

Council Minutes - June 1st, 1977

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No. 18.

Council Chamber  
Winnipeg, June 1<sup>st</sup>, 1977.

Council met this day at 7:37 p.m.

Present: His Worship Mayor Juba; Councillors Bockstael, Brunka, Chornopyski, Corrin, Dixon, Ducharme, Eliason, Ernst, Galanchuk, Gee, Hallonquist, Hudson, Ireton, Johannson, Jorowski, Kaufman, Klym, Knight, Kotowich, Norrie, Leech, McGonigal, Mercier, Nordman, Lazarenko, O'Shaughnessy, Parkhill, Penner, Perry, Pierce, Rebchuk, Reese, Rizzuto, Ross, Ruta, Kozlowski, Skowron, Steen, Filmon, Wade, Smith, Westbury, Johnson, Wong, Yanofsky, Zuken and Wolfe.

In attendance: Mr. H. E. Sanger, City Clerk, Mr. R. J. Fergusson, Deputy City Clerk, and Mrs. M. G. McCullough, Acting Deputy City Clerk.

His Worship the Mayor called the meeting to order.

Councillor Pierce moved that the minutes of the meeting held on May 4<sup>th</sup>, 1977, be taken as read and confirmed, which motion was carried.

COMMUNICATIONS

A. - The following communications were received as information:

1075 - From the City Solicitor, (1689)  
Submitting as requested in Clause 4 of the Report of the Executive Policy Committee, dated April 14<sup>th</sup>, 1977, as amended and adopted by Council on April 20<sup>th</sup>, 1977, copy of brief submitted to the Public Utilities Board in opposition to rate increase requested by the Greater Winnipeg Gas Company. File GG-2.2.

1076 - From the City Auditor, (1690)  
Submitting as required under Section 71(1) of The City of Winnipeg Act, financial statement and Auditor's Report of the Assiniboine Park Community's Parks and Recreation Department for the year ended December 31<sup>st</sup>, 1976. File FA-2.

1077 - From the Minister for Urban Affairs, (1691)  
Advising that he has approved By-law No. 1567/77 covering proposed rezoning of land located north of Chancellor Drive and south of Swan Lake Bay - Fort Garry Community. File DAZ 319/76.

1078 - From the City Solicitor, (1692)

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Advising that the necessary Zoning Agreement has been executed by the owner and that By-law No. 1567/77 may now receive third reading. File DAZ 319/76.

1079 - From the City Solicitor, (1693)  
Submitting as instructed by Council on November 15<sup>th</sup>, 1976, draft by-laws covering proposed plan of subdivision and rezoning of land located north of Foxdale Avenue and south of Bunn's Creek - East Kildonan Community.

Advising that the By-laws may now be given first and second readings and be referred to the Minister for Urban Affairs for approval. File DASZ 55/74.

1080 - From the City Solicitor, (1694)  
Submitting as instructed by Council on May 25<sup>th</sup>, 1977, draft by-laws covering subdivision and rezoning of lands encompassed by Inkster Boulevard, Farmer Road, King Edward Street and Keewatin Street.

Advising that the by-laws may now receive first and second readings and be referred to the Minister for Urban Affairs for approval. File DASZ 63/76.

1081 - From the City Solicitor, (1695)  
Submitting as instructed by Council on March 2<sup>nd</sup>, 1977, draft by-law covering proposed rezoning of land located at the south-east corner of Pembina Highway and Dalhousie Drive - Fort Garry Community.

Advising that the necessary Zoning Agreement has been executed, the sum of \$10,500.00 paid to the City, the caveat will be registered by June 1st, 1977 and the by-law may therefore now receive all three readings. File DAZ 204/76A.

1082 - From the City Solicitor, (1696)  
Submitting as instructed by Council on November 17<sup>th</sup>, 1977, draft by-law covering proposed rezoning of the south side of Chancellor Drive between Augusta Drive and Markham Road - Fort Garry Community.

Advising that the Zoning Agreement has been executed, the 10% paid, the lane closing initiated and the owner has agreed under seal to purchase the lane and not to oppose the closing by-law, and therefore the by-law may now receive all three readings. File DAZ 285/76.

1083 - From the City Solicitor,  
Submitting as instructed by Council on April 6<sup>th</sup>, 1977 draft by-law covering proposed rezoning of land located on the south side of Roberta Avenue, west of Brazier Street - East Kildonan Community.

Further advising that the Zoning Agreement has been executed, the 105 cash payment received and the by-law may now receive all three readings. File DAZ 325/76.

1084 - From the City Solicitor, (1698)

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Submitting as instructed by Council on February 16<sup>th</sup>, 1977, draft by-law covering the rezoning of land located on the south side of Beaverhill Boulevard, east of St. Anne's Road - St. Vital Community.

