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 June 25th, 1990, has concurred in the recommendations contained therein, except as noted below, and submits same to Council for approval and adoption.

On motion of Councillor McKee, the Report of the Committee on Planning and Community Services, dated June 25th, 1990, was considered clause by clause.

West Committee Room,
Council Building,
Winnipeg, June 25th, 1990.

His Worship the Mayor and Councillors:-

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

Approval of Use - (Unlicensed restaurant not exceeding 1500 square feet in area) - 1141 St. Mary's Road - St. Boniface- St. Vital Community File DAZ 234/75

1198 - 1. Your Committee on Planning and Community Services has been advised that as a condition of the approval of DAZ 234/75, the Zoning Agreement governing 1141 St. Mary's Road provides that uses must be specifically approved by the St. Boniface-St. Vital Community Committee and your Committee on Planning and Community Services.

The addition of tables and seating to an approved "take-away food store" has established an "unlicensed restaurant not exceeding 1500 square feet in area", which requires such approval.

On June 12th, 1990, the St. Boniface-St. Vital Community Committee recommended approval to the proposed use, subject to compliance with the Building By-law.

Your Committee on Planning and Community Services recommends:

I. That the use "unlicensed restaurant not exceeding 1500 square feet in area" at 1141 St. Mary's Road, be approved, subject to compliance with the Building By-law requirements for that use.

II. That the City Solicitor be instructed to amend the Zoning Agreement executed as a condition of enactment of the zoning on the land under File DAZ 234/75.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing, including, but not limited to the execution of the amended Zoning Agreement.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Revisions to Fee Schedule for Rivers and Streams Applications File E-5

1199 - 2. The Winnipeg Rivers and Streams Authority No. 1 is a quasi- judicial body mandated to regulate construction activities along 180 miles of the City's riverbank lands.

The Authority operates under an application and permit approval process. Applications are processed and technically assessed in terms of riverbank stability and hydraulics and permits issued pending compliance with The Rivers and Streams Act. A site inspection is an integral component to the technical assessment of each application.

The Authority is also mandated to enforce The Rivers and Streams Act. In this regard inspections are necessary and performed for possible breaches of the Act, during construction of approved works, and for purposes of general enforcement.

At present, the following administration is assigned to the Rivers and Streams operation - Authority Engineer, Assistant Plan Examiner and Secretary.

As the fees have not been amended since 1977, the revenues generated from the operation have fallen further behind the administrative costs to maintain this service. (A copy of the existing fee schedule is attached hereto for the information of Council.)

In addition, it is also evident that more complex riverbank works and innovative stabilization projects are being proposed along our waterways requiring more thorough review and assessment time.

To better reflect these increased administrative costs, it is considered appropriate and in the public interest to consider amending the current fee schedule. Two new fee categories, namely, permit extension and application for unauthorized works are also identified in this schedule.

The fee for a permit extension requested within the first anniversary date of issuance of the original permit reflects additional administrative costs to process the request. Only one extension will be permitted.

Where works have commenced without the necessary approval from Rivers and Streams, it is normal operating procedure to give the owner an opportunity to submit an application. In these cases, higher administrative costs are incurred. As well, the applicant is penalized which is consistent in approach for building permit applications made under similar circumstances.

As per Section II of The Rivers and Streams Act, the Lieutenant Governor in Council may make orders prescribing fees that may be charged by the Authority in respect to applications and issuance of Rivers and Streams permits.

The Riverbank Management Committee at its meeting held on February 15th, 1990, requested that a report be prepared for its review on revisions to the current fee schedule for Rivers and Streams applications. Said report is to also include other areas under the Committee's jurisdiction where fees may be charged.

The Riverbank Management Committee at its meeting held on May 22nd, 1990, recommended approval of the proposed schedule of Fees and submitted same to the Committee on Planning and Community Services for consideration and recommendation to Council with the intent that same be referred to the Province of Manitoba with a request to enact the appropriate legislation to implement the revised fee schedule for Rivers and Streams applications.

Your Committee on Planning and Community Services concurs with the recommendation of the Riverbank Management Committee and recommends that the proposed Schedule of Fees as outlined on Schedule "A" attached hereto and dated June 25th, 1990 be approved and that same be referred to the Province of Manitoba, through the Office of the Minister for Urban Affairs, with a request to enact the appropriate legislation to implement the revised Fee Schedule for Rivers and Streams applications, issued by the Winnipeg Rivers and Streams Authority No. 1.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Your Committee on Planning and Community Services further recommends that the Riverbank Management Committee be instructed to review the Fee Schedule for Rivers and Streams applications on an annual basis.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 1221 and 1222 for attachments.)

Authority for Riverbank Management Committee to begin dialogue with the Province and River- front Municipalities regarding riverfront development and water management, recreation and tourism File E-5.1.

1200 - 3. Your Committee on Planning and Community Services has been advised that on May 22nd, 1990, the Riverbank Management Committee gave further consideration to the recommendations contained in Clause 11 of the Report of the Committee on Planning and Community Services dated April 23rd, 1990, as approved by Council on May 9th, 1990, relative to the City's position concerning the Discussion Paper on a Riverfront Corporation for the Winnipeg Region, namely:

I. That the proposal to establish a Riverfront Corporation not be implemented nor have any jurisdiction with the boundaries within the City of Winnipeg for the reasons and evaluation principles detailed in the report form the Chief Commissioner dated March 22nd, 1990.

II. That the Province of Manitoba through the Minister of Urban Affairs be requested to take some initiative in establishing a forum for discussion with Municipal Governments affected by the Red River Drainage Basin, along with the Provincial and Federal Government Departments having related jurisdictions in this regard, with a view to developing a regional concept for the Red River Drainage Basin.

In connection with Recommendation II above, the Riverbank Management Committee recommended that the Riverbank Management Committee in conjunction with the Province of Manitoba be authorized to begin dialogue with Riverfront Municipalities in the Winnipeg Region with the intent of developing a vision/conceptual plan for Riverfront Development and Water Management, Recreation and Tourism, consistent with Clause 11 of the Report of the Committee on Planning and Community Services dated April 23rd, 1990, as adopted by Council on May 9th, 1990; and further that the Province of Manitoba be advised that this would include the possibility of the Riverbank Management Committee cost sharing such an effort with the Province of Manitoba.

Your Committee on Planning and Community Services concurs in the recommendation of the Riverbank Management Committee and recommends that the Riverbank Management Committee in conjunction with the Province of Manitoba be authorized to begin dialogue with Riverfront Municipalities in the Winnipeg Region with the intent of developing a vision/conceptual plan for Riverfront Development and Water Management, Recreation and Tourism, consistent with Clause 11 of the Report of the Committee on Planning and Community Services dated April 23rd, 1990, as adopted by Council on May 9th, 1990; and further that the Province of Manitoba be advised that this would include the possibility of the Riverbank Management Committee cost sharing such an effort with the Province of Manitoba.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Appointment of Members to the Winnipeg Building Commission
Files EB-1.2 & GC-7

1201 - 4. By-law No. 4555/87, The Winnipeg Building By-law, establishes a Building Commission and grants to them certain powers.

Subsection 18.2. of the By-law reads as follows:- 18.2.1.

(1) The Building Commission shall consist of eight (8) members, who are qualified by experience and training to consider matters pertaining to building design and construction.

(2) The following members, shall have at least ten years' experience in his occupation and shall be in active practice during the term of his appointment:-

(a) two (2) practising members of the Association of Professional Engineers of the Province of Manitoba of which one (1) shall be a Civil or Structural Engineer and the other a Mechanical or a Fire Protection Engineer;

(b) two (2) practising members of the Manitoba Association of Architects;

(c) one (1) active member of the Winnipeg Construction Association;

(d) one (1) active member of the Manitoba Home Builders Association; and

(e) one (1) senior Fire Officer of The City of Winnipeg Fire Department.

(3) The members appointed in Sentence 18.2.1.(2) aforesaid, shall appoint by majority vote a deputy chairman.

(4) The term of each member appointed in Sentence 18.2.1.(2) aforesaid shall be for a period of three (3) years measured from the date of appointment.

The terms of office for the present members of the Commission will expire on July 16th, 1990.

The various organizations referred to have been contacted and asked to recommend members of their organization who would be prepared to serve on the Commission.

The Association of Professional Engineers of the Province of Manitoba has recommended that Messrs. E. Lexier and J. Klein continue to serve.

The Manitoba Association of Architects has recommended Messrs. D. W. Baldwin and M. Sokulski continue to serve.

The Winnipeg Construction Association has recommended that Mr. B. Akins continue to serve.

The Manitoba Home Builders Association has submitted three names, namely Messrs. D. Goodman, W. Mandryk and G. Huizinga.

The Winnipeg Fire Department has recommended its representative be Acting Fire Chief B. Lough.

Mr. J. S. Hicks has served the Building Commission for the past two years as a member-at-large pursuant to Council's appointment adopted on December 2nd, 1987 and is prepared to continue.

Your Committee on Planning and Community Services recommends:-

1. That the following be appointed to the Winnipeg Building Commission, pursuant to Section 18 of By-law No. 4555/87, for a period of three years, effective July 16th, 1990:-

Report of the Committee on Planning and Community Services dated June 25th, 1990

Association of Professional Engineers of the Province of Manitoba:

Mr. J. Klein, P. Eng,
Klein and Dashevsky Limited,
440 - 175 Hargrave Street,
Winnipeg, Manitoba.
R3C 3R8

Mr. E. Lexier, P. Eng.,
G.B.R. Associates Architects
Engineers,
1314 Ellice Avenue,
Winnipeg, Manitoba, R3G 0E9

Manitoba Association of Architects:

Mr. M. Sokulski,
L.M. Architectural Group,
300 - 290 Vaughan Street,
Winnipeg, Manitoba.
R3E 2L9

Mr. D. W. Baldwin,
G.B.R. Associates Architects
Engineers
1314 Ellice Avenue,
Winnipeg, Manitoba,
R3G 0E9

Winnipeg Construction Association:

Mr. B. E. Akins, P. Eng.,
Wallace and Akins Limited,
1247 Clarence Avenue,
Winnipeg, Manitoba.
R3T 1T4

Manitoba Home Builders Association:

Mr. Doug Goodman,
Greentree Homes,
255 Bell Avenue,
Winnipeg, Manitoba.
R3L 0J2

Winnipeg Fire Department:

Mr. B. Lough,
Deputy Chief - Operations,
Winnipeg Fire Department,
151 Princess Street,
Winnipeg, Manitoba.
R3B 1L1

Member-at-large:

Mr. J. S. Hicks, P. Eng.,
800 Centennial Street,
Winnipeg, Manitoba.
R3N 1R5

2. That a retiring member of the Winnipeg Building Commission representing the Manitoba Home Builders Association since July, 1986 be formally recognized for the service he has provided to the City:-

Mr. N. Shymko,
Kensington Homes,
509 Pandora Avenue West,
Winnipeg, Manitoba.
R2C 2Z5,

and that His Worship the Mayor, be authorized to do all things necessary to formally recognize Mr. N. Shymko for his services to the City as a member of the Winnipeg Building Commission.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Term of Office of the Ad Hoc Committee on Development Planning and Controls for the 1990's File EP

1202 - 5. LAID OVER BY EXECUTIVE POLICY COMMITTEE AND REFERRED TO THE LAW DEPARTMENT FOR REPORT

(Note: See page 1560 for Official set of Minutes with respect to the above clause)

New Directions for The Forks: Report and Recommendations of the Committee on Planning and Community Services File FR-3.

