CONSIDERATION OF REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The following clause contained in the Report of the Committee on Planning and Community Services, dated July 16th, 1990, was laid over by the Executive Policy Committee on July 25th, 1990. The Executive Policy Committee has further considered this clause, has concurred in the recommendations contained therein, except as noted below, and now submits it to Council for approval and adoption.

On motion of Councillor McKee, Clause 3 of the Report of the Committee on Planning and Community Services, dated July 16th, 1990, was considered.

**Change in the Role of the Winnipeg Public Library Board and adoption of New Directions for Library Services.**
**Files L-12 & L-11.**

1637 - 3. At its meeting held on November 14th, 1989 the Committee on Planning and Community Services requested The Board of Commissioners to report on the Ad Hoc Committee on Library Services Macdonald/Neville Reports "A" and "B" dated October 2nd, 1989 and October 31st, 1989 (Appendix 1) and a brief submitted by the Winnipeg Public Library Board relative to Report "A".

The state of the Library Service has been the subject of considerable discussion and several reports since amalgamation. Of the reports produced the Strategic Planning Process Report of 1985 is perhaps the most significant.

The Strategic Planning Process Report set out a series of goals and objectives for the Library Service some of which have been successfully implemented. However, the implementation process appears to be faltering. Report "A" of the Ad Hoc Committee on Library Services sets out a series of recommendations aimed at getting that process back on track.

At its meeting held on March 12th, 1990 the Committee on Planning and Community Services considered the March 1st, 1990 Report of the Joint Planning and Community Services/Library Board Ad Hoc Committee and referred same to the Board of Commissioners and the City Librarian for comment, a copy of which is attached hereto as Appendix 4.

Your Committee on Planning and Community Services has been advised as follows:-

The Board of Commissioners and the City Librarian have reviewed the existing By-law and recently prepared reports and position respecting the role and reporting relationships of the Library Board including the following.

. the existing Library By-law.

. the March 1st, 1990 Report of the Joint Planning and Community Services/Library Board Ad Hoc Committee.

. the comments of the Library Board concerning the above report as communicated by its Chairperson to the Standing Committee in a letter dated March 30th, 1990.

Joint Planning and Community Services/Library Board
Ad Hoc Committee Report of March 1st, 1990 Recommendation I

The Board of Commissioners advises that it finds itself in substantial agreement with both the analysis presented and conclusions drawn by the Ad Hoc Committee in their March 1st, 1990 report. Furthermore, the Board concurs with the Ad Hoc Committee's recommendations with one exception. Specifically, the Board is concerned about Recommendation 2 and its reference to the designation of a senior Library staff person to work with and assist the Library Board.

**Report of the Committee on Planning and Community Services, dated July 16th, 1990.**

The Board expressed concern that the designated senior staff person would soon find him or her self in an untenable position. However, it is recognized that the Library Board could not function effectively without information. Clearly, some form of liaison with the Administration, by means of which the Library Board would be able to obtain the information it needs, must be provided.

A compromise is proposed. The City Librarian or a senior staff person designated by him would work with and assist the Library Board. However, assistance would be provided in a manner strictly in accordance with the following general guidelines.

1. The City Librarian or his designated staff person shall be responsible for assisting the Library Board as a provider of all and any available data concerning Library operations excepting that concerning personnel, legal or property matters.

2. Requests of the City Librarian or his designate involving the preparation of special or specific studies or analyses related to Library issues shall be handled in the manner prescribed in City Policy C239 which is self-explanatory and of which a copy is hereto attached.

3. Notwithstanding the generality of the foregoing, neither the City Librarian nor his designate shall be required to consult with or provide advice or opinion to the Library Board respecting administrative plans or policy proposals prior to same being submitted for consideration by the Standing Committee.

Comments of the Library Board: Letter dated March 30th, 1990 (Appendix 5)

The Board of Commissioners agrees with the views presented in the Library Board's March 30th, 1990 letter where those views are consistent with those presented by the Ad Hoc Committee in their March 1st, 1990 report. Also, the Library Board's view with respect to the role of the Senior Library Staff "contact" person parallels that proposed elsewhere in this report. The Board of Commissioners recognizes the Library Board's need for secretarial assistance and is prepared to support efforts to obtain such assistance provided funding can be found in existing budgets.

The Board of Commissioners does, however, have great difficulty with the proposed Executive Assistant position. The Board of Commissioners takes the position that, with a few exceptions, the tasks identified for the Executive Assistant and Secretarial positions could be handled adequately by secretarial staff. These exceptions, the points after and including "to see information is passed on to the Board..." On page 2 of the Library Board's letter, should be dealt with either by the members of the Library Board themselves, by consultants hired by the Board to carry out specific assignments or by the Administration as a part of normal and due process.

In addition, there is the matter of the Library Board's perceived need for a person who would have some sort of "arms length" relationship with the Administration. While this might be a desirable situation from a Library Board perspective, it is in fact impractical. The Library Board does not have the wherewithal to hire, house, pay, supervise and generally maintain a complement of staff. The Executive Assistant would of necessity be a City employee, would probably have to be on the Library Department establishment, could not be independent and would soon find him or her self in that same untenable situation to which the various reports respecting this matter often refer.

Conclusion

In conclusion, the Board of Commissioners states that it wishes to amplify and expand upon certain of the Ad Hoc Committee's comments in particular those respecting the anomalous status of the Winnipeg Library Board. The Board of Commissioners takes the position that there can not be an overlap in the roles and responsibilities of those elected or appointed to decide upon matters of overall City policy and those employed by the City to implement those policies. Ultimately the Standing Committee and/or Council bears full responsibility for setting policy and the Administration for its implementation.

**Report of the Committee on Planning and Community Services, dated July 16th, 1990.**

It is as a consequence of this reality that the Library Board is an anomaly. Unlike truly autonomous Boards elsewhere, the Winnipeg Library Board can neither directly influence the formulation of policy nor can it direct its implementation. With respect to its involvement in policy formulation, the Board is badly positioned since in accordance with the existing By-law it advises the City Librarian and not the Standing Committee. In so far as implementation is concerned, the Board lacks both expertise and authority - the City Librarian and his staff are highly trained professionals who are answerable to other masters.

The Board of Commissioners believes that the Library Board's anomalous status may also have contributed to some misunderstanding with respect to that Board's intended role and function. The recommended change in the Library Board's reporting relationship, if approved, should serve to eliminate any such misunderstanding. However, in order to guard against the re-occurrence of the present situation, it should be made very clear to individuals being considered for membership on the Board in future that their role is strictly that of policy advisor and community representative.

In the past the Library Board has been able to contribute to the betterment of the Library System and in all likelihood can continue to do so in the future. However, the role which the Library Board is best equipped to play is clearly one of policy advisor to the Standing Committee. The Library Board, in its role as representative, advocate and lobbyist for the members of the community interested in the Library Service, can ensure that policies established, to the greatest extent possible, reflect those interests.

Macdonald/Neville Report "A" dated October 2nd, 1989
Recommendation II.A

The Service Approach proposes that the library provide an innovative service which would maximize the use of facilities, utilize resources in a cost efficient manner, promote the use of library services, be operationally responsible and be responsive to the needs of the citizens of Winnipeg.

The model adopts the existing district concept with administrative direction from the district library staff. The system would include a network of twenty libraries supported by central services provided by staff located at the Centennial and St. Boniface libraries.

The mandate of the service as it relates to the provision of Extension Services would be refined to place increased emphasis on shut-in services and deposits and involves the replacement of the bookmobile service with 2 self-driven vans.

The Ad Hoc Committee on Library Services and the Library Administration have recommended this method of service delivery. Additional annual operating costs over and above 1990 Operating Budget (1990 Operating Budget - $12,502,174.00) related to this option and using the Ad Hoc Committee's priorization are:

| 1991 | 1992 | 1993 | 1994 | 1995 |
|---|---|---|---|---|
| 549,000 | 1,044,000 | 1,616,000 | 1,616,000 | 1,616,000 |

However, in order to dovetail the service approach with the Capital Program recommended by The Board of Commissioners, and assuming the requirement for operating funds will occur in the year following the capital provision (construction period), the annual additional operating costs over and above 1990 Operating Budget for the period 1991 - 1995 would be:

| 1991 | 1992 | 1993 | 1994 | 1995 |
|---|---|---|---|---|
| 331,500 | 466,500 | 684,000 | 774,000 | 774,000 |

NOTE: These figures may have to be phased in over a longer period of time, depending upon Council-approved budget guidelines in the years identified.

**Report of the Committee on Planning, Community Services, dated July 16th, 1990.**

Recommendation II.B

Specific changes to the Library facilities and service levels recommended by the Ad Hoc Committee on Library Services include the following series of upgrades, consolidations, relocations, expansions, openings and closings:

* opening of a 12,000 square foot North West Branch

* closing of the McPhillips Branch

* closing of the Brooklands Branch

* upgrade Windsor Park to Community status

* expansion of the West End Branch

* closing of the William Avenue Branch

* upgrade the Munroe Branch

* relocation and expansion of the River Heights Branch

* downsize the Fort Garry Branch

* relocation of the Transcona Branch

* relocation of the Charleswood Branch

Capital cost and priorization of same as recommended by the Ad Hoc Committee on Library Services for 1991 - 1995 is shown in Appendix 2, along with The Board of Commissioners' recommendations of June 8th, 1990.

In the final analysis, The Board of Commissioners' recommendations address the same basic requirements, plus. However, the scheduling of funding differs as the Board's recommendations have been developed taking into consideration overall City requirements and funding constraints. Furthermore, the 1990 capital estimates include an amount of $396,000.00 of the $876,000.00 total start-up costs for the North West Branch.

Recommendation II.C

The scope of the facilities improvements recommended warrants the appointment of a full-time Project Manager. This individual would be responsible for the development of a project schedule, the preparation of budgetary estimates, the supervision of the work and the co- ordination of the efforts of all involved so as to ensure that service disruptions are kept to an absolute minimum. Additional costs associated with this position are included in the additional operating costs 1991 - 1995 identified above in recommendation II.B.