Advising that the Zoning Agreement has been executed, the 10% paid the Servicing Agreement has been executed, a transfer for the lane widening received and recorded by caveat and the by-law may therefore receive all three readings. File DAZ 327/76.

1085 - From the City Solicitor, (1699)

Submitting as instructed by Council on March 2<sup>nd</sup>, 1977, draft by-law covering proposed rezoning of land located on the north-east corner of Osborne Street and Brandon Avenue - Fort Rouge Community.

Advising that the Zoning Agreement has been executed by the owner, and the by-law may now receive all three readings. File DAZ 329/76.

Moved by Councillor Rebchuk,

That the rule be suspended and the following communications which were received too late to be placed on the agenda, be read and considered this evening.

Carried.

1086 - From W. R. Pringle, (1700)

Petitioning City Council, in accordance with Section 10(14) of The City of Winnipeg Act, to pipe a supply of City water to the Village of Headingley (North).

Referred to the Committee on Works and Operations.

1087 - From His Worship Mayor Juba, (1700A)

Submitting for the information of Council copy of letter from the Honourable Saul A. Miller, Minister for Urban Affairs, advising that the Province is prepared to contribute 50% of the total cost up to a maximum provincial contribution of \$3,000.00 for the Monorail Study by Habegger Industries Limited. File TT-1.1.

Received as information.

1088 - From the City Solicitor,

Submitting Declaration of Expropriation together with proof of publication and service for rearage lands west of St. Anne's Road and East of the southerly extension of Eric Street - Behnke's Greenhouses and Florists Ltd. File FI-2(11).

Received as information.

1089 - From His Worship Mayor Juba, (1072)

Submitting communication from the Honourable Saul A. Miller, Minister for Urban Affairs, enclosing copy of Bill 85 together with explanatory notes on the Bill, being a Bill to amend The City of Winnipeg Act on certain housekeeping matters. File GL-5.1.

Received as information.

1090 - From His Worship Mayor Juba, (1073)  
Submitting communications from the Honourable Saul A. Miller, Minister for Urban Affairs, confirming the extension of the deadline for the City's application to the Municipal Loan Fund, from May 31<sup>st</sup>, to June 15<sup>th</sup>, 1977. File FC-3.

Received as information.

#### DELEGATIONS

1091 Mrs. Mary Richard, representing the Indian and Metis Friendship Centre, was heard in support of the Municipal Non-Profit Rehabilitation Corporation, as recommended by the Committee on Environment.

Barry Morris, representing the Church and Society Committee for the United Church Presbytery, was heard, and submitting a petition urging Council to formulate and implement a comprehensive housing to cover the present housing crisis.

#### CONSIDERATION OF REPORT OF THE EXECUTIVE POLICY COMMITTEE

On motion of Councillor Bockstael the Report of the Executive Policy Committee, dated May 26<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building,  
Winnipeg, May 26<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Executive Policy Committee submits the following Report and recommends, namely:-

Compensation to Senior Management (Salary Grades MI-MVII) for the Year 1977. File GU-1.4.

1092 1. Section (4) of Clause 2 of the report of the Executive Policy Committee, dated May 1<sup>st</sup>, 1975, as amended and adopted by Council, May 7<sup>th</sup>, 1975, reads as follows:

“(4) That when any percentage in revision in the Administrative and Professional Salary Schedule are made as a result of negotiations between the City and W.A.P.S.O., the following percentage formula automatically apply to the Senior Management Salary Schedule, in order to maintain appropriate differentials:

- (a) the full percentage rate on that part of salary equal to the lowest rate of Salary Grade 18 in the Administrative and Professional Salary Schedule;
- (b) One-quarter (1/4) of the percentage rate on that portion of salaries in excess of the amount represented by the lowest step of Salary Grade 18 in the Administrative and Professional Salary Schedule.”

After considering all aspects of this matter, your Committee recommends in accordance with Clause 2 of the report of the Executive Policy Committee dated May 1<sup>st</sup>, 1975, as amended and adopted by Council on May 7<sup>th</sup>, 1975, that the Senior Management (Salary Grades MI - MVII) automatically receive the following percentage formula in order to maintain appropriate differentials:

- (a) the full percentage rate granted to the Winnipeg Association of Public Service Officers on that part of salary equal to the lowest rate of Salary Grade 18 in the Administrative and Professional Salary Schedule.
- (b) one-quarter (1/4) of the percentage rate on that portion of salaries in excess of the amount represented by the lowest step of Salary Grade 18 in the Administrative and Professional Salary Schedule;

up to a maximum of \$2,400.00 as of Pay Period No. 1, 1977.

Your Committee further recommends that the Senior Management be granted three (3) calendar weeks of annual vacation in the calendar year of his/her first anniversary of service and each year thereafter.

Moved by Councillor Bockstael,  
Adoption of the clause.