1203 - 6. LAID OVER BY EXECUTIVE POLICY COMMITTEE FOR FURTHER CONSIDERATION

(Note: See Pages 1561 to 1563 for Official set of Minutes with respect to the above clause)

Report of the Committee on Planning and Community Services dated June 25th, 1990

Appointments to the Historic Winnipeg Advisory Committee File G-3.2

1204 - 7. Pursuant to Section 704 (2) of the Downtown Winnipeg Zoning By-law No. 4800/88, the Downtown Design Board (Committee on Planning and Community Services) may appoint an Advisory Committee from time to time for the purpose of preparing or reviewing guidelines, or for the purpose of providing advice to the Downtown Design Board in respect of applications for approval of the Board.

Mr. Irv Shore was, until recently, employed as a property manager for Triple "S" Realty, the owner of a considerable number of properties in The Exchange District. Since Mr. Shore has taken new employment and will no longer be working in The Exchange District, he has tendered his resignation from Historic Winnipeg Advisory Committee.

In discussing possible replacements for Mr. Shore, the Committee felt that, in light of the majority of applications for design approval being for signage, an individual from the graphic design field would be an asset on the Historic Winnipeg Advisory Committee.

The current composition of the Historic Winnipeg Advisory Committee is as follows: Property Owners and Tenants (3); Architect (1); Real Estate Appraiser (1); Historian (1); Planner (1); Landscape Architect (1).

It was felt that one of the three "Property Owner and Tenants" positions could optionally be filled by a representative with a graphic design background.

At its meeting held on May 4th, 1990, the Historic Winnipeg Advisory Committee recommended that Glenn Tinley be appointed as the replacement member to Irv Shore.

Mailing Address	H.W.A.C. Representation
c/o Glenn Tinley Design 454 Edmonton Street Winnipeg, Manitoba R3B 2M3	Property Owners and Tenants or Graphic Designer

The following Historic Winnipeg Advisory Committee members whose terms of appointment expire on July 2nd, 1990, have agreed to serve on the Committee until April 17th, 1991 which coincides with the expiry date of the term of appointment for the other five Committee members, namely:

Name/Address	H.W.A.C. Representation
Mr. Greg Thomas c/o Environment Canada Canadian Parks Service 457 Main Street Winnipeg, Manitoba R3B 3E8	Historian
Mr. Rod Sasaki c/o Warehouse Art Works 237 McDermot Avenue Winnipeg, Manitoba R3B 0S4	Building Tenant and Businessman

Report of the Committee on Planning and Community Services dated June 25th, 1990

Mr. Jim Johnston — Planner
c/o Environment Canada
Canadian Parks Service
457 Main Street
Winnipeg, Manitoba
R3B 3E8

The Downtown Design Board on June 25th, 1990 authorized:-

1. That Mr. Irv Shore's resignation from the Historic Winnipeg Advisory Committee as a representative of "Property Owners and Tenants", be accepted.

2. That Mr. Glenn Tinley be appointed to the Historic Winnipeg Advisory Committee as a replacement for Mr. Irv Shore and for a term to expire on April 17th, 1991.

3. That the terms of appointment of Historic Winnipeg Advisory Committee members Greg Thomas, Rod Sasaki and Jim Johnston, be extended until April 17th, 1991.

Your Committee on Planning and Community Services submits the above matter to Council for information.

Moved by Councillor McKee,
Adoption of the clause.

Carried

Library Materials Budget Allocation Formula 1990 Files L-1 & L-12.

1205 - 8. Your Committee on Planning and Community Services has been advised in a report dated May 15th, 1990 that the Library Administration has been required to reevaluate the Equitable distribution formula in the light of the ward boundary changes.

From 1979 to 1985 several formulae were used to allocate the materials budget. The intent was to recognize three levels of service (central, district resource centres and smaller branches), as well as to acknowledge the quality of collections and use.

The Council Order of November 13th, 1985 adopting the Library's Strategic Plan stated "...the Library Board recommended expenditures for materials not be implemented until reviewed by all Community Committees and approved by the Committee on Environment (Planning and Community Services)."

From 1986 through 1988 the central services (Centennial, St. Boniface, Extension and system-wide special projects) received 40 percent of the budget with 60 percent being used for branch purchases. As this 40/60 budget allocation has general acceptance, the formula (see Appendix A) concentrates on the division of the 60 percent of the budget for branches.

In 1986 the budget for branch materials was divided into six almost equal parts, with the three districts having the smallest collections receiving an additional $25,000 each.

In 1987, the Library Board and Administration recommended that the branch allocations be divided in six equal parts, to be reviewed for 1988. This recommendation was not approved by the Committee on Planning and Community Services. The Committee directed the Library to allocate the branch budget on a per capita basis. This decision was later rescinded in favour of an Equitable allocation.

The equitable formula is 75 percent of the total branch allocations divided equally, 20 percent according to the circulation of materials per district, and 5 percent "catch-up" for districts with fewer than 1.25 volumes/capita.

Report of the Committee on Planning and Community Services dated June 25th, 1990

The Equitable Redistributed allocation formula received the endorsement of the Winnipeg Public Library Board at its meeting of June 13th, 1989.

A recommendation to use the Equitable Redistributed formula to allocate the 1989 budget was not approved by Committee on Planning and Community Services, on September 11th, 1989. Committee expressed "the opinion...that the Equitable formula that has existed over the last two years should continue until such time as the report of (the) Ad Hoc Committee on Library Services has submitted its report and Council has adopted the said report concerning a new Strategic Planning Policy and funding of Library Services." Committee went on to say that "...the allocation of the Materials Budget was for 1989 and...its distribution should be on the basis of the original/existing Community Boundaries and not on the basis of the proposed new Community Boundaries..."

The 1990 materials figures were considered by the Winnipeg Public Library Board at its meeting of May 25th, 1990.

The Library Board recommended approval of the Equitable Redistributed Formula for 1990 allocation of the Library Materials Budget.

The ward boundary changes are now in effect. Although the Report of the Ad Hoc Committee on Library Services has not yet been considered by Committee on Planning and Community Services, the Library Department must purchase materials throughout the 1990 year, in a timely manner.

The Equitable distribution formula divided 75 percent of the allocation for branches equally among the six areas. While the areas remained more or less equal in the number of libraries each contained, either three or four, this concept was valid. The boundaries redistribution has however changed this pattern dramatically in that one district now has five libraries and another only two.

It was recommended that an on-going formula called Equitable Redistributed be used. Although a base figure, equal for all six districts, should be retained in order to provide stable funding support at the basic level, the 75 percent figure should be lowered to 10 percent, in recognition of the wide variation in number of libraries per district.

Because the population of the six districts varies from a high of 129,854 in Assiniboine Park-Fort Garry to a low of 66,587 in St. James-Assiniboia, a factor of 45 percent for population base has been added. Library Administration also considers that a factor of 45 percent for circulation should be included in acknowledgement of the varying demands made upon the resources in each particular district.

A further refinement is the allocation of 10 percent of the total materials budget for the purchase of audio-visual materials, in recognition of the increasing proportion of circulation generated by these materials and in accordance with the recommendation of the Area Heads Committee Report on Audio-Visual Collections of January 9th, 1990.

A further recommendation of the Area Heads Committee allocated the branch portion of this sum (50 percent of the audio-visual total) among the districts according to a service level approach which identifies formats and collection sizes appropriate to area, community and neighbourhood level branches.

The following recommendations were received from the respective Community Committees:-

City Centre-Fort Rouge Community Committee concurred in the recommendations contained in the report dated May 15th, 1990, from the Acting Commissioner of Planning and Community Services.

Assiniboine Park-Fort Garry Community Committee endorsed the allocation formula and concurred in the recommendations contained in the report dated May 15th, 1990, from the Acting Commissioner of Planning and Community Services.

Report of the Committee on Planning and Community Services dated June 25th, 1990

East Kildonan-Transcona Community Committee unanimously concurred in the recommendations contained in the report dated May 15th, 1990, from the Acting Commissioner of Planning and Community Services; and further urged your Committee on Planning and Community Services to address recommendations contained in the Macdonald/Neville report.

Lord Selkirk-West Kildonan Community Committee concurred in the recommendations contained in the report dated May 15th, 1990, from the Acting Commissioner of Planning and Community Services.

St. Boniface-St. Vital Community Committee concurred in the recommendations contained in the report dated May 15th, 1990, from the Acting Commissioner of Planning and Community Services.

St. James-Assiniboia Community Committee concurred in the recommendations contained in the report dated May 15th, 1990, from the Acting Commissioner of Planning and Community Services.

Your Committee on Planning and Community Services recommends:-

I. That the Equitable Redistributed formula for the ongoing allocation of the Library Materials Budget as detailed in Appendix A attached hereto, be approved.

II. That the Equitable Redistributed formula stay in place until there are major reconfigurations of the system.

Your Executive Policy Committee recommends that the clause be amended by adding a recommendation III. to read as follows:-

"III. That there be a review of the Equitable Redistributed Formula in three years."

Moved by Councillor McKee,
Adoption of the clause.

In amendment,

Moved by Councillor Brown,
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.

(Note: See Minute No. 1223 for attachment.)

ZONING AGREEMENT AMENDMENT
14 Sandstone Place Assiniboine Park-Fort Garry Community
File No. DASZ 36B/79 (ZAA 13/90)

1206 - 9. Your Committee on Planning and Community Services has been advised that an application has been received from Janzen Builders, 1221 Gateway Road to amend the Zoning Agreement affecting 14 Sandstone Place to permit the maintenance of a single-family dwelling having a rear yard of 83.65 feet instead of 85 feet as required by the agreement.

The subject site is a gore lot approximately 15,275 square feet in area. The land is zoned "R1-5" Single-Family District and is developed with a single-family dwelling and attached garage.

The subject site was established in the initial phases of the Whyte Ridge residential subdivision under Application No. DASZ 36B/79. The Zoning Agreement enacted as a condition of approval of the subdivision and rezoning required that:

Report of the Committee on Planning and Community Services dated June 25th, 1990

All lots within the "R1-5" lands (all of which directly adjoin the stormwater retention lake) shall have the following minimum rear yards:

- 25.9 metre (85 feet) measured from the rear lot line to the principal building;
- 12.8 metres (42 feet) measured from the rear lot line to the closest detached accessory building;
- 8.5 metres (28 feet) measured from the rear lot line to the closest temporary structure or swimming pool not enclosed in a building.

The special rear yard setback incorporated into the Zoning Agreement is intended to accommodate fluctuations in the water level of the stormwater retention lake. The 25.9 metre (85 foot) rear yard setback applied to dwellings is intended to provide for an adequate amount of useable on-site rear yard space after the lake has reached its highest design level (100 year storm frequency). The water level of the lake would be expected to inundate the rear 12.8 metres (42 feet) of the lot during a 100 year storm event. This would therefore normally leave some 13.1 metres (43 feet) of unaffected rear yard space.

Noting the above comments, the Department of Environmental Planning considers this 1.35 foot deficiency in the established rear yard as tolerable.

A Public Meeting was held before the Assiniboine Park-Fort Garry Community Committee on May 8th, 1990.

Richard L. McMillan, Whyte Ridge Residents Association, 75 Pincarrow Road, Winnipeg, R3Y 1E6 appeared in support of the application.

No one appeared on behalf of the applicant in support of the application.

No one appeared in opposition thereto.

The Assiniboine Park-Fort Garry Community Committee recommended that the proposed Zoning Agreement amendment be approved for the following reason:

1. The request is considered to be minor in nature and the 1.35 foot deficiency in the established rear yard is tolerable to accommodate fluctuations in the water level of the stormwater retention lake.

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

I. That the Zoning Agreement enacted as a condition of approval of the subdivision and rezoning of land under File DASZ 36B/74 be amended as follows:

   A. That the subject Zoning Agreement as it affects Lot 5, Block 6, Plan 20082 be amended to permit an 83.65 foot rear yard setback to the existing single-family dwelling.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DASZ 36B/74 as approved in Recommendation I above.