Recommendation II.D

The Ad Hoc Committee's main finding with regard to materials was that, as a result of the erratic pattern in funding in the years 1985 to 1989, Council's goal of 2.0 materials holdings per capita, set out in the 1985 Strategic Plan, has not been achieved. The Committee points out that this situation is of great concern since the overall quality of the service provided by the Library System very much depends upon the availability and accessibility of up-to-date materials.

A funding formula similar to that recommended by Macdonald and Neville has been developed (See Appendix 3). The formula does not use a per capita dollar figure as a base. Instead, population, current materials, holdings and withdrawals, rates are used to calculate the number of holdings that must be acquired annually to achieve a desired target number of holdings per capita by the end of a multi-year program.

**Report of the Committee on Planning and Community Services, dated July 16th, 1990.**

Appendix 3 shows the effects of applying the proposed formula in the context of a 3 and 5 year program with a 2.0 holdings per capita target. It is interesting to note that the formula predicts that, assuming a unit cost of $20.00 per new holding and a withdrawal rate of 100,000 per annum, annual funding need not exceed $4.00 per capita even for the accelerated program (3 years instead of 5 years to target).

(NOTE: The Ad Hoc Committee had proposed a $5.00 per capita.)

Macdonald-Neville Report "B" dated October 31st, 1989

Macdonald and Neville make no specific recommendations in their "B" Report of October 31st, 1989. Instead, they offer a series of observations which they suggest may be of assistance to the Standing Committee.

The first of the two issues addressed, the proposal that French language services be provided at Louis Riel, is primarily of a political rather than administrative nature. The Councillors suggest that the implications of a decision on this matter one way or another, could be far reaching. The Administration concurs with the Ad Hoc Committee's view that the issue should be decided at the political level with appropriate input from the Administration.

With reference to the second issue, i.e. Library Advisory Committees and Library By-law, some of the concerns in this regard have been addressed in The Board of Commissioners report of April 12th, 1990, i.e. Library By-law and Library Board. In addition, the Administration reiterates the view expressed by the Ad Hoc Committee that such volunteer Committees have an important role to play. However, the role for which they are best suited is as advisors to the Community Committees and Standing Committee on Planning and Community Services.

Your Committee on Planning and Community Services recommends:

I. That the role, responsibility and reporting relationship of the Winnipeg Public Library Board with respect to its involvement as an advisory body on Library Services and Policy be approved on the following basis:-

1. That the Library By-law be amended to effect a change in the reporting relationship of the Winnipeg Public Library Board whereby that Board would advise and report to the Committee on Planning and Community Services on library policy and budgets; and on administrative matters to the extent that they have significant policy or service implications.

2. That communication between the Winnipeg Public Library Board and the Administration, where such communication may involve requests for preparation of administrative studies and reports, be governed by the provisions of City Policy C239, Reference E-3, Council Minute 1598/72.

3. That on request the City Librarian or his designated senior staff member provide the Winnipeg Public Library Board any and all available information concerning the operation of the Library, except where such information concerns personnel, legal or property matters.

4. That the Library Board be provided with secretarial support of up to .5 person-years annually, the cost of which to be funded out of existing budgets allocated for the purposes of the Library Board.

II. That subject to Council-approved annual budget guidelines, the following be approved:

A. That the "Service Approach", Option 2 of the City Librarian's 1988 "Options" report, be adopted as the model for the delivery of services by the Winnipeg Public Library System and the necessary operating funds be reviewed and approved on an annual basis.

B. That the Five-Year Library Capital Program recommended by The Board of Commissioners and dated June 8th, 1990, be approved.

**Report of the Committee on Planning and Community Services, dated July 16th, 1990.**

C. That a Project Manager, reporting to the City Librarian, accountable and responsible for planning, controlling, and co-ordinating activities associated with the implementation of the recommended changes to Library facilities and services, be appointed.

D. That the library materials acquisition funding formula outlined in this report be adopted and employed to achieve a target level of 2.0 materials holdings per capita by the end of a 5-year program.

Your Executive Policy Committee recommends that recommendations I. 2., I. 3. and I. 4. above be renumbered I. 3., I. 4. and I. 5. respectively and that a new recommendation I. 2. be inserted to read as follows:-

"I. 2. That the proposed annual Capital and Current Estimate budgets be made available to the Winnipeg Public Library Board after same have been tabled at Executive Policy Committee and circulated to all members of Council in the usual course, though nothing shall preclude the Winnipeg Public Library Board from offering advice and recommendations in advance thereof.

Moved by Councillor McKee,
Adoption of the clause.

In amendment,

Moved by Mayor Norrie,
That the recommendation of the Executive Policy Committee be adopted.

In amendment,

Moved by Councillor Boychuk,
Seconded by Councillor Thomas,
WHEREAS the Transcona Library was built and paid for by the citizens of Transcona prior to the formation of Unicity;

AND WHEREAS the cost to move the Transcona Library would be enormous plus a rental fee of $240,000.00 would be incurred annually for rental purposes, also the addition of two (2) employees would be a strain on the current budget;

AND WHEREAS the Transcona Library is situated in a community whose downtown is being revitalized, and has good bus access to all citizens of Transcona;

AND WHEREAS the Transcona Library usage has increased immensely since the outdated Macdonald, Neville report was undertaken, and Transcona has expanded to its eastern boundaries;

AND WHEREAS a new Seniors' Complex, "St. Michael's Villa", will use the Library extensively, and the Transcona Legion is proposing a Seniors' Complex adjacent to the Transcona Public Library. There are also 1,000 students in close proximity to the present library;

THEREFORE BE IT RESOLVED that Recommendation 11.B, Page 204, (Council agenda Oct 31, 1990) and Report of the Committee on Planning and Community Services dated July 16th, 1990, Re: Relocation of the Transcona Branch Library BE DELETED and the Transcona Library remain at its present location;

AND FURTHER BE IT RESOLVED that moneys being budgeted for relocation and the annual $240,000.00 rental fee proposed be used to expand and upgrade the existing Transcona Library with all proposals to be ratified by Committee on Planning and Community Services and Council.

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Thomas,
THAT Recommendation I.4 of Clause 3 of the Report of the Committee on Planning and Community Services, dated July 16th, 1990, be amended by deleting the word "Board" at the end thereof.

**Report of the Committee on Planning and Community Services, dated July 16th, 1990.**

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

Lost.

Councillor Wade called for the yeas and nays on each of the proposed amendments.

The amendment proposed by Councillors Reese and Thomas was put, the results being as follows:-

Yea: Councillors Wade, Boychuk, Demare, Diamant, Douglas, Duguid, Golden, Kaufmann, Lazarenko, McKee, Mendelson, Murray, Reese, Selinger, Thomas, Timmers, Young, Yuen and Eadie. 19

Nay: Councillors Clement, Fraser, Gilroy, Lorenc, O'Shaughnessy, Prystanski, Timm-Rudolph and Mayor Norrie. 8

and the amendment was declared carried.

The amendment proposed by Councillors Boychuk and Thomas was put, the results being as follows:-

Yea: Councillors Wade, Boychuk, Diamant, Golden, Lazarenko, Reese, Selinger, Thomas and Yuen. 9

Nay: Councillors Clement, Demare, Douglas, Duguid, Fraser, Gilroy, Kaufmann, Lorenc, McKee, Mendelson, Murray, O'Shaughnessy, Prystanski, Timmers, Timm-Rudolph, Young, Mayor Norrie and Councillor Eadie. 18

and the amendment was declared lost.

The amendment proposed by Executive Policy Committee was put, the results being as follows:-

Yea: Councillors Clement, Demare, Diamant, Douglas, Duguid, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, McKee, Mendelson, Murray, O'Shaughnessy, Prystanski, Reese, Selinger, Timmers, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 24

Nay: Councillors Wade, Boychuk and Thomas. 3

and the amendment was declared carried.

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

Councillor Wade called for the yeas and nays, which were as follows:-

Yea: Councillors Brown, Clement, Demare, Diamant, Douglas, Duguid, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, McKee, Mendelson, Murray, O'Shaughnessy, Prystanski, Reese, Timmers, Timm- Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 24

Nay: Councillors Wade, Boychuk, Selinger and Thomas. 4

and the clause, as amended, was declared carried.

(Note: See Minute No. 1638 for attachment, being Appendix 1 - The Macdonald/Neville Reports A and B. All other attachments referred to in the above clause are on file in the Office of the City Clerk.)

1638 – Appendix 1 referred to in Clause 3 of the Report of the Committee on Planning and Community Services, dated July 16th, 1990.

(SEE PAGES 2241 – 2258 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT)

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 October 15th, 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 October 15th, 1990, was considered clause by clause.

West Committee Room,
Council Building,
Winnipeg, October 15th, 1990.

His Worship the Mayor & Councillors:-

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

**Release of Geotechnical Information to the Riverbankers Inc.,**
**Files E-5.1.4 and PR-4.5.**

1639 - 1. Your Committee on Planning and Community Services has been advised that the Riverbank Management Committee at its meeting held on October 4th, 1990, considered a report dated June 21st, 1990, from the Commissioner of Planning and Community Services with respect to a request for the release of Geotechnical information to the Riverbankers Inc.

On March 14th, 1989, the City Solicitor advised, the Department of Justice, Canada, in response to their request for the release of certain geotechnical information in possession of the Rivers and Streams Authority Engineer, pertaining to city-controlled lands, set out in the engineering reports prepared for the City, that the information would be released to the Department of Justice and Public Works Canada to the extent that such information relates to specific sites.

On July 21st, 1989, the Deputy Minister of Public Works, Canada, advised the Chief Commissioner of the City of Riverbankers Inc.'s claim against the Federal Government for damages to properties arising out of the operation of the St. Andrew's Lock and Dam, and inviting the participation of the City in assessing and defending such claim.

On May 22nd, 1990, the Riverbank Management Committee received representations from Mr. D. Neville, on behalf of Riverbankers Inc., concerning a law suit by Valerie Markesteyn et al, against the Federal Government for damages to riverbank properties cause by the operation of the St. Andrew's Lock and Dam, and further suggested that the City consider working together with Riverbankers Inc. in addressing concerns raised by Riverbankers Inc. with respect to riverbank stabilization.