In amendment,

Moved by Councillor Bockstael,  
Seconded by Councillor Ducharme,

That Clause 1 of the report of the Executive Policy Committee be amended by striking out the words “and each year thereafter,” where they occur at the end thereto and adding

“and in subsequent years as provided in the Winnipeg Association of Public Service Officers’ Agreement.”

Carried.

In Amendment,

Moved by Councillor Skowron,  
Seconded by Councillor Kozlowski,

That Clause 1 of the Report of the Executive Policy Committee, dated May 26<sup>th</sup>, 1977, be amended by adding at the end of the recommendation the following:

“and further that a report of the actual salaries of Senior Management Grades M-I - M-VII based on formula as per (a) and (b) in this clause, be provided to all members of Council as information.”

Carried.

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

Impact of Bill 65 - Proposed Changes to The Employment Standards Act Particularly with Regard to Overtime. File GU-1.4

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1093 2. Bill 65 proposes two changes to The Employment Standards Act that are of particular concern to the City:

1. Overtime is to 1.75 times the regular rate. (September 1, 1977)
2. The employer cannot require an employee to work overtime, except in cases of “public emergency, civil disaster, or war emergency”. (July 1, 1977)

The overtime change is simple to understand. Our agreements call for 1 ½ times the regular rate for the first four hours, and double time thereafter. The Bill, if passed, will increase our overtime costs from September 1<sup>st</sup> on by an estimates \$25,000 per annum.

The other change is of greater concern to your Committee. “Public emergency” is not defined in the Act, and your Committee can only guess that there will be very few incidents that the government would judge to fall within the meaning and intent of the phrase. In any event, “public emergency” would have to be proclaimed in accordance with subsection e33(2) of the Act.

Subsection 33 (1) of the proposed Bill permits overtime to be assigned but only in three very restricted areas:

1. In cases of accidents.
2. In case of work urgently required to be done to the machinery or plant of the employer where employees are affected.
3. In case of an occurrence beyond human control but only to the extent necessary to avoid serious interference with the ordinary working of the plant.

Your Committee is of the opinion that this would permit assigned overtime in cases of fire fighting an active fire, or the police activity engaged in combating a crime, or linemen restringing a fallen power line, or repairs to signals at a busy intersection, or repairs necessary to keep substations in operation, or the swimming pools operators when a break-down would cause serious damage, but it is not so sure that a Transit Bus driver having to work overtime because his relief did not turn up, would fall within the scope of the above subsection, however.

It should be borne in mind that voluntary overtime is still possible, and it is virtually certain that most overtime worked by civic employees falls into this category.

The increased cost implications of not being able to assign overtime in the case of street construction or maintenance or equipment breakdown are impressive. Having to halt work prior to completion means taking men and equipment back to the yard and then setting-up again the following day. That is, an hour of overtime could conceivably save three or four hours the following day.

If overtime is assigned under subsection 33 (1), then according to subsection 33 (3) a full report of the "emergency work" must be forwarded to the Labor Board for any action it deems appropriate. Such action could presumably include a rebuke and instructing that the "emergency work" did not, in fact, qualify under the provisions of subsection 33(1).

Section 31(1) as amended, provides that an employee "may be required to work overtime but only to the extent necessary to avoid serious interferences with the ordinary working of the plant".

The words "serious interference" require that each set of circumstances be interpreted. The difficulty is that the subsection does not really contemplate the services provided by a municipal corporation, or indeed, the Province or Manitoba Hydro.

Your Committee is also of the opinion that the subsection should be clarified so that clearly the Act covers urgent work relative to essential services such as:

- Water treatment and delivery
- (Waste) Sewage collection and treatment
- Hydro
- Fire
- Police

Health Services (Hospital and Public Health)  
Transportation (Highways, Transit, Traffic Control, Snow and Ice Control)

It would seem that the City's concern would be shared by every municipality in Manitoba, not to mention the Province's own Highways Branch, the Manitoba Telephone System and the Manitoba Hydro.

Your Committee therefore recommends that the Law Department be instructed to appear before Law Amendments Committee of the Legislature to seek amendments to Bill 65 that will enable the City of Winnipeg to require its employees to work overtime in the delivery of those services deemed to be essential to the health, safety and welfare of its citizens.

Moved by Councillor Bockstael,  
Adoption of the clause.

In amendment,

Moved by Councillor Norrie,  
Seconded by Councillor Leech,

That the last paragraph of Clause 2 of the Report of the Executive Policy Committee, dated May 26<sup>th</sup>, 1977, be amended by deleting in the first line thereof the following words: "the Law Department" and inserting in place thereof the following: "His Worship the Mayor or his designate from amongst members of Council"

The motion was put.