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

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 McKee,
Adoption of the clause.

Carried.

Report of the Committee on Planning and Community Services dated June 25th, 1990

REZONING - North-east Symington Road at Navin Road. Rural Municipality of Springfield
File DAZ 268/89 (c/r DASSF 733/89).

1207 - 10. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. A. Penner, Box 28, Group 529, R.R. 5, Winnipeg to amend the Springfield Town Planning Scheme 1959 by rezoning the land at the north-east corner of the intersection of Symington Road and Navin Road from an "A" Agricultural District to an "RA" Suburban District for the purpose of subdividing the land into lots for single-family dwellings.

The subject site provides a total frontage on Symington Road of 259.78 metres/852.3 feet by a depth of 142.3 metres/466.9 feet providing a total site area of 3.7 hectares/9.13 acres.

There are five 1 acre residential sites in an "RA" Suburban Zoning District abutting the subject site to the north followed by one rural residential site of 8.5 acres which is also zoned "RA". To the east the land is generally large lot rural residential with about 11 sites ranging from one-acre lots to the required 5-acre in the "A" zoning district. The west side of Symington Road is basically all "RA" district small lot residential development in the "RA" district from the corner of Symington Road and Navin Road north to the west bound relocation of Symington Road. All land south of Navin Road is in larger holdings of 20 to 40 acres in the "A" Rural District.

The Greater Winnipeg Development Plan or "Plan Winnipeg" designates the subject land as an "Area of Limited Urban Expansion". Under this designation subdivision requirements are designed to maintain a basic development standard ensuring that all local services are available at a reasonable cost to the Municipality and that in particular there is potable water available, that adequate sewage disposal facilities will be provided which will not cause or be a contributing factor to pollution of water resources and that there is adequate surface drainage and no periodic flooding.

The draft Springfield Development Plan designates the subject land as being within the Navin Road growth area. Specifically the text of the draft plan states, under the section on Navin Road as follows:

To restrict future rural-residential development to those portions of the existing "RA" Suburban Zoning District which have remained undeveloped along the west side of Symington Road and to those vacant lands that front on the east side of Symington Road, between the C.N.R. rail right-of-way in the north, and Navin Road in the south.

In view of the above, which permits the growth of the Navin Road area in certain specified lands including the proposed nine lot in- fill subdivision, and considering the fact that Symington Road is now diverted to a safer intersection west of Plessis Road at No. 1 Highway, instead of crossing the railroad track and intersecting the Trans-Canada at an angle; the Department of Environmental Planning has no objection to the proposed rezoning.

In regard to the related subdivision, some design options exist as to lot pattern. Rather than having all 9 lots at 94 feet by 466 feet, the southernmost 3 or 4 lots can be rearranged so that a better width to depth ratio is obtained.

A Public Meeting was held before the Council of the Rural Municipality of Springfield on January 23rd, 1990.

Mr. A. Penner, Box 28, Group 529, RR No. 5, Winnipeg, R2C 2Z2 appeared in support of the application.

No one appeared in opposition thereto.

The Council of the Rural Municipality of Springfield recommended that the proposed zoning change be approved for the following reasons:

1. Proposal is consistent with Plan Winnipeg.

Report of the Committee on Planning and Community Services dated June 25th, 1990

2. Subject land is within area designated "Navin Growth Area" under Springfield Development Plan.

3. No objections raised by area residents or neighbouring property owners.

Your Committee on Planning and Community Services concurs in the recommendations of the Council of the Rural Municipality of Springfield and recommends:

I. That the Springfield Town Planning Scheme 1959 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 268/89, attached hereto and dated June 14th, 1990, to an "RA" Suburban 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 provide for the following:

A. The following uses shall not be permitted:
1. Two family dwellings
2. Churches and church halls
3. Permitted staff dwellings and dormitories

B. The following yards and site area shall be provided:

Front yards, minimum	27.43 metres/90 feet
Corner yard, minimum	18.29 metres/60 feet
Site Area, minimum	0.404 hectares/1.0 acre

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, all the required fees have been paid and file DASSF 733/89 has been approved by the Committee on Planning and Community Services.

III. 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.

IV. That the Proper officers of the City be 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 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.

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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1224 for attachment.)

REZONING - East side McPhillips Street, between Swailes and Beecher Avenues - Lord Selkirk-West Kildonan Community File No. DAZ 273/89.

1208 - 11. Your Committee on Planning and Community Services has been advised that an application has been received from Southam and Bahen Realty Ltd. to amend By-law No. 4450/86 by rezoning the land located on the east side of McPhillips Street between Swailes and Beecher Avenues from an "RA" Single-Family District to a "C2-S" Suburban Commercial District to permit a commercial development, which would include a restaurant, a gas kiosk and car wash, subject to the approval of a Conditional Use Order.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Under application DAZ 210/88, the previous owners attempted to rezone a portion of the subject property to a commercial category in order to accommodate a multi-tenant commercial building and parking area. That application, which encompassed an area approximately 40% of the subject site, was approved by the Lord Selkirk-West Kildonan Community Committee but prohibited, as a condition of approval, drive-in restaurants, convenience stores and gas kiosks. DAZ 210/88 subsequently received approval by the Committee on Planning and Community Services but to date, a rezoning by-law has not been enacted.

The applicant, on behalf of the current owners has submitted revised plans encompassing the larger site area, which has required a completely new application. The new plans call for the construction of two commercial mall complexes - one along the east boundary and the other along the north boundary of the site area.

At the north-east corner of the property, the applicant is proposing to construct a 3-storey medical clinic. All three buildings are separated from the north and east property lines by 25 foot landscaped buffer zones. Under application DCU 284/89, the owners are seeking approval of a carwash/gas kiosk operation to be situated midway along the McPhillips frontage close to the western edge of the property. A future restaurant building at the south end of the site may be constructed, depending upon whether or not Beecher Avenue is closed in the future. The proposed closure of Beecher Avenue has been endorsed by your Committee on Planning and Community Services.

Given its location along a regional street, the subject land can be considered appropriate for commercial development. However, appropriate development standards will be necessary in order to protect adjacent residential lands to the east as well as those lands at the north-east corner of Swailes Avenue and McPhillips Street which are presently being developed for single-family residential purposes. To this end, the following recommendations contain a number of suggested development conditions regarding setbacks along the north and east property lines, signage and a prohibition on vehicular access from Swailes Avenue and Beecher Avenue. It will be noted that the suggested 25 foot east rear yard is already a requirement under the Zoning By-law. It is included here only to serve notice that the 25 foot area is not to be used for any activity and is to be intensively landscaped. Some of the conditions included below, such as restrictions on signage and setbacks have been required as a condition of approval of almost all development applications along McPhillips Street over the past ten years.

The owners of the property and the Administration are in agreement that the south-east corner of the site will not be developed or utilized for any purpose, other than minor landscaping, until such time as the question of the Beecher Avenue road closing has been satisfactorily resolved.

A Public Meeting was held before the Lord Selkirk-West Kildonan Community Committee on February 6th, 1990.

The following persons appeared in support of the application:

Robert Bahen, 911 Winnipeg Avenue, Winnipeg, R3E OS1,
Murray Wilson, B1 - 11 Evergreen Place, Winnipeg, R3L 2T9,
John Matwichuk, 973 Beecher Avenue, Winnipeg, R2P 1T7,
Elizabeth Pazerniuk, 968 Beecher Avenue, Winnipeg, R2P 1W7,
M. L. Southam, 774 Charleswood Road, Winnipeg, R3R 1K6,
A. Korzeniowski, 22 Dvoras Cove, Winnipeg, R2P 2J3,
M. Krzyczkowski, 965 Beecher Avenue, Winnipeg, R2P 1T7,
Jean Thiessen, 957 Beecher Avenue, Winnipeg, R2P 1T7,
Mr. and Mrs. T. Berzish, 956 Beecher Avenue, Winnipeg, R2P 1W7,
Dianne Cavallo, 972 Beecher Avenue, Winnipeg, R2P 1W7,
Rick Matwichuk, 969 Beecher Avenue, Winnipeg, R2P 1T7.

The following persons appeared in opposition to the application:

Jim Nein, 26 Dvoras Cove, Winnipeg, R2P 2J3,
John Bettencourt, 20 Gregg Place, Winnipeg, R2P 2A2,
Peter Samorodny, 64 Blundell Bay, Winnipeg, R2P 1Z3,
Mary Samorodny, 64 Blundell Bay, Winnipeg, R2P 1Z3,
Richard Preteau, 2 Dvoras Cove, Winnipeg, R2P 2J3,

Report of the Committee on Planning and Community Services dated June 25th, 1990

Shirley Preteau, 2 Dvoras Cove, Winnipeg, R2P 2J3,
Jane Daneault, 24 Gregg Place, Winnipeg, R2P 2A2,
Victor Antonio, 19 Nikki Lane, Winnipeg, R2P 2K1,
Florence Gregg, 949 Beecher Avenue, Winnipeg, R2P 1T7,
Ed Feuer, 30 Brooks Cove, Winnipeg, R2P 2E4.

The Lord Selkirk-West Kildonan Community Committee recommended that the proposed zoning change be approved subject to a number of conditions, which have been modified for the purpose of clarification within the following recommendations for the following reasons:

1. The revised plan, as submitted, is the most economically viable and suitable development for the site, and is the less obtrusive option that could be built there.

2. The gas kiosk will be located over 200 feet from the rear property line of the nearest home, with a solid wall between the commercial and the adjacent residential area, therefore odours will not be a problem for the residents.

3. Only one building, the medical facility, will be more than one storey in height, which facility will be a welcome addition to the community.

4. There will be more than adequate parking provided on the site.

5. The closing of Beecher Avenue will be a condition to the approval of the proposal.

Your Committee on Planning and Community Services concurs in part with the recommendations of the Lord Selkirk-West Kildonan Community Committee for the following reasons:

1. The recommendation made to the Community Committee prohibited a restaurant to be open later than 1:00 a.m. While it is unlikely to occur, a restaurant could close at 1:00 a.m. and re-open a half hour later. To clarify the intent, the recommendation is that no restaurant be permitted to operate between the hours of 1:00 a.m. and 6:00 a.m.

2. Clause 2. of the proposed Zoning Agreement, endorsed by the Community Committee (Clause 3. of the Agreement recommended herein), limits the height of structures on certain portions of the site, with a particular restriction adjacent to the residential lands to the east. It would appear that a transposition of words occurred. In addition, the reference to percentages of the site area are not sufficiently precise to be interpreted consistently. The following recommendations attempts to correct the wording and remove vagueness.

3. Clause 7. of the Zoning Agreement endorsed by the Community Committee (Clause 8., herein) was intended to limit the number of tall free-standing signs on the site, while permitting a proposed gas kiosk to maintain signs to the maximum allowed by the By-law. Inclusion of the phrase "That no signs shall be permitted on the lands except" frustrates the intent of the Community Committee and has been removed.