On June 14th, 1990, a request was made for a report highlighting concerns for the continued operation of the St. Andrew's Lock and Dam.

The responsibility for navigation along the City's waterways falls under the jurisdiction of the Federal Government as defined in The Navigable Waters Protection Act. In this regard, the St. Andrew's Lock and Dam has been used to regulate the water levels of the Assiniboine and Red Rivers to facilitate navigation. Originally, the operation of the structure facilitated river transportation use for commercial purposes. With the advent of other modes of transportation, the lock and dam has more recently been used to facilitate recreation and tour boat operations.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

The City has no control over the operation of the St. Andrew's Lock and Dam. This facility and other water control facilities within the Red River basin, such as the Red River Floodway, the Portage Diversion, and the Shellmouth Reservoir, are operated by the Federal and/or Provincial Governments.

The City, however, has a vested interest in its waterways as owners and developers of riverbank property (buildings, bridges, buried services, docking facilities, parklands, etc.), as regulators, and as managers and planners.

As riverbank property owners, the City has had to recognize and deal with this inherently dynamic and changing environment, particularly, as may impact on the development and maintenance of its plant and lands.

The geotechnical issues related to bank stability and the mechanisms that control same are numerous and very complex. The pending lawsuit against the Federal Government centres on one alleged factor, namely, the operation of the St. Andrew's Lock and Dam. This facility controls the summer river level in Winnipeg at an approximate elevation of 223.7 metres following spring freshet to freezeup. The gates are removed each fall (November) and reinstated in the spring (May). During the interim period the structure has little influence on winter water levels or spring flood levels in Winnipeg.

The Federal Government advises in its correspondence of July 21st, 1989 that irrespective of the lawsuit, it has been "reviewing its role in the operation of the structure" (St. Andrew's Lock and Dam). They further inform that decisions made regarding the continued operation of the structure may impact on the citizens of Winnipeg.

This should concern the City as one of the major shareholders of riverbank property. In this regard the City should pursue, through contact with the appropriate Federal agencies, the securance of additional details and information concerning the ongoing operation of the lock and dam.

In regard to the lawsuit, The Board of Commissioners has requested input from all City departments as may be affected by this lawsuit or policy changes respecting the operation of the lock and dam. This will provide the Board with an informed administrative recommendation prior to deciding whether resources, if any, should be committed to the Federal Government.

Questions concerning the City's involvement either directly or indirectly with the Federal Government and Valerie Joan Markesteyn, et al, regarding matters arising out of the lawsuit by Valerie Joan Markestsyn, et al, and matters relating to the continued operation of the St. Andrew's Lock and Dam demand further consideration.

The manner in which the City deals with flood control, riverbank development and maintenance, recreational navigation, bridge crossing and public safety, may all be affected by any changes in operation of the St. Andrew's Lock and Dam. Such matters affect drainage, submarine crossings, parks, docks and marinas, access to waterways, irrigation, tourism, riverbank, river aesthetics and law enforcement. Further examination and study of the issues is necessary before any commitment as to the City's position can be considered.

The Riverbank Management Committee at its meeting held on October 4th, 1990, approved the recommendations hereinafter set forth.

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

I. That in accordance with the City's policy on access to information, geotechnical information in the possession of the Rivers and Streams Authority Engineer, pertaining to the city- controlled lands, as set out in engineering reports prepared for the City, be released to the Riverbankers Inc., or its solicitors, upon request.

II. That the City pursue, through contact with the appropriate Federal agencies, the securance of additional details and information concerning the ongoing operation of the St. Andrew's Lock and Dam.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**Adoption of a new Electrical By-law, Adopting the 16th Edition of the Canadian Electrical Code. File EB-2.1.**

1640 - 2. Your Committee on Planning and Community Services has been advised that the Canadian Electrical Code, Part I is a standard Electrical Code published by the Canadian Standards Association setting forth the essential requirements and the minimum standards governing electrical installations for buildings, structures and premises throughout Canada. This Code is under constant revision primarily because of the developments of new materials and methods. The Canadian Electrical Code Committee meets twice each year to consider revisions to the Code. A new edition of the Code is published every four years to keep the Code up to date. In January of 1990, the 16th Edition of the Code was published.

By-law No. 4354/86 is The Winnipeg Electrical By-law now in force in The City of Winnipeg. This by-law is divided into three chapters. Chapter 1 covers the legal enactment and adoption of the 15th Edition of the Canadian Electrical Code, Part I, as a by-law. Chapter 2 contains all the amendments and additions to said 15th Edition, and Chapter 3 of the by-law is the 15th Edition.

The Building Inspections Division of the Department of Environmental Planning propose that the 16th Edition of the Canadian Electrical Code be adopted as a new electrical by-law for The City of Winnipeg. This 16th Edition has been reviewed by the Manitoba Provincial Advisory Committee which consists of representatives from consulting engineers, electrical manufacturers and distributors, electrical contractors, Manitoba Hydro, Winnipeg Hydro, Manitoba Telephone System and the Manitoba Department of Labour. The Manitoba Provincial Advisory Committee has recommended the adoption of this proposed by-law. Manitoba Hydro, the provincial electrical inspection authority, is in the process of adopting similar regulations, in order to provide standard electrical regulations throughout the Province of Manitoba. The intent is that both regulations come into effect on April 1st, 1991.

As this proposed by-law contains several hundred revisions, it would be difficult to single out a few of them as being more significant than others. Primarily, the revisions recognize new methods and materials and clarify the intent of the existing rules. The Permit fee structure for electrical permits is being proposed under a separate report on amendments to the Fees By-law and reflects the costs involved in making inspections.

Your Committee on Planning and Community Services recommends:-

I. That the 16th Edition of the Canadian Electrical Code and amendments thereto be adopted as part of the draft By-law attached hereto and numbered as 5530/90 and that the said By-law be given favourable consideration and ultimately adopted as the new Winnipeg Electrical By-law repealing the old Winnipeg Electrical By-law No. 4354/86 and amendments thereto.

II. That the City Solicitor do all things necessary for implementation in accordance with The City of Winnipeg Act.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

**Resolution Supporting the Continuation of Federal Non-Profit Co-operative Housing Program. File EX.**

1641 - 3. Your Committee on Planning and Community Services at its meeting held on October 15th, 1990, considered a communication dated September 19th, 1990, from His Worship the Mayor, submitting a communication dated September 10th, 1990, from the Housing Co-op Council of Manitoba, requesting municipalities and other interested organizations to endorse a resolution on the continuation of the Federal Non-Profit Co-operative Housing Program.

Your Committee on Planning and Community Services has been advised that Housing Co-ops provide quality, affordable housing for a large number of people in Winnipeg and across Canada. The current Federal Co-op Housing Program is under review and is in danger of being drastically reduced in funding or dropped altogether. The Housing Co-op Council of Manitoba, along with the Co-op Housing Federation of Canada and other housing co-op groups across Canada, have undertaken a lobby of the Federal Government to assure that the funding for the current Federal Co-op Housing Program is not reduced or dropped altogether. A partial list of municipalities which have already endorsed the resolution is attached for the information of Council.

Your Committee on Planning and Community Services endorsed the suggested resolution submitted by the Housing Co-op of Manitoba on the continuation of the Federal Non-Profit Co-operative Housing Program, and recommends adoption of the following resolution in its revised form, namely:

WHEREAS many Canadian communities are experiencing a serious affordable housing crisis; and

WHEREAS non-profit housing co-operatives have been proven to provide stable, affordable housing for low and moderate income Canadians; and

WHEREAS the Government of Canada has almost completely abandoned its once pre-eminent role in funding and facilitating the creating of new housing so that the Federal Non-Profit Co-operative Housing Program is the last direct non-profit housing program funded by the Government of Canada; and

WHEREAS funding for the Federal Non-Profit Co- operative Housing Program has shrunk to the point where the number of co-op units directly funded by the federal government has fallen to an 11 year low; and

WHEREAS the current program has substantially reduced the cost of producing non-profit co-operative housing in Canada; and

WHEREAS non-profit co-operative housing is known to provide affordable housing to a higher percentage of disadvantaged groups in our society; and

WHEREAS the Federal Non-Profit Co-operative Housing Program is in the last year of its experimental stage and the federal government has not as yet committed itself to keeping the Program after this year;

THEREFORE BE IT RESOLVED that the Council of the City of Winnipeg through the Federation of Canadian Municipalities urge the federal government to maintain the Federal Non-Profit Co-operative Housing Program.

Your Committee on Planning and Community Services further recommends that this resolution be forwarded to the Federation of Canadian Municipalities for its favourable consideration.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**ZONING AGREEMENT AMENDMENT - 241 Kildonan Meadow Drive, East Kildonan-Transcona Community.**
**File No. DAZ 274/78(c) (ZAA 19/90).**

1642 - 4. Your Committee on Planning and Community Services has been advised that an application has been received from Lumay Investments Ltd. to amend the Zoning Agreement affecting 241 Kildonan Meadow Drive to permit the maintenance of a single-family dwelling having a rear yard of 80.71 feet instead of 85 feet as required by the Agreement.

The subject lot is affected by the provisions of an existing zoning agreement which stipulates that lots backing onto a storm water retention lake shall provide a rear yard of 85 feet.

The applicant has stated that a house has been constructed and placed improperly such that a rear yard of 80.71 feet now exists. The Waterworks, Waste and Disposal Department has indicated that there are no objections to the amendment.

A Public Meeting was held before the East Kildonan-Transcona Community Committee on August 28th, 1990.

Mr. M. Geller, Lumay Construction, 35 Parkway Place, Winnipeg, R2G 3T5 appeared in support of the application.

No one appeared in opposition thereto.