Councillor Wade called for the Yeas and Nays which were as follows:

Yea: Councillors Bockstael, Brunka, Chornopyski, Corrin, Dixon, Ducharme, Eliason, Ernst, Galanchuk, Hallonquist, Hudson, Ireton, Kaufman, Klym, Knight, Kotowich, Norrie, Leech, McGonigal, Nordman, O'Shaughnessy, Parkhill, Penner, Perry, Pierce, Rebchuk, Reese, Rizzuto, Ross, Ruta, Koszowski, Skowron, Steen, Filmon, Smith, Westbury, Johnson, Wong, Zuken and Wolfe. 40.

Nay: Councillors Johannson, Lazarenko and Wade. 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 Bockstael, Brunka, Chornopyski, Corrin, Dixon, Ducharme, Eliason, Ernst, Galanchuk, Hallonquist, Hudson, Ireton, Kaufman, Klym, Knight, Kotowich,



Norrie, Leech, McGonigal, Nordman, O'Shaughnessy, Parkhill, Penner, Perry, Pierce, Rebchuk, Reese, Rizzuto, Ross, Ruta, Kozlowski, Skowron, Steen, Filmon, Smith, Westbury, Johnson, Wong, Zuken and Wolfe. 40.

Nay: Councillors Johannson, Lazarenko and Wade. 3.

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

Arena Proposals - File F-5.

1094 3. On July 16<sup>th</sup>, 1975, following a number of meetings with an Ad Hoc Committee of Executive Policy Committee and representatives of Great-West Life and the C.N.R., Council amended and adopted a report of the Executive Policy Committee endorsing the preparation of a development concept for the C.N.R. East Yards "in terms of use and density that will be acceptable to the City and viable to the owners:." (See Exhibit I attached.)

Since that time the GWL/CNR have been actively engaged in attempting to work out suitable plans for the redevelopment of the East Yards lands and in response to the City's request to identify an arena site, are now prepared to have a generalized concept approved by the City, recognizing that a development of this magnitude can only be carried out over a period of time and that considerable flexibility in the timing and scale of the development would have to be retained in order to react to the uncertainties of the future.

On June 23<sup>rd</sup>, 1976, Mr. J.W. Burns, President, Great-West Life, wrote His Worship mayor Juba proposing an East Yards site for a new arena and proposing a method of financing by GWL. (See Exhibit II attached.)

On January 11<sup>th</sup>, 1977, Council amended and adopted a report of the Executive Policy Committee, indicating support for an East yards site, rejecting GWL financing as offering no significant advantage to the City, and giving a City commitment to the provision of an arena to meet minimum requirements "if the City can receive adequate assurance that an economically viable franchise will be located I the City of Winnipeg in the National Hockey League, the World Hockey Association or any new league resulting from an amalgamation or joint operation of the N.H.L. and the W.H.A." (See Exhibit III attached.)

On April 1<sup>st</sup>, 1977, the Executive Policy Committee received a presentation from Mr. Allan R. Golden, proposing to build a new arena at the Manisphere site just west of Assiniboine Downs or "in the event that arrangements for the acquisition of properties in this area cannot be completed, then the Corporation intends to consider acquiring property on Roblin Boulevard (at the Perimeter), Whittier Park, or the CN East Yards, in the City of Winnipeg". Mr. Golden proposed that the new arena would be financed by the sale of memberships (20,000) which would entitle purchasers to first refusal on the purchase of a ticket for any event taking place at the arena. (See Exhibit IV attached.)

On April 14<sup>th</sup>, 1977, your Committee again considered Mr. Golden's proposal and the Executive Policy Committee passed the following motion:  
(See Exhibit V attached.)

“That the Council of The City of Winnipeg agree to provide a site, under a long term lease, to a non-profit Corporation, upon receiving adequate assurance that an arena will be erected;

And that the Board of Commissioners be requested to recommend to Executive Policy Committee within two weeks a suitable site for consideration by Council.” (See Exhibit V attached.)

Acting on these instructions The Board of Commissioners had prepared and submitted to Executive Policy Committee on May 5<sup>th</sup>, 1977, a report headed “Location of a Major New Arena” endorsing an East Yards site as much the best available for this purpose. (See Exhibit VII attached.)

The Executive Policy Committee approved this report in principle and referred it back to the Board to report on the financial aspects (See Exhibit VIII attached.) and in addition raised the question of the present availability of such a site in the East Yards should an early construction be contemplated.

In attempting to find answers to the above the Board has met with representatives of GWL, the C.N.R., Winnipeg Enterprises and His Worship Mayor Juba has informally discussed with the Honourable Ed Schreyer the possibility of financial assistance through Provincial-Municipal programs designed to stimulate construction projects and employment opportunities.