It is therefore recommended:

I. That By-law No. 4450/86 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 273/89, attached hereto and dated March 1st, 1990, to a "C2-S" Suburban Commercial District, subject to the following:

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

      1. That a 10 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.

Report of the Committee on Planning and Community Services dated June 25th, 1990

2. That the following uses shall be prohibited:
   a. Amusement Parlours
   b. Bingo Parlours
   c. Billiard Parlours
   d. Bowling Alleys
   e. Banquet Halls, Dance Hall, Public Halls
   f. Cinemas, Theatres, Concert Halls
   g. Automobile Sales or Rentals
   h. Drive-through vendors, Stores, Restaurants and Banks
   i. Drive-in Restaurants
   j. Convenience Stores
   k. Hotels
   l. Motels
   m. Public Garages and Service Stations
   n. Eat-in or Take-out Restaurant if open between the hours of 1:00 a.m. and 6:00 a.m.;

3. That no building constructed on the most easterly 85 feet (25.5 metres) of the land shall exceed one storey in height, with the exception of a medical clinic, the height of which shall not be greater than three storeys, and no building on the remaining portion of the land shall exceed three storeys in height;

4. That no building or parking shall be located within ten feet (3 metres) of the northerly property line;

5. That no building, parking or loading shall be permitted within 25 feet (7.5 metres) of the easterly property line;

6. That no building shall be permitted within 25 feet (7.5 metres) of McPhillips Street and no parking shall be located within 20 feet (6 metres) of McPhillips Street;

7. That no vehicular ingress or egress shall be permitted to or from Swailes Avenue or Beecher Avenue;

8. That not more than three free-standing identification signs exceeding 10 feet (3 metres) in height above grade, shall be permitted and no free-standing sign shall exceed 30 feet (9 metres) in height above grade. A free-standing sign shall not be located within 20 feet (6 metres) of an abutting street.

9. That not more than one facia identification sign shall be permitted for each use established upon the subject lands; further, said facia signs shall not exceed ten percent of the area of the building wall of the commercial unit to which the sign is attached.

10. That ornamental wood fencing shall be erected along the entire easterly property line in accordance with plans to be submitted to and approved by the Lord Selkirk-West Kildonan Community Committee; further, said fence shall be 6.5 feet (2 metres) in height, with the exception of the most northerly 25 feet (7.5 metres) where said fencing shall be 4 feet in height; and that the most northerly 25 feet (7.5 metres) be in accordance with the rear fence of the neighbour to the immediate east;

11. That the south-east corner of the site, as shown cross- hatched on Schedule "B" for File No. DAZ 273/89, attached hereto and dated March 1st, 1990, shall not be developed or utilized for any purpose, other than minor landscaping, until the closing of Beecher Avenue abutting the southerly limit of the subject land has been closed; and

12. That no permits shall be issued until plans showing location of buildings, parking, landscaping, fencing, garbage containers, elevations including building materials, and methods of ingress and egress have been submitted to and approved by the Lord Selkirk-West Kildonan Community Committee, and the Commissioner of Planning and Community Services and identified as Schedule "A" to DAZ 273/89, further, no construction shall take place except in accordance with said Schedule "A" to DAZ 273/89.

Report of the Committee on Planning and Community Services dated June 25th, 1990

B. That the applicant be required to enter into a Servicing Agreement with the City containing therein all conditions outlined in the report of the Administrative Co-ordinating Group, dated January 22nd, 1990, attached hereto as Schedule "C" for File No. DAZ 273/89.

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 and the Servicing Agreement have been executed.

III. 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.

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

V. That, in the event this application is not proceeded with expeditiously and the by-law 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.

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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 1225, 1226 and 1227 for attachments.)

REZONING - 590 Balmoral Street - City Centre-Fort Rouge Community
File No. DAZ 220/90.

1209 - 12. Your Committee on Planning and Community Services has been advised that an application has been received from Lan Thi Quach, 590 Balmoral Street to amend By-law No. 16502 by rezoning the land at 490 Balmoral Street from an "R4" Multiple-Family District to a "C1" Limited Commercial District to allow for the establishment of a grocery store on the main floor of an existing two-family dwelling.

The subject site is 10.1 metres (33 feet) by 34 metres (111.5 feet), providing a total site area of 342 square metres (3680 square feet).

The land to the north and south is zoned multiple-residential ("R4"). To the east the land is zoned multiple-residential ("Rb"/"NRa"), and to the west it is zoned lower-density residential ("R2-T").

The subject property is located on the west side of Balmoral Street just south of Cumberland Avenue and is occupied by a two-storey residential building. Existing zoning is "R4" Multiple-Family District.

The applicant proposes to rezone the subject property to a "C1" Limited Commercial District in order to occupy the main floor as a grocery store. The second floor is to remain in residential use.

While some commercial development exists on Balmoral Street, mostly to the east and south, continued commercial conversions are not seen as being appropriate for a number of reasons. Firstly, it will result in traffic and parking problems along a street which already exhibits periodic capacity deficiencies. Secondly it will result in potential conflicts between newly created commercial uses and existing residential properties. Thirdly, it will result in the removal of affordable housing stock from the central area of the City. While it might be argued that Balmoral Street

Report of the Committee on Planning and Community Services dated June 25th, 1990

does not represent a highly attractive living environment because of the volumes of traffic, it can also be noted that significant new redevelopment for residential purposes has taken place to the south. Finally, given the existing state of retail and commercial development in this City, it is not considered appropriate to encourage the creation of any new retail/commercial corridors at this time.

A Public Meeting was held before the City Centre-Fort Rouge Community Committee on May 9th, 1990.

The following persons appeared in support of the application:

Mr. Sen Nguyen, 516 Young Street, Winnipeg, R3B 2S6,
Mr. Tran Nghia, 799 Simcoe Street, Winnipeg, R3E 2C3,
Mr. Vuong Dan, 564 Balmoral Street, Winnipeg, R3B 2R3.

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 proposed development will result in improvements to the existing buildings and will enhance the real estate value of both the subject and adjacent properties.

2. A portion of the adjacent properties are currently developed and utilized as rooming houses.

3. Limiting commercial use to the main floor and basement will minimize any adverse impact caused by the commercial use.

4. There was no opposition to the application.

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 220/90, attached hereto and dated June 4th, 1990, to a "C1" Limited 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 provide for the following:

   A. That a 10 per cent 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; and

   B. That commercial uses be limited to the main floor and basement of the existing building only.

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 first charge against the subject land at Winnipeg Land Titles Office.

IV. That the Proper Officers of the City be 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 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.

Report of the Committee on Planning and Community Services dated June 25th, 1990

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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1228 for attachment.)

REZONING - 144 Lyndale Drive St. Boniface-St. Vital Community
File No. DAZ 221/90 (c/r DASSF 558/90).

1210 - 13. Your Committee on Planning and Community Services has been advised that an application has been received from Basarab Associates Architecture Inc., 201 - 140 Bannatyne Avenue to amend The St. Boniface Town Planning Scheme 1957 by rezoning the land at 144 Lyndale Drive from a "PR" Park and Recreational District to an "R1" One-Family District to allow for the construction of the single-family dwellings.

The subject site is 36.5 metres x 70 metres (irregular site) 119.78 feet x 230 feet providing a total site area of 2555 square metres (27,500 square feet).

The lands to the north, south and east are zoned "R1" with low-density housing. To the west is the Red River.

It is proposed to subdivide the subject property into two equal lots if it is rezoned, each 59.89 feet x 230 feet, under File DASSF 558/90.

The westerly 55 feet, more or less, of the riverbank of the subdivision proposal falls within the designated "Floodway", as shown on attached Schedule "B" (established under the Canada-Manitoba Flood Damage Reduction Agreement). The remainder of the property falls entirely within the designated "Floodway Fringe" area. This property is not protected by the primary dyke. Any construction taking place in the "Floodway Fringe" area is required to meet certain flood-proofing criteria, as established by Manitoba Regulations 439/88.

For approval, authorization to enter into the Subdivision Agreement is required from the Committee on Planning and Community Services, and a positive recommendation is required from the St. Boniface-St. Vital Community Committee. A Subdivision Agreement is necessary because under Section 642(28) of The City of Winnipeg Act, no subdivision of "Floodway" lands can take place without such Agreement. The Agreement would be registered against the subject property to notify present and future property owners that no buildings or structures can be constructed within the designated "Floodway" area, under Section 485(1) of The City of Winnipeg Act. Because of the substantial lot depth of this property and the minimal depth of designated "Floodway" area, this building restriction should not impose any hardship in the construction of single-family dwellings and accessory structures on the proposed lots.

It is entirely appropriate that, with the relocation of the Rowing Club, this site be redeveloped for one-family dwellings.

If acquired by the City, the site could be cleared and improved as riverbank park under the existing zoning, but that part would be isolated from the other major riverbank park sites on Lyndale Drive.

Because the riverbank to the north and south is developed in one-family dwellings, it is far more consistent to allow infill housing on the subject site. The replacement of a private club by housing would establish an intensity of development which is more compatible with existing housing than would be a fully public park.

There are no conditions necessary to limit one-family development under a Zoning Agreement, and dedication is applicable only under the subdivision application.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Because an additional building site is being created this application is subject to dedication of 10% of the land (or cash equivalent). Since land dedication has not been requested by the Parks Department, the property owners (Winnipeg Rowing Club) would be assessed a 10% cash dedication for public open space.

The Winnipeg Rowing Club has requested that this dedication requirement be waived because the monies received from the sale of the subject property are to be used for the construction of a new rowing club facility, which land and buildings are to remain in City ownership.

However, the rowing club complex is a regional (City-wide) facility, and the dedication is to be used for St. Boniface-St. Vital Community park development.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on May 22nd, 1990.

Mr. Joe Barnsley, 800 - 444 St. Mary Avenue, Winnipeg, R3C 3T1 appeared in support of the application.

No one appeared in opposition thereto.

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

The St. Boniface-St. Vital Community Committee did not provide any supporting reasons for approval of the proposed zoning change.

The St. Boniface-St. Vital Community Committee recommended approval of DASSF 558/90 with conditions all of which are contained within the following recommendation.

Your Committee on Planning and Community Services concurred in the recommendations of the St. Boniface-St. Vital Community Committee on File No. DASSF 558/90 and pursuant to Section 642(30) and 642(28) of The City of Winnipeg Act approved the subdivision of the subject lands under said File DASSF 558/90 as shown on Schedule "B" for File No. DAZ 221/90 subject to the following:

I. That the property owners be required to enter into a Subdivision Agreement with the City, containing therein the following conditions:

   A. That the construction of buildings and structures on the subject land shall be prohibited within the designated "hatched area" as shown on attached Schedule "B", which includes the designated "floodway area" as defined in Part 15 of The City of Winnipeg Act.

   B. The said Subdivision Agreement shall be registered against the subject land by caveat as a first charge.

II. That the applicant be required to pay to the City 10% cash in lieu of land dedication to be calculated on the basis of the one (1) additional building site being created.

III. That the Proper Officers of the City be authorized to execute the Subdivision Agreement.

IV. That the Director of Environmental Planning be authorized to sign and release the survey mylars for DASSF 558/90 upon execution of the Subdivision Agreement and payment of the 10% cash dedication.

Your Committee on Planning and Community Services concurs in the recommendations of the St. Boniface-St. Vital Community Committee under File DAZ 221/90 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 221/90, attached hereto and dated June 11th, 1990, to an "R1" One-Family District.

Report of the Committee on Planning and Community Services dated June 25th, 1990

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

III. That the Rezoning By-law shall become effective when the plan approved pursuant to DASSF 558/90 has been registered at Winnipeg Land Titles Office.

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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 1229 and 1230 for attachments.)

REZONING - 856 Ellice Avenue City Centre-Fort Rouge Community
File No. DAZ 230/90 (c/r DCU 92/90)

1211 - 14. Your Committee on Planning and Community Services has been advised that an application has been received from Wolchock & Company, 404 - 310 Broadway to amend Zoning By-law No. 16502 by rezoning the land at 856 Ellice Avenue from a "C1" Limited Commercial District to a "C2" Commercial District to allow a private club to be licensed.

The subject site is 12.2 metres (40 feet) x 28.1 metres (92.33 feet) providing a total site area of 343 square metres (3693 square feet).

The land to the south, east and west is zoned "C1" with multiple-residential and a church. To the north the land is zoned "R2" with a school.