The East Kildonan-Transcona Community Committee recommended that the proposed zoning agreement amendment be approved for the following reasons:

1. A house has been constructed and placed improperly such that a rear yard of 80.71 feet now exists.

2. The Waterworks, Waste and Disposal Department has indicated that there are no objections to the amendment.

Your Committee on Planning and Community Services concurs in the recommendations of the East Kildonan-Transcona Community Committee and recommends:

I. That Zoning Agreement DAZ 274/78(c) be amended as follows:

That the dwelling erected on Lot 7, Block 1, Plan 19693 shall not be located closer than 80.71 feet from the rear lot line.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DAZ 274/78(c) in accordance with 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 October 15th, 1990.**

**ZONING AGREEMENT AMENDMENT - 120 Willow Avenue East, Rural Municipality of Springfield. File No. DASZ 47/86 (ZAA 21/90).**

1643 - 5. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. H. Diamond, 1300 Plessis Road to amend the Zoning Agreement affecting 120 Willow Avenue East to provide the maintenance of a single-family dwelling having a front yard of 28.7 feet (8.7 metres) instead of 30 feet (9 metres) as required by the Agreement.

The subject site is located within a developing "RA" Suburban Residential Subdivision established under File No. DASZ 47/86, By-law No. 4871/88, in the Oakbank Village area. The encroaching portion of the structure is an attached garage having a width of 22.15 feet.

The encroaching 1.3 feet produces a floor area of 28.8 square feet in the required front yard. The District Planning Branch has no objection to the application since the deficiency in the front yard and the area encroached upon are minimal. Also any adverse effect on adjoining land is greatly off-set by the provision of a 32 foot west side yard where the required side yard is only 10 feet.

Considering the above it is deemed both impractical and unnecessary to have the encroachment removed.

A Public Meeting was held before the Council of the Rural Municipality of Springfield on September 24th, 1990.

No one appeared in support or in opposition to the application.

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

1) Encroachment is considered minimal,

2) No objections raised to proposed change.

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

I. That Clause 5 of Zoning Agreement DASZ 47/86, Caveat No. 1017273 as it affects Lot 7, Block 6, Plan 22263 W.L.T.O., in the west half and NE 1/4 Section 22-11-5 EPM, be amended as follows:

A. to permit on the land a single-family dwelling having a front yard of 8.70 metres/28.7 feet.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DASZ 47/86 in accordance with Recommendation I above.

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

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

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**Report of the Committee on Planning and Community Service's dated October 15th, 1990.**

**ZONING AGREEMENT AMENDMENT**
**600 Mowat Road, Rural Municipality of East St. Paul.**
**File No. DAZ 258/86 (ZAA 20/90).**

1644 - 6. Your Committee on Planning and Community Services has been advised that an application has been received from Belleville Homes, 208 - 1100 Concordia Avenue, to amend the Zoning Agreement affecting 600 Mowat Road to permit the maintenance of a single-family dwelling and attached garage located 20.703 metres (67.92 feet) to the midpoint of the street fronting the said lot instead of 22.5 metres (75 feet) as required by the Agreement.

The street (Mowat Road) fronting the subject property has been widened on the west side 5.029 metres to a total width of 25.146 metres, which widening extends north for another 26.187 metres. Further north, the right-of-way is 20.117 metres wide - along the middle of which is located the road pavement.

It appears that although the existing one-family dwelling was supposedly located in accordance with the minimum setback specified by the Zoning Agreement, the distance of the wall was measured from the centre line of the existing unwidened right-of-way at the north of the site, rather than the centre line of the widened street right-of-way in front of the property. This difference in interpreting the meaning of "the midpoint of the street" resulted in the substandard setback and the need to amend the applicable zoning agreement.

In this situation, it is deemed impractical and unnecessary to have the encroachment removed in order to comply with the provisions of the Zoning Agreement.

A Public Meeting was held before the Council of the Rural Municipality of East St. Paul on September 13th, 1990.

Mr. Jim Bailie (Surveyor), 4 - 1479 Buffalo Place, Winnipeg, R3T 1C7 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 zoning agreement amendment be approved for the reasons covered 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 Clause 9 of the Zoning Agreement DAZ 258/86, Caveat No. 1024197 as it affects Lot 2, Plan 22364 WLTO in R.L. 92, Parish of St. Paul, be amended as follows:

   A. To permit on the land a one-family dwelling and attached garage to be located 20.703 metres/67.92 feet to the midpoint of the street fronting the lot.

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement No. DAZ 258/86 in accordance with 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 October 15th, 1990.**

**ZONING AGREEMENT AMENDMENT**
**3680 Portage Avenue, St.**
**James-Assiniboia Community.**
**File No. DAZ 272/86 (ZAA 22/90).**

1645 - 7. Your Committee on Planning and Community Services has been advised that an application has been received from Great Plains Honda, 3680 Portage Avenue to amend the Zoning Agreement affecting 3680 Portage Avenue to permit the total gross floor area on the site to be increased to 104,000 square feet from a maximum of 100,000 square feet as allowed by the Agreement.

On April 16th, 1987, Council gave approval to the rezoning of lands under File No. DAZ 272/86. These lands were formerly that part of the Glendale Golf Course having frontage on Portage Avenue, and were rezoned "C2", General Commercial District. In conjunction with the rezoning, the applicants entered into a zoning agreement with the City of Winnipeg which, in part, limited the total gross floor area of buildings constructed on the lands to a maximum of 100,000 square feet. The subject application is to amend the conditions of the zoning agreement to permit the further construction of a building addition on the site which will result in the 100,000 square feet area limit being exceeded.

The subject lands included under File No. DAZ 272/86 have been subsequently subdivided into 3 registered lots. The most easterly lot is the location of a Beaver Lumber Store containing 53,926 square feet; the most westerly lot is the location of Woodhaven Toyota including a building of 29.955 square feet; and the centre lot includes two buildings, Great Plains Honda, and Great Plains Hyundai, with total gross building areas of 14,400 square feet. The subject zoning agreement amendment is to permit the construction of a 5,440 square foot one-storey body shop addition to the rear of the Great Plains Honda building.

The original limitation of 100,000 square feet of gross floor area for the Glendale commercial site was established on the basis of traffic related concerns. At that time it was proposed that the site would be developed as a retail mall type use. However, subsequent development in the form of automotive dealerships has resulted in smaller volumes of traffic accessing the site. The Streets and Transportation Department has indicated they have no objection to the subject application because of these reduced traffic volumes.

The District Engineer has no objection to the application.

The Department of Environmental Planning has no objection to the subject application, but recommended that since the site now consists of three lots, each lot should be apportioned its own share of gross building floor area.

A Public Meeting was held before the St. James-Assiniboia Community Committee o September 18th, 1990. No one appeared in support or in opposition to the application.

The St. James-Assiniboia Community Committee recommended that the proposed zoning agreement amendment be approved for the following reason:

1. The proposed expansion is considered suitable for the site and will not result in any detrimental effect on the adjacent area.

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

I. That Zoning Agreement DAZ 272/86 be amended as follows:

   1. That the total gross floor area of all buildings constructed on the land shall not exceed 104,000 square feet.

   2. That the gross floor area of buildings constructed on the lands shall not exceed the following maximums for each registered lot.

**Report of the Committee on Planning and Community Services dated October15th, 1990.**

| | |
|---|---|
| Lot 1, Plan 22,399 | 30,000 square feet |
| Lot 2, Plan 22,399 | 20,000 square feet |
| Lot 2, Plan 22,177 | 54,000 square feet. |

II. That the City Solicitor be requested to prepare the necessary amendment to Zoning Agreement DAZ 272/86 in accordance with Recommendation I above.

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

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

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**ZONING TEST AMENDMENTS – Deletion of lands commonly known as the Riverview area and land east of Harrow Street, from Zoning By-law No. 16502 and the addition of said lands under Zoning By-law No. 1800, Assiniboine Park-Fort Garry Community. File DAZ 262/89**

1646 - 8. Your Committee on Planning has been advised that an application has been received from the Commissioner of Planning and Community Services to amend By-laws No. 16502 and 1800 by deleting lands from the District Map of By-law No. 16502 and adding them to the District Maps of By-law No. 1800. It is proposed to rezone the said lands to appropriate zoning districts contained in By-law No. 1800 and to repeal orders that have become redundant. The purpose is to consolidate lands, transferred into Assiniboine Park-Fort Garry by way of boundary change, under a single zoning by-law.

Zoning regulations for the Assiniboine Park-Fort Garry Community are presently established by two zoning by-laws. The subject lands, which were part of the former City of Winnipeg prior to amalgamation, are within By-law No. 16502 (adopted in 1950) while the remainder of the Community area is under By-law 1800 (adopted in 1971).

The subject application proposes to remove the lands indicated on Schedule "A" dated September 11th, 1990, attached, from By-law No. 16502 and to add these lands to By-law No. 1800. The zoning designations on individual parcels of land will be changed to categories as contained within By-law No. 1800 to generally reflect existing land use.

Zoning By-law No. 1800 provides zoning regulations which are more in keeping with current planning practice. For example:

1. By-law No. 16502 has one single-family residential district which requires a minimum lot width of 12 metres (40 feet) and lot area of 408 metres (4,400 square feet). By-law No. 1800 provides for a variety of single-family zoning districts which reflect a variety of lot sizes. For instance, larger lots on Churchill Drive will be zoned "R1-5.5" Single-Family District, which district requires a minimum lot width of 50 feet and lot area of 5,500 square feet. The larger lot size required by the zoning will be a further protection to the character of the area.

2. By-law No. 16502 has no parking requirements for commercial development whereas By-law No. 1800 imposes parking standards for commercial uses.

The proposed zoning change will not rezone any lands for commercial or multiple-family residential development which were not previously zoned for these uses. In general, the changes will benefit the community by protecting the single-family areas and by imposing somewhat higher development standards for new commercial and industrial development.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

A Public Meeting was held before the Assiniboine Park-Fort Garry Community Committee on September 19th, 1990.

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

No one appeared in opposition thereto.

The Assiniboine Park-Fort Garry Community Committee recommended that the proposed amendments to the District Maps and the zoning of the affected lands be approved for the following reasons:

1. Zoning By-law 1800 provides zoning regulations which are more in keeping with current planning practice.

2. Incorporating these additional lands within Zoning By-law 1800 will provide a consistent zoning by-law for the entire Community Area.