#### Financing of a New Arena

Your Committee has been advised that assuming that it would be desirable to obtain a new arena for the City without imposing a continuing financial burden of the City's current budget, the following potential sources of financing can be identified:

1. Winnipeg Enterprises' ability to support a part of the capital cost through  
say - \$6,000,000.00
2. Contribution from Special Provincial Municipal Loan Fund. Premier Schreyer has informally advised Mayor Juba that this fund is for the purpose of encouraging municipalities to undertake capital works which would not otherwise be proceeded with, and that if the City wished to apply these funds to a new arena, it would in all likelihood quality - assuming an early start on construction,

Say - \$6,000,000.00

3. Mr. Golden is convinced that his proposal to sell seat privileges could raise 19-20 million dollars. The Board has no way of estimating what might in fact be raised by public subscription.

From this source say \$3,000,000.00

If a non-profit organization is necessary to carry out this and other programs associated with a new arena, it should be the Winnipeg Enterprises Corporation who would be asked to invite Mr. Golden's active participation. It would have the added advantage that, as gifts to a municipality, the cost of seat purchases would be tax deductible for corporations and individuals.

Obviously the availability of the Provincial Municipal Loan Fund for partial financing gives the issue of a new arena some urgency and requires a decision now as this source of assistance is designed for an arises out of the current situation which makes it desirable to put idle resources to work. It is not likely that such assistance would be available at a later date or under more favourable economic conditions.

Both Edmonton and Vancouver were successful in securing some measure of financial assistance from the Federal Government for the construction of their arenas, but if any approach were to be made on the City's behalf for this purpose it would obviously have to be done on the political level.

#### Availability of Site

Several meetings have been held with representatives of GWL/CNR and have discussed the terms under which a site might be made available to the City. While the site initially indicated by the GWL/CNR could not be made available in the near future, they did indicate a willingness to revise their plans so that a site entirely within their control could be made available at an early date if general agreements on other relevant matters could be reached promptly.

These matters are generally as outlined in Mr. Rettie's letter of May 9<sup>th</sup>, 1977. (See Exhibit IX attached.)

Discussions have proceeded to a point where you Committee believes that a general plan of redevelopment of the Yards indicating land use, road requirements, park and riverbank requirements, arena site, etc., could likely be developed within several months given good faith and cooperation on both sides.

During this period, your Committee is of the opinion that if Council expressed a desire to proceed both with the plan of the redevelopment of the Yards and with the acquisition of an arena site, preparation of architectural plans would be simultaneously proceeding.

Your Committee recommends that every effort be made to proceed with the construction of a new arena in the East Yards, with a target date for construction commencing late fall or early winter to take advantage of the Provincial Municipal Loan Fund, and that Council authorize the following steps to be taken immediately:

- a) Instruct the Executive Policy Committee to initiate discussions with GWL/CNR to finalize details of site, as part of a general plan of redevelopment of the East Yards area “acceptable to the City and viable to the owners”.
- b) Ask Winnipeg Enterprises Corporation to identify that part of the capital debt that could be supported by the Enterprises and the City be prepared to guarantee debentures for that amount.
- c) Formally apply to the Provincial Government for the maximum amount of forgiveness available under the Provincial Municipal Loan Fund for arena construction.
- d) Ask Winnipeg Enterprises Corporation to commission a firm of architects to prepare plans for the building, anticipating a need to be in a position to tender the project by late Fall, early Winter 1977.
- e) Ask Winnipeg Enterprises Corporation to review and assess the work done by Mr. Allan Golden on his proposed fund-raising campaign and determine the extent to which Mr. Golden’s advanced planning may be of value to the Enterprise.
- f) Direct the Official Delegation to confer with the Premier, The Honourable Ed Schreyer, with a new to approaching the Federal Government for such assistance as may be available.
- g) Acknowledging that this report contains very preliminary estimates as to the availability of capital funds and because accurate estimates of cost are not available, that a contingency fund, not exceeding \$5,000,000.00, be created. This recommendation would require Council to pass a by-law appropriating \$5,000,000.00 from the Land Operating Reserve Account which the City has accumulated from land sales.
- h) That discussions take place with the President, Mr. W. J. McKeag and the Executive of the Winnipeg Jets Hockey Club.

- i) Ask Winnipeg Enterprises Corporation for assistance in determining alternatives for extension of the existing arena.
- j) That Mr. A. R. Golden be provided at the same time with the opportunity to report to the Executive Policy Committee on what part of the proposed arena construction the private sector can participate in, either in whole or in part.

Your Committee wishes to advise Council that given positive direction by Council, it will then come back with a definitive financing plan for the project for submission to Council before a construction contract is awarded.

Moved by Councillor Bockstael,  
Adoption of the clause.

In amendment,

Moved by Councillor Kaufman,  
Seconded by Councillor Johnson,

That Clause 3 of the Report of the Executive Policy Committee, dated May 26<sup>th</sup>, 1977, be amended by deleting the last paragraph and adding:

- “k) That final determination of site and plans be submitted to Council for approval.
- l) That a definitive financing plan be submitted to Council for its approval.
- m) That no contracts be signed or commitments made under this clause or any other authority vis-à-vis the Arena prior to steps K) and l).