The subject property is located on the south side of Ellice Avenue between Banning and Burnell Streets and is occupied by a one storey commercial building. Existing zoning is "C1" Limited Commercial.

The applicant proposes to occupy the building for a licensed private club. Establishment of a private club at this location will require approval of the subject rezoning application as well as a related conditional use application DCU 92/90.

Experience has indicated that licensed private clubs, depending upon the manner of operation, have the potential for causing substantial adverse impacts for adjoining residential lands in terms of traffic, parking, noise, late-night hours, and alcohol-related activities. In the case of the subject property, an apartment building is located to the immediate west only several feet distant; and another apartment building is located to the immediate south across the lane from a small parking area behind the subject building. The amenity of residents of these buildings can be expected to suffer if a licensed private club is established at this location.

In support of the application, it can be noted that the adjoining apartment building to the west is presently zoned "C1" Limited Commercial, which would allow for commercial redevelopment by right. However, this apartment building is not a non-conforming use, as commercial zoning does permit residential development under By-law No. 16502.

A Public Meeting was held before the City Centre-Fort Rouge Community Committee on May 29th, 1990. The following persons appeared in support of the application:

Report of the Committee on Planning and Community Services dated June 25th, 1990

Mr. David Levene, Wolchock & Company, 404 - 310 Broadway, Winnipeg, R3C 0S6,
Mr. John Tavares, 856 Ellice Avenue, Winnipeg, R3G 0C4,
Mr. John Medeiros, 856 Ellice Avenue, Winnipeg, R3G 0C4,
Mr. Joe Faria, Jr., 844 McDermot Avenue, Winnipeg, R3E 0T7.

The following persons appeared in opposition thereto:

Mr. E. A. Gillies, 680 Banning Street, Winnipeg, R3G 2G2,
Mr. James B. Aird, Chairman, Resident Advisory Group, 103 - 86 Young Street, Winnipeg, R3C 1Y6.

The City Centre-Fort Rouge Community Committee recommended that the proposed zoning change be not proceeded with, for the following reasons:

1. The club is located immediately east of an apartment building only several feet distant and another apartment building is located to the immediate south across the lane from a small parking area behind the subject building and, while they may be zoned "C2", are used for residential purposes.

2. The Community Committee is of the opinion that private clubs should not be located in the residential areas.

3. There was opposition from the neighbourhood to the proposed zoning change.

4. Noise, parking, traffic, late-night hours and alcohol-related activities have the potential for causing substantial adverse impacts for adjoining residential lands and have not been adequately addressed.

5. The proposed location is not appropriate for a licensed club.

6. The amenity of residents of adjacent buildings can be expected to suffer if a licensed private club is established at this location.

Your Committee on Planning and Community Services concurs in the recommendation of the City Centre-Fort Rouge Community Committee and recommends that the proposed zoning change to By-law No. 16502 by rezoning land under File No. DAZ 230/90 from a "C1" Limited Commercial District to a "C2" Commercial District be not proceeded with.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

Amendment to Development Agreement AG 27B/84, Stage I - Qualico Developments (Winnipeg) Ltd
File DASZ 27B/84.

1212 - 15. Your Committee on Planning and Community Services has been advised that on September 14th, 1987 the City executed Development Agreement AG 27B/84, Finance Department No. 7032, for Stage I of Qualico Developments (Winnipeg) Ltd.'s development south of Novavista Drive, west of Ashworth Street.

The Agreement provides that the Developer shall dedicate to the City and pay 48% of the cost of landscaping a 4.8 acre park within the subject plan of subdivision. Clause 1.b) in Section II of Schedule "C" of the Agreement, attached hereto, reads as follows:

> "The Developer shall landscape all dedicated open space in accordance with plans and specifications approved by the General Manager of Parks & Recreation. The City shall reimburse the Developer for 48% of the costs incurred therefore by the Developer as certified by the said General Manager subject to the approval of funding by the City."

Report of the Committee on Planning and Community Services dated June 25th, 1990

Discussions have been held between the Administration and the Developer and it was agreed, subject to the approval of your Committee on Planning and Community Services as follows:

1. The Developer's responsibilities with respect to landscaping the park located at the south-west corner of Novavista Drive and Ashworth Street pursuant to Development Agreement AG 27B/84 (Stage I) would be deleted, and

2. The Developer would instead be responsible for 100% of the cost of landscaping and installing an irrigation system in its portion (5.1 acres) of the park commonly referred to as the Ashworth Recreation Site located on the south side of Southglen Boulevard west of Ashworth Street. (This park was acquired by the City pursuant to development applications as follows:

   i) DASZ 36/85: 5.1 acres from Qualico Developments Ltd.

   ii) DASZ 40/85: 7.65 acres from 71512 Manitoba Ltd.)

At its meeting held on September 11th, 1989, your Committee on Planning and Community Services was advised that on August 29th, 1989, the St. Boniface-St. Vital Community Committee considered and concurred with a report dated August 23rd, 1989 from the Director of Land Development recommending that Development Agreement AG 36/85 with Qualico Developments Ltd. be amended to provide for the Developer paying 100% of the cost of improving its portion of the Ashworth Recreation Site. Council approved the amendment on September 27th, 1989. Qualico Developments Ltd. however are not willing to sign the amending agreement until the balance of the negotiated package has been approved.

The St. Boniface-St. Vital Community Committee at its meeting held on May 22nd, 1990 recommended approval of the amendment to Development Agreement as hereinafter provided.

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

I. That Development Agreement AG 27B/84, Stage I, Finance Department No. 7032 be amended by deleting therefrom in its entirety Clause 1.b) in Section II of Schedule "C".

II. That the City Solicitor be authorized to do all things necessary to implement Recommendation I above.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

SUBDIVISION AGREEMENT AMENDMENT 5 Bluewater Crescent St. Boniface-St. Vital Community File No. DASZ 27/80 (SAA 10/90).

1213 - 16. Your Committee on Planning and Community Services has been advised that an application has been received from Ladco Company Ltd., 150 - 50 Lakewood Boulevard to amend the Subdivision Agreement affecting 5 Bluewater Crescent by deleting the special rear yard set back provision of the agreement of 75 feet (22.86 metres) to any principal building and 50 feet (15.24 metres) to any detached accessory building and swimming pool and replacing it with a minimum 45 foot (13.7 metre) rear yard setback and to designate an area of the lot as a non-buildable area (no swimming pools or accessory structures).

Under DASZ 27/80 setback requirements from the storm-water retention pond were set for 5 Bluewater Crescent as:

(a) 75 feet to any principal building; and

Report of the Committee on Planning and Community Services dated June 25th, 1990

(b) 50 feet to any detached accessory building including swimming pools; being the same requirement for all lots on the north side of Bluewater Crescent.

However, because these limits are expressed as setbacks from the rear lot line (and not from the actual pond water-line), these rules are unnecessarily stringent for 5 Bluewater Crescent, which does not back directly on the retention pond.

A new setback requirement has been defined for this one lot, based on the pond water-line, as illustrated in Schedule "A" for SAA 10/90. A 45 foot set-back to any principal building would be established from the rear lot line, and no accessory building or swimming pool would be permitted in the hatched area which reflects the pond shore-line.

Clearly the proposed new rule would provide adequate protection from flooding.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on May 22nd, 1990.

Mr. David Borger, 150 - 50 Lakewood Boulevard, Winnipeg, R2J 2M7 appeared in support of the application.

No one appeared in opposition thereto.

The St. Boniface-St. Vital Community Committee recommended that the proposed subdivision agreement amendment be approved.

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

I. That Subdivision Agreement DASZ 27/80 be amended by adding to clause 2 thereof the following:

"Except in the case of Lot One, in Block One, Plan 16,191 the rear yard setbacks to be provided and maintained shall be as follows:

(a) a minimum of 13.72 metres (45 feet) to any principal building measured from the rear lot line; and

(b) no accessory building or swimming pool shall be located in the area shown hatched on the attached Schedule "A" for SAA 10/90 hereto and dated June 8th, 1990.

II. That the City Solicitor be requested to prepare the necessary amendment to Subdivision Agreement DASZ 27/80 as approved in Recommendation I above.

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

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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1231 for attachment.)

Report of the Committee on Planning and Community Services dated June 25th, 1990

SUBDIVISION - West of Henderson Highway, East of the Red River, North of Tartan Way - Rural Municipality of East St. Paul File DAS 21/87

1214 - 17. Council, on September 9th, 1987, adopted Clause 6 of the Report of the Committee on Planning and Community Services dated August 24th, 1987, which Clause recommended approval of the subdivision of lands as illustrated on Schedule "A" for the Report to The Committee on Planning and Community Services for File No. DAS 21/87, attached hereto and dated August 6th, 1987, subject to the execution of related Subdivision and Development Agreements. The application had been filed by DS-Lea Associates Ltd., 111 Lombard Avenue, Winnipeg, on behalf of the property owner, Mrs. Mildred Sparrow, 3144 Henderson Highway.

The above matter laid dormant until the latter part of 1989. Betron Holdings Ltd., 26 Ranch Road, Winnipeg, had in the interim assumed an interest in the land and on December 14th, 1989, appeared before the Council of the Rural Municipality of East St. Paul to seek its approval to proceed only with the most westerly component of the proposed plan, ie. the portion comprising the extension of Highland Park Drive and its adjoining six lots as shown on the attached sketch labelled Schedule "A" "REVISED" for The Report to The Committee on Planning and Community Service for File No. DAS 21/87 dated June 14th, 1990. Although the Council of the Rural Municipality of East St. Paul on December 21st, 1987 agreed to this major modification to the original proposal, the City of Winnipeg and its administration were not informed of that action at the time.

Section 642 (21) of The City of Winnipeg Act precludes the Council of The City of Winnipeg from approving any amendments to a proposed plan of subdivision following the conclusion of a public meeting, unless in its opinion the amendment will not prejudice the public or any interested person, or unless a further public meeting is held. In this regard Betron Holdings Ltd., has provided the Department of Environmental Planning with signed acknowledgements from the three adjoining landowners to the north of the lands in question, each expressing no objections to the amended proposal under consideration. These three landowners were the only persons who made representations at the public meetings held June 18th, 1987 and July 16th, 1987. In view of these acknowledgements and the fact that no other area landowners are legitimately affected by the proposed amendment, it is the opinion of The Department of Environmental Planning that Council may approve same.

At the request of The Department of Environmental Planning, and having been fully informed of the above considerations, the Council of the Rural Municipality of East St. Paul by resolution dated June 12th, 1990, reaffirmed its earlier position and recommended that the plan of subdivision approved in principle by the Council of the City of Winnipeg on September 9th, 1987 under File reference DAS 21/87 be amended to reflect the more limited proposed plan of subdivision illustrated on Schedule "A" "REVISED" referred to above.

Your Committee on Planning and Community Services concurs in the recommendations of the Council of the Rural Municipality of East St. Paul and recommends:-

I. That the opening paragraph of Item I. of the recommendation contained in Clause 6 of the Report of the Committee on Planning and Community Services dated August 24th, 1987, which was adopted by Council on September 9th, 1987, be rescinded and the following substituted therefor:

"I. That the plan of subdivision proposed under File No. DAS 21/87 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule 'A' 'REVISED' for the Report to The Committee on Planning and Community Services for File No. DAS 21/87, dated June 14th, 1990, for registration in the Winnipeg Land Titles Office subject to the following:"

II. That Item I.A. of said Clause 6 of said Report be rescinded and the following substituted therefor:

"I.A. That a one foot strip of land along the northern boundary of the proposed extension of Highland Park Drive be established as a 'Reserve Parcel'."