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

I. That By-law No. 16502 be amended by deleting therefrom the lands shown on Schedule "A", attached hereto and dated October 1st, 1990.

II. That By-law No. 1800 be amended by adding thereto the lands referred to in aforesaid Recommendation I. and that the said lands be classified to the zoning designations as shown on Schedule "B" dated September 19th, 1990 signed by the Assiniboine Park-Fort Garry Community Clerk.

III. That all Variance and Conditional Use Orders affecting the subject land be repealed, with the exception of those Orders listed on Schedule "C" attached hereto and dated October 1st, 1990.

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

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. 1656 and 1657 for attachments.)

**ZONING TEXT AMENDMENT "R1-17" One-Family District, Rural Municipality of East St. Paul. File No. DAZ 248/90.**

1647 - 9. Your Committee on Planning and Community Services has been advised that an application has been received from the Commissioner of Planning and Community Services to amend the text of The East St. Paul Town Planning Scheme 1956 to add thereto an "R1-17" One-Family District.

The East St. Paul Town Planning Scheme 1956 contains the following one-family residential zoning districts:

| | | | |
|---|---|---|---|
| "R1" | minimum lot area | 6000 sq. ft. | lot width 50 ft. |
| "R1-5" | minimum lot area | 5000 sq. ft. | lot width 50 ft. |
| "R1-5.5" | minimum lot area | 5500 sq. ft. | lot width 50 ft. |
| "R1-6" | minimum lot area | 6000 sq. ft. | lot width 60 ft. |
| "R1-15" | minimum lot area | 15000 sq. ft. | lot width 80 ft. |

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All of the above districts are applied to lands that are serviced with an underground sewer system.

The approval of subdivision in the past few years has been granted only if the minimum size of the lots being created were 17,000 square feet. All other zoning requirements, such as lot width, front yard, side yard, etc. that apply to these large lots have been the "R1-15" regulations.

The Department of Environmental Planning supports the adoption of a new "R1-17" One-Family District for The East St. Paul Town Planning Scheme 1956 to implement the Council of the Rural Municipality of East St. Paul's policy principally permitting 17,000 sq. ft. lots.

A Public Meeting was held before the Council of the Rural Municipality of East St. Paul on September 13th, 1990.

Mr. A. Roy, Planner, Department of Environmental Planning, 9th Floor, 395 Main Street, Winnipeg, appeared on behalf of the Commissioner of Planning and Community Services 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 zoning text change to The East St. Paul Town Planning Scheme 1956 be adding thereto an "R1-17" One-Family District be approved for the following reasons:

1. As per the reasons hereinbefore stated in this report.

2. This is a Rural/Urban Community and it has been an unwritten policy of the Municipality to date, and will now be consolidated into a proper zoning memorandum.

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 East St. Paul Town Planning Scheme 1956 be amended as follows:

   A. That Chapter 8 of The East St. Paul Town Planning Scheme 1956 be amended by adding thereto the following new one-family district:

| District | Minimum Lot area | Minimum Lot Width | Front Yard | Rear Yard | Interior Side Yard | Corner Side Yard |
|---|---|---|---|---|---|---|
| "R1-17" | 17,000 | 80 ft. | 30 ft. | 25 ft. | 10 ft. | 10 ft. |

   B. That the necessary changes be made to Chapter 8 of The East St. Paul Town Planning Scheme 1956 to have all other "R1-15" zoning regulations apply in the "R1-17" district.

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

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

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

**Text Amendment to all Zoning By-laws and Town Planning Schemes with regard to Video Stores being a Conditional Use in all Commercial Districts.**
**File DAZ 260/90.**

1648 - 10. Over the past several months Council and Committees of Council have received representations from concerned Citizens with regard to controlling the location of Video Stores in commercial areas immediately adjacent to residential areas and schools.

Your Committee on Planning and Community Services on October 15th, 1990 received representations from Dr. P. Wichern suggesting that "Video Stores" be the subject of a Public Meeting to consider amending the text of all Zoning By-laws and Town Planning Schemes within the City to provide that the said use shall be deemed to be a Conditional Use, in the "C1" and "C2" Commercial Districts.

Dr. Wichern suggested that listing of all new video stores as conditional uses will provide the appropriate public opportunities to the residents to consider the impacts, if any, on the surrounding neighbourhood, and to respond to such applications at a Public Meeting before the respective Community Committee. The listing of a Video Store as a conditional use would not impose any requirements or controls on specific types of video stores, on the contents of the videos or other materials which are sold or rented, or on the many existing locations of video stores.

Your Committee on Planning and Community Services recommends:

I. That Council approve in principle that all Zoning By-laws and Town Planning Schemes be amended to establish "Video Stores" as a Conditional Use in all Commercial Districts of all Zoning By-laws and Town Planning Schemes within the City of Winnipeg.

II. That the Commissioner of Planning and Community Services be instructed to initiate the necessary application to consider the above stated Text Amendment to all Zoning By-laws and Town Planning Schemes within the City of Winnipeg.

III. That pursuant to Section 615(2) of The City of Winnipeg Act, the Committee on Planning and Community Services be the Designated Committee to conduct the public meeting to consider the above stated zoning text amendment.

IV. That pursuant to the provisions of The City of Winnipeg Act, Council deem the public notice given in accordance with Section 614(8) of the Act, the advertising of the proposed Text Amendment in two local newspapers, two times prior to the Public Meeting, is sufficient.

V. That upon adoption of the foregoing recommendations, a report be forwarded to each Community Committee requesting that they either:

(a) report back to the Committee on Planning and Community Services prior to the Public Meeting with their comments on the proposed Text Amendment; or

(b) that they make personal representation at the Public Meeting before the Committee on Planning and Community Services.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

**REZONING - South side of Dugald Road (P.T.H. No. 15) west of P.R. 206, Rural Municipality of Springfield.**
**File No. DAZ 218/88.**

1649 - 11. Your Committee on Planning and Community Services has been advised that an application has been received from Jen-Den Investments Ltd., 168 Lake Street, Winnipeg, to amend The Springfield Town Planning Scheme 1959, by rezoning the land on the south side of Dugald Road (P.T.H. No. 15) west of P.R. 206 from an "A" Rural District to a "C1" General Commercial District to allow for commercial development.

The subject property is designated "Commercial" in the draft Springfield Development Plan. On that basis it is the opinion of the Department of Environmental Planning that the proposed commercial use will be appropriate in principle for this location provided the guidelines in the draft Springfield Development Plan, as recited below, are adhered to.

The most appropriate and available land for the development of central commercial facilities serving the shopping and business needs of the local community is situated at the south-west corner of P.T.H. No. 15 and P.R. 206. Development of the community commercial area will be guided by considerations like:

1. the provision of sidewalks for the safety and convenience of pedestrians;

2. the provision of complementary off-street parking facilities to service commercial building groups;

3. the provision of facilities for the loading and unloading of goods and materials, and for the removal of waste and garbage with minimum nuisance to other land use activities and traffic in the area.

4. the provision of suitable storm drainage facilities along P.T.H. No. 15 and P.R. 206.

5. the provision of landscape buffers between the central commercial district and adjoining residential land uses.

On April 18th, 1977 the Rural Municipality of Springfield and Shell Canada Limited signed an agreement which resulted from the requirements for the approval of a rezoning of the land (Shell Oil site located immediately west of the subject site) processed earlier under File No. DAZ 196/73. The said agreement provided, among other things, for the construction of a service road, the need for and the timing of which is to be determined by the Municipality.

It is suggested that the most appropriate time to construct the Service Road would be in conjunction with the development of the subject site, provided the Council of the Rural Municipality gives further consideration to the approval of this application. Any approval may, therefore, be subject to providing, upon the applicant's property, a service road which is to be tied to the west with the service road that may be built on the Shell site and to the east with P.T.H. No. 15 at the north-east corner of the Site, subject to approval by the Manitoba Department of Highways.

The Department of Environmental Planning is prepared to support the proposed rezoning application subject to certain conditions intended to satisfy the development plan guidelines and the concerns of responding agencies, and to minimize any adverse impact on the surrounding lands.

A Public Meeting was held before the Council of the Rural Municipality of Springfield on July 24th, 1990 having been adjourned on numerous occasions since May 24th, 1988.

The following persons appeared in support of the application:

Mr. H. Schultz, 168 Lake Street, Winnipeg, R3J 3B7,

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Mr. D. Schultz, c/o 168 Lake Street, Winnipeg, R3J 3B7.

Mr. K. Sharp, 581 Jaffray Street, Dugald, Manitoba, R0E 0K0 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 compatible with Community Plan.

2. deemed prudent to designate future commercial area.

3. conditions imposed will minimize any adverse affect on surrounding lands.

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 218/88, attached hereto and dated October 2nd, 1990, to a "C1" General 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:

1. the following uses shall not be permitted:

   a. Automobile and trailer sales areas in conjunction with any other permitted uses;
   b. Billboards
   c. Dairies
   d. Hotels
   e. Public garages
   f. Public utilities and services;
   g. Taxi stands.

2. Any building shall have the following minimum front, rear and side yards as such yards are defined by the said Town Planning Scheme:

   front yard - 22 metres (72 feet)
   rear yard - 17 metres (55 feet)
   side yard - 8 metres (26 feet)

3. No parking shall be permitted in the required yards.

4. That a 10 percent dedication be made by a payment of a sum of money to the Rural Municipality of Springfield 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.

5. That any on-site outdoor lighting be so installed that they reflect away from the residential area to the south.

II. That the developer enter into a Development Agreement with the Rural Municipality of Springfield to include, in addition to those things considered to be necessary by the Municipality, the following:

1. That the access to the site be provided by constructing to municipal standards and at developer's expense a service road to be located within the subject property immediately south of and adjacent to the P.T.H. No. 15 right-of-way.