Moved by Councillor Ernst,

That the matter be tabled for a special meeting of Council to be called by His Worship Mayor Juba.

Carried.

Eligibility of Former Employee of Autonomous Parks and Recreation Boards To Make Past Service Contributions and to Receive Supplementary Pension Benefits. File GU-3

1095 4. Your Committee has been advised that The Employee Benefits Board, at its meeting held on December 1<sup>st</sup>, 1976, approved the following recommendations with respect to the status of employees of former autonomous Parks and Recreation Boards who are now employees of the City.

- 1. All “eligible employees” be given the option of enrolling in the Benefits Program on the date they became employees of the City.

2. All other employees be given the option of enrolling in the Benefits Program on the date they fulfill the eligibility requirements. Prior service with the autonomous Board will count for purposes of determining eligibility.
3. All employees referred to above will not be eligible to make Past Service Contributions or to receive supplementary pension benefits.

Arrangements have been made to enroll these employees in accordance with the above recommendations.

The Employee Benefits Board, created and established by virtue of By-law No. 1125/75, has the power to determine all questions regarding length and continuity of service, eligibility, retirements, reinstatements and earnings, under the Employee Benefits Program.

By virtue of Section 17 of By-law No. 1125/75, the Employee Benefits Board has the power to administer and interpret the intent of the program consistent with the requirements of the By-law.

The employees of former Autonomous Parks and Recreation Boards do not automatically qualify as protected employees under Section 666 of The City of Winnipeg Act nor do they fall within the definition of "service" as that term is defined in Schedule 2 of By-law No. 1125/75. It is, therefore, up to the Employee Benefits Board to determine eligibility. Since "employees of autonomous Commissions and Boards" can only become members of the Employee Benefits Plan by way of Agreement; and since the necessary legislation is not yet in place to authorize the entering into of such an Agreement, only the employees of former autonomous Commissions and Boards that have been disestablished have become eligible for membership in the Employee Benefits Plan.

After considering all aspects of this matter your Committee recommends the removal of the present ineligibility of the former employees of autonomous Parks and Recreation Boards to make Past Service Contribution and to receive supplementary pension benefits and that the following procedure be followed:

- (1) Each such employee be granted the option of either:
  - (a) To pay the arrears in contributions for the period from December 21<sup>st</sup>, 1975 (the date other City employee started contributing to the Employee Benefits Plan) to December 18<sup>th</sup>, 1976 and thereby become entitled to the supplementary pension and past service provisions of the Program,

OR

- (b) Not to pay the arrears and contributions (as above), and thereby not be

entitled to the supplementary pension and past service provision of the Program.

- (2) Those employees electing to pay the arrears in contributions would also be required to pay interest at a rate determined by the Employee Benefits Board on such arrears.
- (3) Such arrears (including interest) could be made payable in installments by way of payroll deduction during the 1978 Income Tax year.
- (4) For each employee so electing, the City will be required to make contributions based on the current formula which is 113% of the employee's contributions. It is estimated this liability would approximate \$20,000.
- (5) With respect to those employees who become eligible to make past service contributions and to the extent to which they so elect, the City will be required to make matching contributions. Assuming the same 10% election rate (as was assumed for other members of the Program), it is estimated that the City's liability will approximate \$10,000.

Your Committee further recommends that the same procedure be followed during 1977 and 1978 for any employees of Library Boards that become disestablished.

Your Committee also recommends that the City Solicitor be authorized to do all things necessary to implement the foregoing.

Moved by Councillor Bockstael,  
Adoption of the clause.

Carried.

Use of Surplus Funds for Development of Avaco-Snowdon Park - East Kildonan Community Committee. File GU-1.

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1096 5. On October 6<sup>th</sup>, 1976, Council adopted Clause 2 of the Report of the Committee on Works and Operations, dated September 27<sup>th</sup>, 1976, regarding creation of reserve funds for recreation programming at the Community level, reading in part as follows:

“And Be It Further Resolved that budgetary procedure which assures that Community Committees will have autonomous decision-making powers and the right to retain year-end unexpended balances and to be responsible for over expenditures in recreation programming, be approved for implementation following the reorganization of Parks and Recreation into a single Department; and that any present funds or bank overdrafts under the jurisdiction of independent Boards or Commissions, and any

unexpended balances as identified in the approved programming portions of the 1976 budgets be retained under the jurisdiction of the Community Committee concerned, effective on dissolution of the said Boards or Commissions/”

Your Committee has been advised that the East Kildonan Community Committee is desirous of developing an athletic facility on 2.137 acres known as Avaco-Snowdon Park, at a cost of \$62,600.00.