Report of the Committee on Planning and Community Services dated June 25th, 1990

III. That Item I.B.1. of said Clause 6 of said Report be rescinded and the following be substituted therefor:

"1. That the total number of single-family residential lots on the subject land shall not exceed six."

IV. That the Proper Officers of the City be authorized to do all things necessary in order to implement the above.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 1232 and 1233 for attachments.)

SUBDIVISION - South-east corner of Deacon Road and Aspen Glen Road - Rural Municipality of Springfield
File No. DAS 7/90

1215 - 18. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. V. M. Stupak, 171 Ambassador Row, Winnipeg, for approval of a plan of subdivision on lands located on the south side of Aspen Glen Road and the east side of Deacon Road for the purpose of establishing a new street with a dead-end turnaround and eight (8) rural residential building sites.

The land is zoned "A" Rural District and under the regulations in The Springfield Town Planning Scheme 1959 each site must provide a minimum lot width of 300 feet and a minimum lot area of 5 acres. A Zoning Variance is required to establish Lots 1 and 2 which provide 3.61 acres and 3.51 acres respectively instead of 5 acres as required.

Zoning of the subject land and of the surrounding area is "A" Agricultural requiring a minimum of 5 acres area and 300 feet of lot width.

Plan Winnipeg designates the property as "Areas of Limited Urban Expansion". This designation provides for consideration of the establishment of non-farm development which is orderly and efficient in suitable areas into which the extension of the existing water supply and sewerage collection system of the City of Winnipeg is not anticipated. As determined by the Council the subdivision shall maintain a basic development standard ensuring that all local services are available at a reasonable cost to the Municipality and that in particular there is (adequate) potable water available, that there be adequate sewage disposal facilities (capabilities) will be provided which will not cause or be a contributing factor to pollution of water resources, and that there is adequate surface drainage and no periodic flooding.

The Springfield Development Plan in its draft form as it applies to the Additional Zone designates the subject site as "Rural Areas". This designation suggests Council will organize lands in Springfield in a manner which will preserve farm land, protect farmlands from the encroachment of incompatible land uses, and maintain the open space and rural character of the countryside.

The Greater Winnipeg Gas Company advised that it has no objection to the proposal.

Transcona-Springfield School Division No. 12 advised that it has no objection to the proposal.

The Highways and Transportation Department advised that the application is not on a Provincial Road. However, if approved the applicant is requested to provide the District Engineer with drainage information.

Manitoba Hydro advised that it can provide overhead front street electrical service by extending existing facilities. Easements are not required.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Manitoba Environment and Workplace Safety and Health has not forwarded any written comment. The specifications directed to the Aspen Glen application were as follows:

> "Septic tanks and fields will be used for disposal of household effluents. The heavy type soil in the area significantly restricts filtration of liquids into the subsoil and occasionally saturation of the sewage disposal fields occurs. We would recommend that sewage fields be placed a minimum of 50 feet inside all property lines. It is also noted that regulations do not allow disposal field installation where the water table is within 3.3 feet of the surface."

While other government agencies expressed no objection to the proposed subdivision to create 8 new lots, the Department of Environmental Planning did not support the lengthening and increased use of a dead-end street that extends over 2500 feet (1.2 mile +) in a minimum service area.

In traditional suburban single-family housing developments the recommended maximum length of a cul-de-sac is 350 feet. This length of street will service approximately 18 dwellings on 50 foot lots. Current site planning criteria stipulate that this length may be increased if an emergency vehicular access is provided to another street.

While the maximum length of cul-de-sac in a rural residential development cannot be compared to a suburban development standard, the principle of providing secondary access for emergency vehicles should not be compromised.

The District Planning Branch would prefer that a looped street pattern or bay be established to provide secondary access. Much of the vacant interior land is becoming inaccessible and impractical for future subdivision due to the multiplicity of owners, the ½ mile depth of all the sites and the narrowness of some other sites.

Further, the Department of Environmental Planning is unclear concerning the Council of the Rural Municipality of Springfield's policy on creation and maintenance of additional new public roads in the Municipality considering the development potential on existing roads. Certain areas exist where the rural character, the existing ownership pattern and marginal agricultural viability might better lend themselves to development along existing roads and consolidation of the interior areas as reserves. These reserves could serve as viable interim agricultural holdings and facilitate more orderly and economical future non-farm areas.

A Public Meeting was held before the Council of the Rural Municipality of Springfield on May 22nd, 1990.

The following persons appeared in support of the application:

Mr. V. M. Stupak, 171 Ambassador Row, Winnipeg, R2V 3M1,
Mr. & Mrs. D. Johnson, P.O. Box 4, Group 547, RR 5, Winnipeg, R2C 2Z2,
Mr. Gerald Thiessen, 219 St. Martin Boulevard, Winnipeg, R2C 3X9,
Mr. R. P. Kelly, Box 134A, RR 5, Winnipeg, R2C 2Z2.

No one appeared in opposition thereto.

Mr. & Mrs. S. Gerylo, P.O. Box 16, Group 546, RR 5, Winnipeg, R2C 2Z2 appeared for information purposes only.

The Council of the Rural Municipality of Springfield recommended that the proposed plan of subdivision be approved subject to a number of conditions, all of which have been incorporated within the following recommendations.

The Council of the Rural Municipality of Springfield also granted Variance Order No. DAV 149/90 to permit on the land the establishment of two lots providing lot areas of 3.61 acres (proposed Lot 1) and 3.51 acres (proposed Lot 2) instead of 5 acres as required in each case.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Your Committee on Planning and Community Services concurs in the recommendations of the Council of the Rural Municipality of Springfield and recommends:-

I. That the plan of subdivision proposed under File No. DAS 7/90 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" attached hereto and dated June 12th, 1990, for registration in the Winnipeg Land Titles Office subject to the following conditions:

A. The plan of subdivision is to include Drain Plan 7667 being incorporated into the lawful Right-of-Way of Aspen Glen Road.

B. The applicant shall enter into a Standard Form Family Subdivision Agreement with the Municipality.

C. The applicant shall enter into a Subdivision Agreement with the City pursuant to Section 642(30) of the City of Winnipeg Act, to provide that the use of the land shall be restricted to the following uses:

1. One-family dwelling for farm or non-farm residential purposes;

2. Accessory uses, including home occupations or the home office of a physician, dentist, or other person authorized by law to practice medicine of healing, a private garage or greenhouse;

3. No dwelling unit shall be erected or stand upon the lands or any part thereof which shall have a floor area exclusive of any open porch, garage or breezeway of less than the following number of square feet:

Bungalow - minimum area of house only - 1400 square feet Split-level - minimum area of house only - 1700 square feet Bi-level - minimum area of house only - 2000 square feet Two storeys - minimum area of house only - 2000 square feet

For the purpose of this paragraph "floor area" shall mean the floor area of a dwelling unit measured within the interior faces of the exterior walls of the dwelling unit. The floor area in the basement, porches and garage shall not be included in the calculations of the dwelling unit area.

4. No building or erection of any kind shall be erected on the lands unless the plans, specifications and locations thereof as indicated by a siting plan including the distances from the front, side and rear limits shall have been first submitted to , and approved in writing by the Municipality or its Building Inspector, and no such building or other erection shall be constructed or placed on lands otherwise than in conformity with such plans, specifications and site plans.

5. That no walls of a dwelling unit shall be erected;

a. Nearer to the back limits of the lot than Fifty (50) feet;

6. Notification that the following setbacks are required for each dwelling unit under The Springfield Town Planning Scheme 1959.

Front yard - 125 feet minimum
Side yard - 25 feet minimum

7. That a detached garage used for vehicular parking and domestic storage may be constructed behind the front wall of a single-family dwelling unit;

Report of the Committee on Planning and Community Services dated June 25th, 1990

8. Notwithstanding condition No. 6. above, one accessory building shall be permitted behind the rear wall of the house and shall not be less than 320 square feet nor more than 1250 square feet in area;

9. Not more than one driveway shall be constructed for each dwelling unit and the driveway shall not have more than one access to and from an abutting street and such within the "planned area";

10. No motor vehicle other than private passenger motor vehicles shall be parked upon the lands unless concealed in a wholly enclosed garage;

11. That no animals other than household pets, limited to three (3) in number, normally permitted in private homes in urban residential areas, shall be kept upon the lands, and provided, further, that no boarding of animals is permitted;

D. The applicant shall enter into a Development Agreement with the Rural Municipality of Springfield in respect to the provision of services.

II. That the Director of Environmental Planning be authorized to certify any documents in connection herewith.

III. That the City Solicitor be requested to prepare the necessary subdivision by-law and forward same to Council for all three readings when the Subdivision Agreement has been executed and the City receives confirmation from the Municipality that the Development and the Standard Form Family Subdivision Agreements have been executed.

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

V. 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.

VI. 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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1234 for attachment.)

SUBDIVISION AND REZONING - Revision of a Plan of Subdivision and Rezoning of land located between Shaftesbury and Holland Boulevards, North of Billingham Place - Assiniboine Park-Fort Garry Community
File DASZ 1/89

1216 - 19. Council on July 12th, 1989, adopted Clause 11 of the Report of the Committee on Planning and Community Services, dated June 26th, 1989, which Clause recommended approval of the subdivision and rezoning as shown on Schedule "A" attached hereto and dated May 17th, 1989. That approval is subject to the developer, Pine Hill Development Corporation, entering into a Development Agreement and a Zoning Agreement with the City, among other items.

A revised plan of subdivision has been submitted by the developer which constitutes an amendment to said Schedule "A", and therefore requires the approval of Council. The subdivision plan has been amended by introducing a bay to replace two of the three formerly proposed cul-de-sacs. The major reason for revising the subdivision from the original

Report of the Committee on Planning and Community Services dated June 25th, 1990

proposal results from the need to accommodate an existing underground Manitoba Hydro duct line. It was determined that the hydro duct line should be contained within a public Right-of-Way wherever possible. As a consequence, two of the proposed cul-de-sacs were revised to a bay system so that almost all of the duct line would fall within a public Right-of-Way.

The revised plan has been reviewed by the Administrative Co- ordinating Group. No objections were noted at the Administrative Co- ordinating Group's review on May 16th, 1990. The Administration considers this amended plan acceptable. It was recommended that proposed Lot 16 in Block 2 be dedicated to the City as a development control strip. There is the potential of further lotting north of said Lot 16, with the incorporation of Lot 16 in a future plan of subdivision (potential yield 3 to 4 lots). It should be noted that approximately half of Lot 16 consists of the former Bower Boulevard (to be closed under DAC 6/89).

In the opinion of the Administration this amendment to Schedule "A" (proposed plan of subdivision) will not prejudice the public or any interested person. The proposed revision is an internal one (within the plan area) and does not impact any boundary streets. If Lot 16, Block 2 were left in private ownership it could be argued that this developer would hold an unfair advantage over the property owners to the north if their land were ever to be subdivided in the future. Consequently, the Administration has recommended that this lot (Lot 16, Block 2) be dedicated to the City for development control purposes. The City would reimburse the developer for any installed services utilized along the Lot 16 frontage in the future (if subdivided).

The Assiniboine Park-Fort Garry Community Committee considered this matter at their meeting on May 29th, 1990 and recommended that the "Revised" Plan of Subdivision and the necessary amendments to the Development Agreement, as hereinafter provided, be approved.