2. That a lot grading and drainage plan showing the direction of stormwater drainage, volumes and control methods and an assessment as to the ability of the existing sewage disposal system to handle the increased load be prepared, at the developer's expense, by a professional engineer to the satisfaction of the municipality.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

3. That municipal approval be secured as to the method of treatment that may be necessary to make the water supply suitable for the intended uses.

4. That all parking areas and driveways be surfaced with asphalt within 12 months of completion of building construction or within 36 months from the commencement of construction on the site, whichever occurs earlier, unless an extension of this period be granted by the Council of the Rural Municipality of Springfield.

5. That the buffer to be located on the most southerly 30 feet of the 55 foot rear yard be landscaped to the satisfaction of the Council of the Rural Municipality of Springfield and be provided with a solid fence 6 feet in height along the south boundary of the site adjoining the residential area, with the provision that the required landscaping and fencing be completed within 18 months from the commencement of construction on the site, unless an extension of this period be granted by the Council of the Rural Municipality of Springfield.

6. That final construction plans indicating the design and location of:

   the proposed building or buildings, accessory parking area, sidewalks, outdoor lighting, garbage containers and enclosures, signs other than identification facia signs and the buffer described under 5. above be subject to the approval of the Council of the Rural Municipality of Springfield prior to the issuance of a building permit.

III. That prior to third reading of the rezoning by-law, the developer shall secure necessary approvals from the Manitoba Water Resources Branch and the Manitoba Department of Highways.

IV. 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.

V. 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.

VI. That the Proper Officers of the City be authorized to execute said Zoning Agreement.

VII. That in the event this application is not proceeded with expeditiously and the by-law not enacted within 24 months after the 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.

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.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

(Note: See Minute No. 1658 for attachment.)

**REZONING - south side of McGillivray Boulevard between Kenaston Boulevard and Dovercourt Drive Assiniboine Park-Fort Garry Community.**
**File No. DAZ 251/89(c/r DASSF 679/89).**

1650 - 12. REFERRED BACK TO THE COMMITTEE ON PLANNING AND COMMUNITY SERVICES AND TO THE COMMITTEE ON PROTECTION, PARKS AND CULTURE

(Note: See Pages 274 - 2276 for official set of minutes with respect to the above Clause 12)

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

**REZONING- West half of the C.N.R. Letellier Subdivision between Warsaw Avenue and Pembina Highway, City Centre-Fort Rouge Community.**
**File No. DAZ 262/89A.**

1651 - 13. Your Committee on Planning and Community Services has been advised that an application has been received from the Commissioner of Planning and Community Services to amend By-law No. 16502 by rezoning the west half of the C.N.R. right-of-way (Letellier Subdivision), between the terminus of Warsaw Avenue and a point north-east of the over-pass, from an "M3" Heavy Industrial District to an "M1" Light Industrial District, in order to consolidate the land in the same zoning district with adjoining lands in the Community.

The proposal affects a strip of land approximately 50 feet (15 metres) in width located west of the centre-line of the rail right-of-way. The application was made in conjunction with DAZ 262/89 which is intended to consolidate land transferred to the Assiniboine Park-Fort Garry Community, as a result of Community boundary changes, into By-law No. 1800. At present, the entire right-of-way and the Fort Rouge Yards to the east are zoned as an "M3" Heavy Industrial District. The new boundary line between the City Centre-Fort Rouge Community and the Assiniboine Park-Fort Garry Community is located in the centre of the rail right-of-way, so the boundary change leaves a strip of "M3" zoning in the City Centre-Fort Rouge Community. The application is intended as a "house-keeping" measure, since the present practice is to have zoning district boundaries coincide with the centre-lines of rights-of-way. All the land to the north, west and south of the subject strip of land is zoned as an "M1" Light Industrial District, so approval of DAZ 262/89A would consolidate the strip in the same zoning district with the adjacent lands.

A Public Meeting was held before the City Centre-Fort Rouge Community Committee on September 18th, 1990.

Mr. R. Nicol, District Planning Co-ordinator, Department of Environmental Planning, appeared in support of the application, on behalf of the Commissioner of Planning and Community Services.

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. All of the land to the north, west and south of the subject strip is zoned "M1" Light Industrial District.
2. Approval of the rezoning will consolidate the strip in the same zoning district with the adjacent lands.

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 262/89A, attached hereto and dated October 1st, 1990, to an "M1" Light Industrial District.

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 upon the date of its passing.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

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. 1659 for attachment.)

**REZONING - West side of John Forsyth Road between Ashford Drive and Warde Avenue, St. Boniface-St. Vital Community. File No. DAZ 277/89.**

1652 - 14. Your Committee on Planning and Community Services has been advised that an application has been received from the Parish of St. Timothy, 852 St. Mary's Road to amend The St. Vital Town Planning Scheme 1951 by rezoning the land on the west side of John Forsyth Road between Ashford Drive and Warde Avenue from an "R3B-One" Planned Building Group District to an "R1" One-Family District to allow for the future subdivision of the land for single-family dwellings.

Development for single-family dwellings is not proposed. The site was acquired for the construction of a church (permitted under the existing "R3B-ONE" zoning), which construction has not occurred. It is proposed to rezone the site to "R1" in order to reduce property taxes until a church is constructed, which use is also permitted in the "R1" District.

It is totally inappropriate to rezone land in order to reduce taxes, and this issue has nothing to do with suitable land use. The proposed change may properly be considered only in the context that a church may never be built on the land, and that the land may be sold. The proposed zoning must be viewed in terms of whether development permitted under "R1" zoning, other than a church, is suitable.

The applicant has demonstrated that the land may be subdivided into one-family lots in a manner that would meet the technical requirements of the various Departments of the City.

Because there is low-density housing to the east and west, the use of the site for one-family dwellings is not inappropriate, and the development of the land under "R1" zoning may generate less traffic than development under the present "R3B-ONE" District, to the benefit of adjacent residents. In fact, the development of the site for one-family dwellings may be more compatible with existing development than would be a church.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on September 13th, 1990.

Mr. Paul Farrell, 44 Nutley Circle, Winnipeg, R2N 1S3 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 for the following reasons:

1. This proposal represents a suitable land use.

2. The Planner's Report is positive.

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

I. That The St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 277/89, attached hereto and dated September 27th, 1990, to an "R1" One-Family District.

**Report of the Committee on Planning and Community Services dated October 15th, 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 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. 1660 for attachment.)

**REZONING - north-east corner of Garven Road at Deacon Road, Rural Municipality of Springfield. File No. DAZ 219/90.**

1653 - 15. Your Committee on Planning and Community Services has been advised that an application has been received from Mr. Louis Vatrt, Box 503, Oakbank, Manitoba, to amend The Springfield Town Planning Scheme 1959, by rezoning the land on the north-east corner of Garven Road at Deacon Road from an "A" Rural District to a "C2" Highway Commercial District to permit the establishment of a retail food store and an automobile service station.

The subject site provides a width of 211.2 metres/693 feet frontage along the north side of Garven Road and a depth of 100.43 metres/329.5 feet providing a total site area of 3.37 hectares/8.33 acres.

The lands to the north are 29 and 20 acre parcels respectively, each with a rural residence. The lands next are recent 5 acre subdivisions of 8 lots and 10 lots respectively for rural residential purposes.

To the east the majority of the east half of the Section 1 is comprised of the Elmhurst Golf and Country Club.

The adjoining land in Section 2 to the west, across Deacon Road, is comprised of 5 to 25 acre rural residential sites, the majority of which are ½ mile in depth.

The lands across Garven Road to the south are large lot rural residential adjoining gravel pit operations. A church is located to the west of Deacon Road (P.R. 207), then a commercial size ground water pump house, and a private residence on some 25 acres, recently approved for 5 acre rural residential subdivision.

The Greater Winnipeg Development Plan or "Plan Winnipeg" designates the subject land as an "Area of Limited Urban Expansion". Under this designation, the Council of the Rural Municipality of Springfield may consider and determine subdivision requirements which 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 a "Rural Area" and suggests that the Council of the Rural Municipality will organize lands in these areas in a manner which will preserve farmland, protect farmlands from the encroachment of incompatible land uses and maintain the open space and rural character of the countryside.

Manitoba Highways and Transportation has advised that statutory regulations of the Manitoba Highways Act require that no access to P.R. 213 (Garven Road) be constructed except by permit from the Manitoba Highways Department. A permit will also be required to erect any structure within 125 feet (or to place any planting within 50 feet) from the edge of the right-of-way.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

The Planning and Design Branch have commented as follows:

> "As you may know, there has been considerable amount of subdivision and rezoning activity along this stretch of highway. In light of these development pressures, we feel that perhaps the City and/or the Municipality should review existing planning documents with the intent of developing an overall long range development strategy for this area, if necessary, so that each development does not have to be assessed in isolation.
>
> Regarding the above proposed development, we note it is located where there is poor sight visibility for access onto P.R. 213. In addition, this highway has a fairly high traffic volume which may necessitate that it be upgraded at some future time.
>
> If your office and the local authority feel it is necessary and desirable to approve this proposed rezoning in the absence of an overall development strategy for this area, then we recommend no structures (above or below ground level) be placed within 125 feet from the edge of the right-of-way of P.R. No. 213. Also, access to this proposed site should be exclusively from the municipal road to the west; any existing crossings presently located on P.R. No. 213 should be removed."

The Executive Director of the Highways Planning, Design and Land Surveys Branch also forwarded comments as follows:

> "Please be advised that we are not prepared to approve the relocation or modification of your existing driveway as requested. As Mr. MacLeod indicated in his letter of January 16th, 1990, the Department feels that there is no safe location (including that of the existing crossing) from which this property can obtain proper access. In view of this we would be extremely concerned if this development proceeds based on the use of the existing driveway onto P.R. No. 213.
>
> It should be noted that due to the relatively high traffic volumes (approximately 5,000 vehicles/day with 19 percent truck traffic), I have requested our Planning Branch to conduct a review of P.R. No. 213 to determine possible 4 laning and intersection improvements that may be required in the foreseeable future. Until such time as this review is completed it is our preference that your development be designed to function entirely off the municipal road bounding the west limit of this property."