After considering all aspects of this matter, your committee recommends that the existing policy of Council be waived in this instance to permit the East Kildonan Community Committee to expend \$63,600.00 out of its surplus funds to develop an athletic facility on 2.137 acres of land in Valley Gardens known as Avaco-Snowdon Park.

Moved by Councillor Bockstael,  
Adoption of the clause.

Carried.

(Sgd.) R. Bockstael for Chairman.

#### EXECUTIVE POLICY COMMITTEE

#### UN FINISHED BUSINESS

Clause 2 of the Report of the Executive Policy Committee, dated May 19<sup>th</sup>, 1977, namely:-

Proposed Appointment of a Sub-Committee Dealing with Major Rezonings and/or Subdivision.  
Files FC and EZ.

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1097 2. Council at its meeting held on October 20<sup>th</sup>, 1976, referred to your Executive Policy Committee the following resolution:

“WHEREAS major rezoning or subdivisions for commercial, industrial or residential development can cause large financial obligations upon the City through over utilization of existing City facilities such as underground services, transportation networks, recreation facilities, etc.

WHEREAS the City has committed itself to limit its capital spending and has seriously undertaken the preparation of a (5) five year capital budget.

WHEREAS it would be desirable for Council to have the financial implication of any major rezoning and/or subdivision before it when it considers these individual



rezoning and/or subdivisions over and above the environmental considerations they now receive.

THEREFORE BE IT RESOLVED that this Council set up a sub-committee of Council to consider all the financial implications of any major rezoning and/or subdivision consisting of at least (2) two representatives to each of the (3) standing Committees of Council and to report directly to the Committee on Finance prior to the time Council will consider these rezoning or subdivisions.”

In its report to Council dated October 28<sup>th</sup>, 1976, your Committee indicated that it did not concur in the above resolution and recommended that the sub-committee be not appointed.

Council, however, at its meeting held December 15<sup>th</sup>, 1976, referred the clause back to your Committee together with the following proposed amendment:-

“That clause 2 of the Report of the Executive Policy Committee, dated October 28<sup>th</sup>, 1976, be amended by striking out the last two paragraphs and substituting the following:-

THEREFORE BE IT RESOLVED that this Council instruct the Executive Policy Committee to consider and report all the financial implications of any major rezoning and or subdivisions and report directly to Council prior to the time Council will consider these rezonings or subdivisions by including these reports in the said Council Agenda.”

Your Committee does not concur in the above resolution and the proposed amendment, and again recommends that the Sub-Committee be not appointed.

Moved by Councillor Bockstael,  
Adoption of the clause.

His Worship the Mayor called Councillor Wolfe to the Chair.

The motion for the adoption of the clause was put.

Councillor Perry called for the Yeas and Nays which were as follows:

Yea: Councillors Bockstael, Dixon, Ducharme, Ernst, Galanchuk, Gee, Jorowski, Kaufman, Kotowich, Mercier, Penner, Wong and Yanofsky. 13.

Nay: Councillors Eliason, Ireton, Johannson, Knight, Norrie, McGonigal, Nordman, Lazarenko, Perry, Pierce, Rebchuk, Reese, Rizzuto, Ross, Ruta, Kozlowski, Skowron, Steen, Filmon, Wade, Smith, Westbury, Johnson and Zuken. 24.

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

Clause 9 of the Report of the Executive Policy Committee, dated May 19<sup>th</sup>, 1977, namely:-

Bridge Financing of Services by Developers. File EP-2

1098 9. Your Committee has reviewed the need for further policy guidelines definitions for the administration for application to cases where Developers propose to finance oversize City services benefiting other than the Developer.

Clause 18 of the Development Agreement Parameters approved by Council on May 5<sup>th</sup>, 1976, defined the policy for financing installation of services benefiting other than the Developer.

Your Committee recommends that Clause 18 "Installation of Services Benefiting Other than the Developer", be amended by adding thereto a Clause 18.A, to better define the conditions under which Council may approve the bridge financing by the Developer of oversize trunk sewers, pavements and supply watermains and other municipal services when City capital funding cannot be provided. The new section 18.A would read as follows:-

"18.A Bridge Financing of Services by Developers

Where the installation of oversize trunk sewers, pavements and supply watermains and other municipal services is required to service a proposed development and where City capital funding cannot be provided. The new section 18.A would read as follows:-

- a) The Developer shall pay all acceleration costs for the period of acceleration as defined by the council of the City of Winnipeg; this period may be;
  - i. Until capital funding is approved by City Council;
  - ii. Until payments are received from subsequent future development agreements.
- b) That the proposed development be located within areas of acceptable urban expansion;
- c) That all trunk sewers, interceptor sewers, pumping stations and feeder watermains be sized for the entire area which they will ultimately be required to serve;
- d) That the collector and/or regional street pavement width, thickness and pattern be approved by the Commissioner of Works and Operations, the design of which shall allow for accommodation of traffic volumes for the total area that the collector and/or regional streets are required ultimately to serve."