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

A. That the first statement of Condition I. of Clause 11 of the report of the Committee on Planning and Community Services, dated June 26th, 1989, as adopted by Council on July 12th, 1989, be rescinded and the following substituted therefor:-

"I. That the plan of subdivision proposed under File No. DASZ 1/89 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule 'A' REVISED attached hereto and dated June 11th, 1990, for registration in the Winnipeg Land Titles Office subject to the applicant entering into a development agreement with the City according to the draft terms of which are set forth within Schedule 'C' attached hereto and dated May 17th, 1989, subject to the following amendments:"

B. That the draft development agreement conditions attached as Schedule "C", to Clause 11 of said Report of the Committee on Planning and Community Services and dated May 17th, 1989 be amended by adding the following conditions:-

1. That Lot 16, Block 2 be dedicated to the City for development control purposes.

2. That the corner rounding (bulb) for McKenna Place be extended into said Lot 16.

3. That prior to the release of the subdivision mylars for registration in the Manitoba Land Titles Office, the Developer shall provide sufficient servicing and utility design details to demonstrate that the existing hydro duct line can be accommodated within the proposed Right-of-Way to the satisfaction of the Commissioner of Works and Operations.

Report of the Committee on Planning and Community Services dated June 25th, 1990

Moved by Councillor McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1235 for attachment.)

SUBDIVISION AND REZONING - East side of Henderson Highway (No. 2901) just North of the Burr Oak Bay subdivision - Rural Municipality of East St. Paul

File DASZ 6/89

1217 - 20. Your Committee on Planning and Community Services has been advised that an application has been received from V. Watt & Associates Ltd., 5 Donald Street, Winnipeg, on behalf of the property owner Jean Louise McAllister for approval of a plan of subdivision and related zoning change to The East St. Paul Town Planning Scheme 1956 on land located on the east side of Henderson Highway including the extension of Panorama Bay, from an "RA" Suburban District and an "M3" Industrial District to an "RA" Suburban District or an "A1" Agricultural District for the purpose of establishing up to four (4) single-family building lots.

The applicant proposes to establish a total of four lots, out of which the proposed Lot 1 having Henderson Highway frontage will accommodate the existing house, and proposed Lots 2, 3 and 4 will become single-family building sites having frontage on the proposed northerly extension of Panorama Bay. The easterly part of Lot 4, approximately 5 acres, is proposed to be left vacant until future development of surrounding lands allows for its incorporation into the adjacent subdivisions. As the nature of the subdivision of the surrounding lands is unknown at this time, it would be advisable to rezone the vacant undeveloped part of the subject property to "A1" Agricultural District, which could be further rezoned to an appropriate category at the time it is actually developed.

The minimum site area required for "RA" Suburban District under the applicable zoning regulations is one half acre, whereas the municipal sewage disposal by-law calls for a minimum site area of one (1) acre. The lots within this proposal meet the requirements for the minimum site area (1 acre) and the "RA" lot width minimum of 99 feet.

In response to the letter from the Department of Environmental Planning requesting comments about this proposal, various departments and agencies have sent their replies. There were no concerns or objections raised by the respondents, except Manitoba Environment and Workplace Safety and Health, who advised that the sewage disposal system serving the dwelling on Lot 1 requires upgrading, and that the proposal will be subject to compliance with the applicable regulations.

In view of the Health Department's earlier comments about the need to determine the adequacy of sewage disposal systems serving any proposed building sites and about the water quality problem in some parts of the Rural Municipality of East St. Paul, the Health Department's concerns have to be properly addressed. Also, this site being in proximity to the Imperial Oil Co. Ltd. storage facilities to the north, the Health Department's approval is to be obtained to ensure that the proposed lots are not exposed to any environmental hazard that may originate at the oil storage facilities.

As the subject property is traversed by a creek, approval to this proposal should be conditional upon appropriate measures being taken in respect of flood-proofing as well as protection of water flow in the creek, as may be determined by the Municipal Engineer.

Since the proposed development is a logical extension of the existing Burr Oak area to the south and, a street stub (Panorama Bay) already exists to serve the proposed subdivision; and since a part of the land is already zoned "RA" Suburban District, the Department of Environmental Planning is prepared to support the subject application.

Report of the Committee on Planning and Community Services dated June 25th, 1990

A Public Meeting was held before the Council of the Rural Municipality of East St. Paul on May 17th, 1990.

Mr. V. Watt, 2901 Henderson Highway, Winnipeg, R3C 2E7, appeared in support of the application.

No one appeared in opposition thereto.

The Council of the Rural Municipality of East St. Paul recommended that the proposed subdivision and rezoning be approved for the following supporting reasons:-

1. The proposed subdivision is contiguous to the existing subdivision to the immediate south and therefore considered to be of an infill nature.

2. The proposal meets the municipality's zoning criteria.

3. The proposal would provide the municipality with control over the drain/creek in the respective area.

4. Other supporting reasons as cited in the Planner's report.

Your Committee on Planning and Community Services concurs in the recommendations of the Council of the Rural Municipality of East St. Paul and recommends:-

I. That the plan of subdivision proposed under File No. DASZ 6/89 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for file DASZ 6/89 attached hereto and dated June 8th, 1990, for registration in the Winnipeg Land Titles Office subject to the following:-

   A. The plan of subdivision as proposed be amended by labelling, with identifying lot numbers, the 0.3048 metre x 18.288 metre strip of land at the north limit of the proposed right-of-way and the proposed open space at the south-west corner of the subject property.

   B. That the developer enter into a Development Agreement with the Rural Municipality of East St. Paul to include, in addition to those things considered to be necessary by the Municipality, the following:-

      1. That all lots to be created upon the subject lands shall be serviced by a sewage disposal system as approved by the Public Health Inspector;

      2. That any measures, considered necessary by the Public Health Inspector in order to meet the standard for potable water and to reduce the risk from any potential hazard from the oil storage facilities to the north, shall be implemented by the applicant;

      3. That a road construction plan shall be prepared by the applicant to the satisfaction of the Rural Municipality of East St. Paul;

      4. That any and all works considered necessary by the Rural Municipality of East St. Paul, to protect and maintain the banks of the creek traversing the subject land and the flow of water through it, be carried out by the developer to the satisfaction of the Council of the Rural Municipality of East St. Paul;

      5. That the 0.3048 metre x 18.288 metre strip of land at the north limit of the proposed right-of-way shall be transferred to the Rural Municipality of East St. Paul at no cost to the said Rural Municipality for development control purposes.

      6. That the parcel of land designated "open space" and located at the south-west corner of the property shall be dedicated to the Rural Municipality of East St. Paul.

      7. That the required 10 percent dedication be conveyed to the Rural Municipality of East St. Paul.

Report of the Committee on Planning and Community Services dated June 25th, 1990

8. All other things deemed necessary by the Rural Municipality of East St. Paul.

II. That the Director of Environmental Planning 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 East St. Paul Town Planning Scheme 1956 be amended by rezoning the subject land, as shown on Schedule "A" for File DASZ 6/89 attached hereto and dated June 8th, 1990, to an "RA" Suburban 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 provide for the following:-

A. That the total number of single-family residential lots on the subject land, excluding that part lying to the east of the easterly boundary of Lot 3 and northerly projection thereof, shall not exceed four.

B. That no building permit shall be issued for that part of the land lying to the east of the easterly boundary of Lot 3 and northerly projection thereof, until that part of the land is incorporated into an approved plan of subdivision of the surrounding lands.

C. No building shall be constructed on the land other than a one- family dwelling house with an attached or detached garage and accessory buildings as permitted under the applicable zoning scheme.

D. Not more than one (1) driveway shall be constructed connecting each building site and dwelling unit to the public street and that driveway shall not have more than one (1) connection to the public street system.

E. No motor vehicle other than a private passenger motor vehicle shall be parked on any building site within the land unless concealed within a wholly enclosed garage and for the purposes of this section the words "passenger motor vehicle" and "parked" shall have the meaning ascribed to them by The Highway Traffic Act of Manitoba.

F. No building or structure shall be erected or located on the land and no building permit issued for construction on the land unless and until the plans, specifications and locations thereof shown on a siting plan, including the building distances from the front, side and rear lot lines of the building site, have been submitted to and approved in writing by The Rural Municipality of East St. Paul or its Building Inspector and no such building or other structure shall be constructed or placed on a building site on the land except in conformity with those plans, specifications and site plan.

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

VI. That the Subdivision By-law and the Rezoning By-law be forwarded to Council for all three readings when all necessary agreements have 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 matter is not proceeded with expeditiously and the by-law is not enacted within eighteen (18) months after adoption 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 June 25th, 1990

Moved by Councillor McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1236 for attachment.)

SUBDIVISION AND REZONING - South of McGillivray Boulevard, north of Chevrier Boulevard, east and west of Dovercourt Drive, Assiniboine Park-Fort Garry Community File No. DASZ 10/89.

1218 - 21. LAID OVER BY EXECUTIVE POLICY COMMITTEE FOR FURTHER CONSIDERATION

(Note: See pages 1590 to 1594 for official set of minutes with respect to the above clause)

Deferral of applications for new residential Subdivisions pending a review of the City's Policy relative thereto File EP

1219 - 22. LAID OVER BY EXECUTIVE POLICY COMMITTEE AND REFERRED TO THE LAW DEPARTMENT FOR REPORT

(Note: See page 1595 for official set of minutes with respect to the above clause)

SUBDIVISION AND REZONING - land located east of Stormont Drive and south of Cloutier Drive. Assiniboine Park- Fort Garry Community File No. DASZ 14/89

1220 - 23. Your Committee on Planning and Community Services has been advised that an application has been received from Dr. J. A. McPhedran, Lot 96 Cloutier Drive, Winnipeg for approval of a plan of subdivision and related zoning change to By-law No. 1800 by rezoning the subject lands from an "A-5" Restricted Agricultural District to an "R1-20" Single-Family District in order to permit the establishment of 7 single-family residential lots.

The application in question proposes to extend Stormont Drive eastward to connect to McBell Road and to establish 7 lots along the south side of the new street. Five of the proposed lots extend to a depth of 285 feet south of the new street and are 23,000 square feet or greater in area. The remaining two lots (Lots 2 and 3) are situated to the south of Lots 1 and 4; and have River access. They are approximately 39,270 square feet and 53,530 square feet respectively in area and each has a 20 foot wide by 285 foot long access to Stormont Drive. It is suggested that it would be appropriate for these two lots to share a common driveway on the combined access parcels.

Report of the Committee on Planning and Community Services dated June 25th, 1990

A variance is required to permit the establishment of Lots 2 and 3 having a width of 20 feet instead of 80 feet as required and for the maintenance of the existing structures on Lot 3. This variance was approved by the Community Committee on May 8th, 1990.

On September 12th, 1983, the Committee on Environment adopted a concept plan for the South Cloutier Drive lands (see Schedule "B" attached). The concept plan is to be used as a guideline for development of this area. The requested "R1-20" Single-Family District zoning is consistent with the zoning recommended by the concept plan. Each of the seven lots proposed would comply with the "R1-20" lot area requirements. The concept plan indicates Lot 2 and 3 combined as one lot approximately 2 acres in area, with access from the existing private road extending off McBell Road. However, noting the size of Lots 2 and 3 combined, the fact that there are several other parcels with similar lotting configurations in this area, and the fact that the proposed lotting configuration would allow for sewer and water services to these two lots from Stormont Drive; the Department of Environmental Planning considers this proposed subdivision pattern to be consistent with the intent of the concept plan.

At present the lands located to the east of McBell Road are designated as Floodway and as indicated by the concept plan would not qualify for any subdivision. The Water Resources Branch of the Province on April 26th, 1990 indicated that they have now recommended that the Floodway line be moved 200 feet to the east of McBell Road. If this change is ratified, the land east of McBell could potentially be subdivided. This then raises a concern that a future southerly extension of McBell Road should be protected and what development should be permitted on the proposed Lot 7 in this application.