A Public Meeting was held before the Council of the Rural Municipality of Springfield on July 24th, 1990.

The following persons appeared in support of the application:

Mr. L. Vatrt, Box 503, Oakbank, Manitoba,
Mr. F. Gutoski, Oakbank, Manitoba.

The following persons appeared and/or filed a petition in opposition to the application:

Mr. and Mrs. C. Pajonk, Box 4, Group 540, R.R. 5, Winnipeg,
Mr. Edward Paleshnuik, 35 Brereton Road, Winnipeg, R2J 2T7,
Mr. S. A. Gerylo, Box 16, Group 546, R.R. 5, Winnipeg,
Mse. K. Major, Box 133, R.R. 5, Winnipeg,
Mr. J. T. Bagnall, Box 1, Group 535, R.R. 5, Winnipeg,
Mr. I. Tena, Box 1, Group, 545, R.R. 5, Winnipeg,
Mr. L. Ceilen, Box 137, R.R. 5, Winnipeg,
Mrs. L. Cherpako, Box 6, Group 546, R.R. 5, Winnipeg,
Mr. E. Hiebert, Box 10, Group 535, R.R. 5, Winnipeg,
Mrs. C. Miller, 4248 Lorne Hill Road, R.R. 5, Winnipeg,
Petition filed by the Elmhurst Golf and Country Club, Box 535, R.R. 5, Winnipeg,
Mr. E. Parrish, Box 82D, R.R. 5, Winnipeg.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

The Council of the Rural Municipality of Springfield recommended that the proposed zoning change be not proceeded with, for the following reason:

1. Inappropriate location to establish business in view of traffic hazards at this intersection and land use conflicts in the surrounding area.

Your Committee on Planning and Community Services concurs in the recommendation of the Council of the Rural Municipality of Springfield and recommends that the proposed zoning change to amend The Springfield Town Planning Scheme 1959 by rezoning land under File No. DAZ 219/90 from an "A" Rural District to a "C2" Highway Commercial District be not proceeded with.

Moved by Councillor McKee,
Adoption of the clause.

Carried.

**REZONING - 1600 St. Mary's Road St. Boniface-St. Vital Community.**
**File No. DAZ 243/90.**

1654 - 16. Your Committee on Planning and Community Services has been advised that an application has been received from Rivard Rentals Ltd., 1622 St. Mary's Road to amend The St. Vital Town Planning Scheme 1951 by rezoning the land at 1600 St. Mary's Road from a "C1" Limited Commercial District to a "C2" Commercial District to allow for the establishment of a public garage.

The subject site is 20.3 metres by 41.8 metres (irregular site) (66.5 feet by 137 feet) providing a total site area of 845 square metres (9110 square feet).

The land to the north and south consists of multi-tenant commercial which is zoned "C1".

Commercial uses and vacant sites exist on lands to the east and are zoned "C1". To the west is low-density housing zoned "RA".

With proper development, the site may readily be used for more general commercial uses, as long as the effects of these uses are oriented to St. Mary's Road and away from low-density housing to the west. Uses which may be particularly incompatible, and which are listed as Conditional Uses, require separate approval.

Specifically, with the expansion of the existing building to the west as proposed, the side of housing to the rear would be protected from noise generated by any commercial use. It is especially important to eliminate noise associated with garbage pick-up or other loading, which might otherwise take place between the commercial building and housing.

Uses which may benefit from traffic levels on St. Mary's Road would not introduce traffic onto residential streets, with the proposed ready access to St. Mary's Road and Greendell Avenue.

The proposal is an opportunity to improve site development, by:

(a) eliminating existing private approaches on Greendell Avenue (one of which is non-conforming), and orienting traffic properly from and back to St. Mary's Road;
(b) eliminating the area between the commercial building and the west site limit, where accessory uses which generate noise are a nuisance to adjacent housing; and
(c) increasing on-site parking to 13 stalls.

A Public Meeting was held before the St. Boniface-St. Vital Community Committee on September 13th, 1990.

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

Mr. M. Rivard, 113 Easy Street, Winnipeg, R2N 2Z1 appeared in support of the application.

No one appeared in opposition thereto.

The St. Boniface-St. Vital Community did not provide any supporting reasons in recommending that the proposed zoning change 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 The St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land as shown on Schedule "A" for File No. DAZ 243/90, attached hereto and dated September 27th, 1990, to a "C2" Commercial District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 605(1) of The City of Winnipeg Act to 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 fo and recreational use based on the increase in the market value of the land;

2. That the following uses not be permitted unless provision of parking spaces for such uses is made at a ratio of one space for each 100 square feet of floor area:

   (a) restaurant;
   (b) cabaret;
   (c) similar places of assembly;

3. That no building or structure, parking area, fencing, landscaping or sign be erected or located on the land and that no exterior alterations or additions be made to existing buildings on the land except in accordance with plans approved by the St. Boniface-St. Vital Community Committee;

4. That no building on the land exceed one storey in height, and that no structure on the land exceed 25 feet in height;

5. That an opaque wood fence, not less than 6 feet in height, be established and maintained on the west limit of the site;

6. That an ornamental fence, not less than 2.5 feet in height, be established and maintained on the east and north limits of the site, excepting approved private approaches, and on the south limit of the site from the east limit of any building to the east lot line.

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 October 15th, 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. 1661 for attachment.)

**SUBDIVISION AND REZONING - East side of Lindenwood Drive West between Brentcliffe Drive and Marksbridge Drive, Assiniboine Park-Fort Garry Community. File No. DASZ 11/90.**

1655 - 17. Your Committee on Planning and Community Services has been advised that an application has been received from Genstar Development Company Ltd., 117 Victor Lewis Drive, Winnipeg for approval of a plan of subdivision and related zoning change to Zoning By-law No. 1800 by rezoning lands located on the east side of Lindenwood Drive West between Brentcliffe Drive and Marksbridge Drive from an "A" General Agricultural District to an "R1-5.5" Single-Family District and a "PR" Park and Recreational District, to permit the establishment of 153 Single-Family building lots and two park sites.

The proposed plan represents the next phase of the Linden Woods residential area. The plan would establish 153 single-family building lots and two park sites - a 3.12 acre extension to Shoreline Park and a new 17.28 acre park site west of Lindenwood Drive West. The "R1-5.5" District zoning regulations require a minimum lot width of 50 feet and lot area of 5,500 square feet. All of the proposed lots exceed the minimum "R1-5.5" requirements.

The applicant has indicated that they have an inventory of 251 vacant lots in Linden Woods area and of these 183 will be serviced by June 30th, 1990. The number of permits issued in this area annually has averaged between 175 and 200 lots. Consequently these lands are required to meet anticipated 1991 building demands.

The subject application has been circulated to the usual administrative agencies for comment and reviewed by the Administrative Co-ordinating Group. No objections were received. The Streets and Transportation Department has recommended some modifications to the right-of-way width for Lindenwood Drive West and the south leg of Brentcliffe Drive which can readily be accommodated.

The plan is consistent with the concept which has been used for the guideline in reviewing developments in this area. A copy of the concept plan indicating the location of the subject lands is shown on attached Schedule "B".

A Public Meeting was held before the Assiniboine Park-Fort Garry Community Committee on June 12th and September 19th, 1990.

The following persons appeared in support of the application:

Mr. Ray Klassen, Genstar Development Company, 117 Victor Lewis Drive, Winnipeg, R3P 1J6,
Mr. M. J. LaBrie, Genstar Development Company, 117 Victor Lewis Drive, Winnipeg, R3P 1J6.

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 all of which have been incorporated into the following recommendations.

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

**Report of the Committee on Planning and Community Services dated October 15th, 1990.**

I. That the plan of subdivision proposed under File No. DASZ 11/90 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" attached hereto and dated October 3rd, 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 May 28th, 1990 and amendments dated September 7th, 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 said Schedule "A" dated October 3rd, 1990, to an "R1-5.5" Single-Family District and a "PR" Park and Recreational District.

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

VI. That the subdivision/rezoning by-law shall become effective when the plan of subdivision has been registered in the Winnipeg Land Titles office and the Development Agreement has been executed.

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

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

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

Moved by Councillor McKee,
Adoption of the clause.

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

Yea: Councillors Wade, Boychuk, Brown, Clement, Demare, Diamant, Douglas, Fraser, Gilroy, Golden, Kaufmann, Lazarenko, Lorenc, Mendelson, Murray, Prystanski, Reese, Thomas, Timm-Rudolph, Young, Yuen, Mayor Norrie and Councillor Eadie. 23

Nay: Councillors McKee and O'Shaughnessy. 2

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

(Note: See Minute Nos. 1662, 1663 and 1664 for attachments.)

1656 – Schedule “A” referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGE 2284 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1657 – Schedule “C” referred to in Clause 8 of the Report of the Committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGE 2287 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1658 – Schedule “A” referred to in Clause 11 of the Report of the Committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGE 2286 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1659 – Schedule “A” referred to in Clause 13 of the Report of the Committee on Planning and Community Services dated October 15th, 1990.

SEE PAGE 2287 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1660 – Schedule “A” referred to in Clause 14 of the Committee on Planning and Community Services dated October 15th, 1990.

SEE PAGE 2288 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1661 – Schedule “A” referred to in Clause 16 of the Report of the Committee on Planning and Community Services dated October 15th, 1990.

SEE PAGE 2289 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1662 –Schedule “A” referred to in Clause 17 of the Report of the committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGE 1662 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1663 – Schedule “B” referred to in Clause 17 of the Report of the Committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGE 2291 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

1664 – Schedule “C” referred to in Clause 17 of the Report of the Committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGES 2292-2301 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

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 October 15th, 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 October 15th, 1990, was considered.

West Committee Room,
Council Building,
Winnipeg, October 15th, 1990.

His Worship the Mayor and Councillors:

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

**Street Name Change - "Ogden Road" to "Bresaylor Road", St. James-Assiniboia Community. File SC-3.14(26).**

1665 - 1. Your Committee on Planning and Community Services has been advised that the St. James-Assiniboia Community Committee at its meeting held on September 18th, 1990 recommended that "Ogden Road" be renamed to "Bresaylor Road".

