Co-operative Housing Program has contributed significantly to the provision of adequate and affordable non-profit housing for lower and moderate-income households in many municipalities;

AND WHEREAS the cap on the funding of the Federal/Provincial Non-Profit Housing Program has resulted in a serious reduction in the number of unit allocations available under this program in Winnipeg and Manitoba over the past three years;

AND WHEREAS funding for the Federal Co-operative Housing Program has shrunk to the point where the number of co-op units directly funded by the Federal Government fell to an eleven-year low in 1989; AND WHEREAS the Federal Co-operative Housing Program is the last direct social housing program run by the Government of Canada;

AND WHEREAS continuing co-operative housing affords a high level of security of tenure, providing residents control over their community and the opportunity to participate in managing their housing;

AND WHEREAS the Federal Government's cap on social housing spending is having a devastating impact on non-profit housing production across the country;

AND WHEREAS there is a demand for continuing co-operative housing in many areas of Canada;

AND WHEREAS continuing co-operative housing delivery organizations have developed extensive expertise in carrying projects through from concept stage to CMHC approval in view of CMHC program guidelines;

AND WHEREAS the demand for affordable housing is expected to continue to exceed supply in many Canadian municipalities;

AND WHEREAS the availability of Provincial Rent Supplement Assistance enables many continuing co-operative housing projects to house core needed low income households and therefore satisfy CMHC income targeting criteria;

AND WHEREAS the elimination of the landlord component of the Residential Rehabilitation Assistance Program has had a major negative impact on the rehabilitation of older residential dwelling units within Inner City neighbourhoods;

THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities urge the Government of Canada to:

1. Reinstate the full funding and number of unit allocations under the Federal/Provincial Non Profit Housing Program and that this funding be indexed;

2. Increase funding for the Federal Co operative Housing Program to allow for the production of at least 2,000 housing co op units annually; and

3. Reinstate the Landlord component of the Residential Rehabilitation Assistance Program.

Carried.

Moved by Councillor O'Shaughnessy,
Seconded by Councillor Murray,
364 - WHEREAS application forms for appointments to the Winnipeg Public Library Board have been received and referred to the respective Community Committee for consideration;

AND WHEREAS the respective Community Committees have nominated for a two-year term the persons as hereinafter indicated, for appointment to the Winnipeg Public Library Board as their representative on the said Board for the years 1991 and 1992, whose term shall continue until their successors have been appointed, pursuant to Section 62.1 of the Procedure By-law;

THEREFORE BE IT RESOLVED that the following persons be appointed to the Winnipeg Public Library Board commencing on the date of adoption of this resolution and continuing for a two-year term until their successors have been appointed, namely:-

Nominee	Representing
Rochelle Blumenthal	Assiniboine Park-Fort Garry
Mr. L. Dale Guy	City Centre-Fort Rouge
Ailsa Stark	East Kildonan-Transcona
Sherri Lyons	Lord Selkirk-West Kildonan
Ms Marcelle Lemaire	St. Boniface-St. Vital
(To be submitted at a later date)	St. James-Assiniboia

Carried.

Moved by Councillor Demare,
Seconded by Councillor Diamant,
365 - WHEREAS Councillors have a continuing responsibility to the property taxpayers of Winnipeg who must be assured that the Forks Renewal Corporation will be setting its goals and objectives and determining the financial repercussions thereof;

THEREFORE BE IT RESOLVED that the Forks Renewal Corporation be asked to submit a 5-year projection at the time they submit next year's annual report.

Carried