Three options are suggested for consideration. The first is that Lot 7 in its entirety be withheld from development to facilitate a direct southerly extension of McBell Road. The Department of Environmental Planning considers this option as punitive to this applicant. The second option suggested is to require that any permanent structures on Lot 7 be located on the most westerly 20 metres in width of the lot. This would reserve land to accommodate an offset street extension but would leave any acquisition of the reserved land up to the potential developer of the lands to the east. The third option is to require this applicant to transfer that portion of Lot 7 lying to the east of the eastern limit of McBell Road to the City at no cost and that lots 5, 6 and 7 be adjusted to be equal in width. The Department of Environmental Planning favours option 2 above.

The subject application has been circulated to the usual administrative agencies for comment and reviewed by the Administrative Co-ordinating Group. There were no objections to the submitted plan however the Fire Department has requested that the private access to Lots 2 and 3 be designed to ensure that it is suitable for access by the Fire Department's equipment.

A Public Meeting was held before the Assiniboine Park-Fort Garry Community Committee on May 8th, 1990.

Dr. J. A. McPhedran, Lot 96 Cloutier Drive, Winnipeg, R3B 1L2 appeared in support of the application.

No one appeared in opposition thereto.

The Assiniboine Park-Fort Garry Community Committee recommended that the proposed subdivision and rezoning be approved subject to a number of conditions as outlined in the Community Clerk's report dated May 16th, 1990.

Your Committee on Planning and Community Services concurs in part with the recommendations of the Assiniboine Park-Fort Garry Community Committee for the following reason:

In its report to the Community Committee, the Administration inadvertently omitted a recommendation to include a condition affecting proposed Lots 2 and 3 which abut the Red River and are located partly within the designated floodway area. Section 642(27) and (28) of The City of Winnipeg Act stipulates that a subdivision plan with land located wholly or partly within a designated Floodway area may be approved subject to the execution of an agreement recorded against the land by caveat prohibiting construction on that portion of the land located within the said Floodway area. The following recommendations includes a provision in the Zoning Agreement to provide for the above."

Report of the Committee on Planning and Community Services dated June 25th, 1990

It is therefore recommended:-

I. That the Plan of Subdivision proposed under File No. DASZ 14/89 be approved for preparation as a Plan of Subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" attached hereto and dated June 4th, 1990, for registration in the Winnipeg Land Titles Office subject to the applicant entering into a Development Agreement with the City containing therein all the conditions outlined in the report of the Administrative Co-ordinating Group dated April 23rd, 1990 attached hereto as Schedule "C".

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 14/89 attached hereto and dated June 4th, 1990, to an "R1-20" Single-Family 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 provide for the following:

A. Prior to the issuance of building permits and/or the approval of private approach applications on proposed Lot 2 and 3 the Developer, or its successors in title, shall provide documentation and plans as deemed necessary by, and to the satisfaction of, the Fire Chief in compliance with Subsection 3.2.5.2.(6) of the Manitoba Building Code. This requirement is to ensure that access routes are available to Fire Department vehicles which routes have the necessary width and overhead clearances, which are designed and constructed to support the loads imposted by fire fighting equipment and which are surfaced to permit accessibility under all climatic conditions as required by the Manitoba Building Code.

B. That all permanent structures on Lot 7 be located on the most westerly 20 metres in width of this lot.

C. No buildings or structures shall be permitted on proposed Lots 2 and 3 within the designated Floodway area.

V. That the City Solicitor be requested to prepare the necessary 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, 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.

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 of the above in accordance with the terms of The City of Winnipeg Act.

Report of the Committee on Planning and Community Services dated June 25th, 1990

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 McKee,
Adoption of the clause.

Carried.

(Note: See Minute Nos. 1237, 1238 and 1239 for attachments.)

1221 - "Existing Fees" referred to in Clause 2 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1599 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1222 - Schedule “A” referred to in Clause 2 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1600 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1223 - Appendix A referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1601 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1224 - Schedule “A” referred to in Clause 10 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1602 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1225 - Schedule “A” referred to in Clause 11 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1603 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1226 - Schedule “B” referred to in Clause 11 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1604 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1227 - Schedule “C” referred to in Clause 11 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGES 1605 TO 1606 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENTS).

1228 - Schedule “A” referred to in Clause 12 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1607 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1229 - Schedule “A” referred to in Clause 13 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1608 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1230 - Schedule “B” referred to in Clause 13 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1609 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1231 - Schedule “A” referred to in Clause 16 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1610 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1232 - Schedule “A” referred to in Clause 17 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1611 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1233 - Schedule “B” referred to in Clause 17 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1612 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1234- Schedule “A” referred to in Clause 18 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1613 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT).

1235- Schedule “A” referred to in Clause 19 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1614 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1236- Schedule “A” referred to in Clause 20 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1615 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1237- Schedule “A” referred to in Clause 23 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1616 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1238 Schedule “B” referred to in Clause 23 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGE 1617 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

1239 Schedule “C” referred to in Clause 23 of the Report of the Committee on Planning and Community Services, dated June 25th, 1990.

(NOTE: SEE PAGES 1618 TO 1622 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENTS).

CONSIDERATION OF REPORT OF THE
COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The Executive Policy Committee has had before it Report "A" of the Committee on Planning and Community Services, dated June 25th, 1990, has concurred in the recommendations contained therein and submits same to Council for approval and adoption.

On motion of Councillor McKee, Report "A" of the Committee on Planning and Community Services, dated June 25th, 1990, was considered.

West Committee Room,
Council Building,
Winnipeg, June 25th, 1990.

His Worship the Mayor and Councillors:-

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

Assignment of a Consultant for the Evaluation of the Manitoba/Winnipeg Community Revitalization Program
File EU-5.

1240 - 1. Your Committee on Planning and Community Services has been advised that both the Board of Commissioners and the Manitoba Department of Urban Affairs have requested an evaluation of the Manitoba/Winnipeg Community Revitalization Program.

The Commissioner of Planning and Community Services and the Deputy Minister of Urban Affairs both instructed, during the 1990 Capital Estimate review process, that the Manitoba/Winnipeg Community Revitalization Program be evaluated prior to consideration of the 1991 Capital Estimates:

a) To facilitate accountability by informing the funding partners (i.e. City Council and the Provincial Government) of program results.

b) To provide information to the funding partners to assist with decisions concerning continuation and refinement of the Manitoba/Winnipeg Community Revitalization Program, and

c) To recommend specifications for improving program operations, delivery and effectiveness.

By letter dated May 31st, 1990, the firm of Clatworthy, Leskiw and Associates was invited to submit a proposal to undertake the study articulated in the "Terms of Reference" worked out between representatives of the Manitoba Department of Urban Affairs and the Department of Environmental Planning, a copy of which is on file in the Office of the City Clerk.

By letter dated June 12th, 1990, Clatworthy, Leskiw and Associates submitted its proposal for consulting services to conduct the study including preparation of evaluation work plan, evaluation of program implementation, evaluation of program outputs and impacts, evaluation of alternatives and formulation of recommendations, a copy of which is on file in the Office of the City Clerk.

The Manitoba/Winnipeg Community Revitalization Program (M/WCRP), adopted by Council on December 4th, 1985, is a jointly funded Provincial/City program targeted at the improvement of living conditions in older deteriorating neighbourhoods. The program is mandated to provide capital funding for improvements to municipal services, parks and recreation facilities, social and community service facilities and for the purchase of land for new housing. The programs are implemented to involve local residents in the decision making process including the establishment of program priorities and the subsequent planning and implementation of specific projects to achieve priorities.

Report “A” of the Committee on Planning and Community Services dated June 25th, 1990

One neighbourhood is normally designated for assistance each year under Manitoba/Winnipeg Community Revitalization Program through the City of Winnipeg Capital Estimates. Provincial approval is provided through the Urban Affairs Committee of Cabinet and the Minister of Urban Affairs following its review of the City's Capital Estimates. The neighbourhoods designated to date are Weston, Spence-Memorial, Burrows- Shaughnessy and Transcona Centre. Phase 1 funding only was approved for the Fort Rouge area in the 1990 Capital.

The firm of Clatworthy, Leskiw and Associates was approached to consider assuming the project for three essential reasons:

1. The Community Programs Division of the Department of Environmental Planning does not possess the necessary in-house experience of expertise to conduct such a study in the most cost-effective manner.

2. In consideration of the length of time required to provide a high quality evaluation the Department of Environmental Planning approached a firm known to have the necessary experience, expertise and capability to expedite the study in relation to the time constraints.

3. The consultants are currently providing a similar service to the Winnipeg Core Area Initiative and inasmuch as both Manitoba/Winnipeg Community Revitalization Program and the Core Area Initiative involved Manitoba Urban Affairs and the Department of Environmental Planning the assignment of the project to a consultant that has already been agreed to by both partners is deemed prudent. A copy of the letter from Manitoba Urban Affairs indicating its concurrence in the selection is on file in the Office of the City Clerk.

Due to the circumstances of time scheduling as aforementioned the timely assignment of this consultant project is requested.

The cost of the study will be distributed equally among the administration budgets for each of the approved Manitoba/Winnipeg Community Revitalization Programs.

Your Committee on Planning and Community Services recommends that the firm of Clatworthy, Lewkiw and Associates be retained to conduct the evaluation of the Manitoba/Winnipeg Community Revitalization Program at an upset maximum fee of $17,495.00 including disbursements.

Moved by Councillor McKee,
Adoption of the report.

Carried.

MOTIONS

Moved by Councillor McKee,
Seconded by Councillor Demare,
1241 - WHEREAS:
(a) On June 20th, 1990, Council adopted a report of the Committee on Planning and Community Services, dated May 28th, 1990, in respect of zoning and subdivision application DASZ 53/86(A); and

(b) Under Recommendation V of that report there is a typographical error referring to Lot 2, Block 10 which should refer to Lot 2, Block 18.

BE IT RESOLVED that those words and numbers "Lot 2, Block 10" in lines 4 and 5 of that Recommendation V are hereby deleted and replaced by the words and numbers "Lot 2, Block 18".

Carried.

Moved by Councillor Yuen,
Seconded by Councillor Timmers,
1242 - WHEREAS the City of Winnipeg is facing the impending closure of the City Steam Plant;

AND WHEREAS there are a large number of historical buildings currently heated by steam that will be in serious jeopardy if heating becomes discontinued;

AND WHEREAS a substantial number of owners of historical buildings have not taken action for heating conversion;

THEREFORE BE IT RESOLVED that the Standing Committee on Planning and Community Services be directed to review the list of historical buildings that may be in jeopardy;

AND BE IT FURTHER RESOLVED that the Standing Committee on Planning and Community Services do all things possible to assist owners of historical buildings in their effort of heating conversion.

Referred to the Committee on
Planning and Community Services.

COMMITTEE ON PLANNING AND COMMUNITY SERVICES
CONSIDERATION OF BY-LAWS

1243 - On motion of Councillor McKee, 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. 5473/90, 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 214/89.

By-law No. 5474/90, a By-law of the City of Winnipeg to approve a Plan of Subdivision in the Rural Municipality of Springfield. File No. DAS 28/88.

By-law No. 5475/90, a By-law of the City of Winnipeg to amend Zoning By-law No. 16502 for the enactment of a zoning change in the City Centre-Fort Rouge Community. File No. DAZ 223/90.

By-law No. 5476/90, a By-law of the City of Winnipeg to amend By-law No. 3541/83 being a By-law to regulate smoking. File No. EH-1.2.

By-law No. 5477/90, a By-law of the City of Winnipeg to approve a Plan of Subdivision in the Rural Municipality of East St. Paul. File No. DAS 21/87.

By-law No. 5479/90, a By-law of the City of Winnipeg to approve a Plan of Subdivision and 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. DASZ 53/86(A).

Moved by Councillor Golden,
That the rule be suspended so that Councillors may remove their jackets.

Carried.