In January of 1988 the St. James-Assiniboia Community Committee approved the name Ogden Road for the street to be opened under File DAO 11/87. The Community Committee has since chosen the street name "Bresaylor" because they feel it has more historical significance to the north Headingly area of the Community than Ogden Road. The following historical background was provided by the Community Committee:

"BRESAYLOR"

Among the first settlers in Headingley were the Bremners, Sayers, and Taylors. Their children were born in the Red River Settlement and they moved to Headingly to establish their homesteads, where they sent their children to school and were members of the Headingley Holy Trinity Anglican Church.

Starting in 1882 to 1905, the opportunity arose for some of them to sell their land and move to the North Battleford area, to set up their own farming community. The Sayers and Bremners were joined by the Honourable John Taylor's brothers in the westward move. This move had many trials as during the Riel Rebellion, they wished to remain neutral but were caught up by mistrust by both Riel and the government. Charlie Bremner had all his furs from his store confiscated by the Government which led to lengthy court and parliament cases.

These three families decided to join their names together and call their new settlement Bresaylor, N.W.T. which later became Saskatchewan.

When these families left Headingly, they left behind family members who continued to farm in Headingley and there are still descendants in the area. They built a church in Bresaylor which is similar to the Holy Trinity Anglican Church in Headingley. They also had many family members who were buried in the Holy Trinity Anglican Cemetery. The Bremners, Sayers and Taylors did not forget Headingley and made trips back when possible during that period of time.

**Report “A” of the Committee on Planning and Community Services dated October 15th, 1990.**

Bresaylor is a settlement that was started from the pioneers from Headingley. Little remains of the settlement today except the vacant church and a few houses. Family members still live in Headingley and across western Canada.

At this point in time, negotiations are still on going with respect to legally opening Ogden Road (DAO 11/87). As a consequence, there are no properties addressed off Ogden.

Your Committee on Planning and Community Services concurs in the recommendation of the St. James-Assiniboia Community Committee and recommends that "Ogden Road" as shown on Schedule "A" attached hereto and dated October 4th, 1990, be renamed "Bresaylor Road" subject to the following conditions:

I. That the Director of Land Surveys and Real Estate be instructed to provide the necessary legal description to the City Solicitor for the purpose of preparing a By-law.

II. That the City Solicitor be instructed to prepare the necessary By-law for approval by Council for registration in the Winnipeg Land Titles Office and that this By-law and street name change become effective June 1st, 1991.

III. That the City Solicitor upon passage and adoption of the By-law by Council, be authorized to publicize the street name change in two daily newspapers having a general circulation throughout the City of Winnipeg.

IV. That the City Clerk upon passage of this By-law mail to the respective Community Clerk a copy of the By-law and this report for the purpose of changing all pertinent records and to notify all persons affected by this By-law.

Moved by Councillor McKee,
Adoption of the report.

Carried.

(Note: See Minute No. 1666 for attachment.)

On motion of Councillor Brown, Rule No. 8.6 of the Procedure By-law 5400/90 was suspended to allow members of Council to remove suit jackets.

1666 – Schedule “A” to Report “A” of the Report of the Committee on Planning and Community Services, dated October 15th, 1990.

SEE PAGE 2303 FOR OFFICIAL SET OF MINUTES FOR ATTACHMENT.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

The Executive Policy Committee has had before it the Report of the Committee on Planning and Community Services, dated October 22nd, 1990, and has taken the action noted below.

West Committee Room,
Council Building,
Winnipeg, October 22nd, 1990.

His Worship the Mayor and Councillors:-

Your Committee on Planning and Community Services submits the following Report of its Special Meeting held on October 22nd, 1990 and recommends:-

**New Directions for The Forks File FR-3.**

1667 - 2. LAID OVER BY EXECUTIVE POLICY COMMITTEE

(Note: See Pages 2304 - 2308 for official set of minutes with respect to the above Clause 2)

**Report of the Committee on Planning and Community Services dated October 22nd, 1990.**

COMMITTEE ON PLANNING AND COMMUNITY SERVICES

MOTIONS

Moved by Councillor McKee,
Seconded by Councillor Murray,
1668 - WHEREAS the Committee on Planning and Community Services submitted its report dated June 25th, 1990, regarding "New Directions for The Forks" to the Executive Policy Committee for its consideration on July 4th, 1990 and recommendation to Council;

AND WHEREAS the recommendations of the Committee on Planning and Community Services were the culmination of several meetings of the Committee held to receive representations from the Public regarding the Forks development, to determine if the planned development will be in compliance with the mandate prescribed for The Forks Renewal Corporation given the historical significance of land commonly known as The Forks;

AND WHEREAS the Executive Policy Committee laid over consideration of the said report from time to time and received a 90-day extension of time from Council, on August 1st, 1990 to submit the report of the Committee on Planning and Community Services and its recommendations relative thereto;

AND WHEREAS on October 17th, 1990, the Executive Policy Committee gave further consideration to the Committee on Planning and Community Services recommendations with regard to New Directions for The Forks and referred the whole matter back to the Committee for its further consideration along with recommended changes as proposed by the Executive Policy Committee;

AND WHEREAS the Committee on Planning and Community Services held a Special Meeting on October 22nd, 1990 to give further consideration to the recommendations contained in its report, as requested by the Executive Policy Committee, in the context of the related discussions of the issue by the Executive Policy Committee and its recommendations and suggestions for changes to the Committee's recommendations on providing New Directions for The Forks;

AND WHEREAS the Committee on Planning and Community Services reported back to the Executive Policy Committee on October 24th, 1990 under Clause 1 of its Report dated October 22nd, 1990 wherein, the Committee provided refined recommendations having taken into consideration the suggested amendments submitted to them by the Executive Policy Committee, which were again laid over by the Executive Policy Committee for further consideration;

AND WHEREAS the 90-day extension of time will expire on October 31st, 1990;

THEREFORE BE IT RESOLVED THAT as time is of the essence, Council deal with the issue of providing New Directions for The Forks, prior to the new appointments to Committees; and

BE IT FURTHER RESOLVED, that the following recommendations of the Committee on Planning and Community Services be considered and approved, namely:-

Strengthening Accountability

1. That changes be made as to how the City, The Forks Renewal Corporation and the Governments of Canada and Manitoba manage The Forks site.

2. That the City of Winnipeg investigate, with its two partners possible alterations to the current corporate model of the Forks Corporation, with a view to ensuring that decision making is more directly accountable to the shareholders and the public.

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

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

4. That the City of Winnipeg confirm its land use and planning authority for the Forks lands. That the City review the zoning in the Forks in the context of the scheduled, comprehensive review of the Downtown Zoning By-law scheduled for the Fall and Winter of 1990-91.

5. That the City of Winnipeg develop a concurrent Planning Strategy for the Downtown which includes The Forks development, the Exchange District and the North Main Development south of the C.P.R. Underpass at Higgins Avenue.

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

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

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

8. That the Concept Plan be clarified to confirm that the No. 1 priority is our Aboriginal Heritage, particularly the historical and spiritual importance of the site to the Native Community; and that our Multi-Cultural Heritage be established as the No. 2 priority; and further that Uni-Cultural Centres be not approved on the site as this use is inconsistent with the fair and balanced portrayal and recognition of our Multi-Cultural Heritage.

Self Sufficiency Balanced with Public Amenity

9. That the City of Winnipeg investigate, with its other two partners, methods by which the existing pressure for The Forks Renewal Corporation's self-sufficiency can be (appreciably) relieved. This does not imply the elimination of revenue generating projects provided they are compatible with projects which relate to historical heritage and meeting place themes; and the need to explore alternative vehicles to traditional public or private sector funding such as a land trust. (Your Committee feels that long term planning and stewardship for this unique site must take precedence over the short-term pressure for financing.)

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

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

12. That the City of Winnipeg explore with its partners dedication of funding for, and management/operating of part of the Forks lands for a Downtown Urban Park (a recommendation strongly supported by your Committee's public hearings).

Future Planning

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

- What should be the vision/theme for the Forks in Phase II?

  In reviewing the submissions and discussing the issues, the Committee on Planning and Community Services believes that the Forks continues to represent a unique opportunity for Winnipeggers, Manitobans and Canadians to establish a place of international distinction and significance. Phrases that evoke the vision include "sanctuary", "celebration", "rediscovery of both our ancient and recent history", "mother earth", "native ancestors", and "a stage for performing". It is a "place" that should exemplify the ecology of the land and a birth place of Western Canadian history. The Forks could very well represent the soul of Winnipeg. It is a "place" where all citizens could come together and celebrate our civic achievement and hopes for the future.

- What components should be included?

- What alterations, if any, should be made to the current corporate model of the Forks Corporation?

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

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

The Speaker ruled the motion out of order, being in contravention of Section 30(2)(d) of The City of Winnipeg Act, inasmuch as it is the same matter contained in the Report of the Committee on Planning and Community Services, dated October 27th, 1990, which is presently before Executive Policy Committee.

Councillor McKee challenged the ruling of the Chair.

The question "Shall the ruling of the Chair be sustained?", was put.

Councillor Reese called for the yeas and nays, which were as follows:-

Yea: Councillors Wade, Brown, Clement, Demare, Douglas, Fraser, Gilroy, Kaufmann, Lazarenko, Lorenc, O'Shaughnessy, Prystanski, Timm-Rudolph, Young, Mayor Norrie and Councillor Eadie. 16

Nay: Councillors Boychuk, Diamant, Golden, McKee, Mendelson, Murray, Reese, Selinger, Thomas, Timmers and Yuen. 11

and the ruling of the Chair was sustained.

## COMMITTEE ON PLANNING AND COMMUNITY SERVICES

## CONSIDERATION OF BY-LAWS

1669 - On motion of Councillor McKee, the rule was suspended and By-law No. 5530/90, a By-law of the City of Winnipeg respecting electrical wiring and other electrical installations, was read a first, second and third time, the rule being suspended for the third reading, and was passed and ordered to be signed and sealed. File No. EB-2.1.