Moved by Councillor Bockstael,  
Adoption of the clause.

Carried.

His Worship the Mayor resumed the Chair.

Moved by Councillor Zuken,  
That the rule be suspended and Council revert to and reconsider the motion for the adoption of the clause.

Carried.

Moved by Councillor Wade,  
That clause be referred back to the Executive Policy Committee.

Lost.

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

### EXECUTIVE POLICY COMMITTEE

#### QUESTION PERIOD

1099 Councillor Lazarenko asked the Chairman of the Winnipeg Police Commission if the Police Department would be penalizing people riding bicycles without licenses.

Councillor Hallonquist replied that it was not a high priority with the Police Department and suggested the License Department make it more convenient for people to purchase bicycle licenses.

Councillor Mercier asked His Worship the Mayor if the Province of Manitoba has indicated to him they are delaying the application to the Canadian Transport Commission for the Sherbrook-McGregor Overpass.

His Worship the Mayor replied that he could not speak for the Government.

Councillor Ross asked if the Executive Policy Committee would reconsider his motion presented two years ago to hire students to take the load off the Police Department as far as pointing out traffic violations to children.

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Councillor Wolfe asked His Worship the Mayor if he would consider pointing out to the Board of Governors of the National Hockey League support of the application of the Jets to join the league.

His Worship the Mayor replied that he has been in contact with Mr. McKeag of the Jets and will support the Winnipeg Jets in their proposal to join the National Hockey League.

Councillor Westbury asked if the representatives appointed by Council to Folklorama could report on what their activities have been, how many meetings they have attended, who the Chairman is, etc.

Councillor Rebchuk replied that Council was not asked for representatives and therefore not invited to any of the meetings.

His Worship the Mayor also replied, giving a history of Folk Arts Council, which is now before the Courts, pointing out that a new organization has been formed and only representatives of ethnic groups can become members of the Board of Directors.

His Worship the Mayor pointed out that he will only call the special meeting of Council to deal with the Arena when the City of Winnipeg receives a franchise from the National Hockey League.

His Worship the Mayor pointed out that he would be out of town after the meeting tonight until Monday afternoon.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Moved by Councillor Wong,

Seconded by Councillor Yanofsky,

1100 WHEREAS official legal descriptions form an integral part of the City's business;

AND WHEREAS these present legal descriptions do not identify the common postal address for proper and easy identification of the properties in question;

BE IT THEREFORE RESOLVED that the common postal addresses and Community Committees (or wards) be identified with all legal descriptions on all legal notices, and on all Council material, provided by the City of Winnipeg.

Carried.

MOTIONS

Moved by Councillor Perry,

Seconded by Councillor Eliason,

1101 WHEREAS major rezoning or subdivisions for commercial, industrial or residential development can cause large financial obligations upon the City through over utilization of existing City facilities such as underground services, transportation networks, recreation facilities, etc.

WHEREAS the City has committed itself to limit its capital spending and has seriously undertaken the preparation of a (5) five year capital budget.

WHEREAS it would be desirable for Council to have the financial implication of any major rezoning and/or subdivision before it when it considers these individual rezonings and/or subdivisions over and above the environmental considerations they now receive.

THEREFORE BE IT RESOLVED that this Council set up a sub-committee of Council to consider all the financial implications of any major rezoning and/or subdivisions consisting of at least (2) two representatives to be appointed by each of the (3) Standing Committees of Council and to report directly to the Committee on Finance prior to the time Council will consider these rezoning or subdivision.

Several members of Council called for the motion to stand as Notice.

Moved by Councillor Perry,

That the rule be suspended and the motion be considered this evening.

Carried.

Councillor Perry's motion was put and declared carried.

#### CONSIDERATION OF REPORT OF THE

#### COMMITTEE ON ENVIRONMENT

The following clause contained in the Report of the Committee on Environment, dated April 4<sup>th</sup>, 1977, was laid over by your Committee. Your Executive Policy Committee now submits this clause to Council together with its recommendation thereon for approval and adoption.

On motion of Councillor Galanchuk the following clause contained in the Report of the Committee on Environment, dated April 4<sup>th</sup>, 1977, was considered.

Proposed Amendments to License By-law 260/72 - Hours of Operation - Dance Halls. Files EL-1.9 and EL-1.

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1102 10. Your Committee has considered a matter concerning the time restrictions within the License By-law as it relates to locations where dancing is permitted.

Section 24(3) of The Winnipeg License By-law 260/72 reads as follows:

“(3) Hours of Business. No dance hall premises shall remain open for business, nor shall any music be provided, nor any dancing, show or entertainment be conducted or permitted therein on any day during the period between 2.00 o’clock in the forenoon and 9.00 o’clock in the forenoon, provided that on Sundays such premises shall be operated in compliance with the provisions of The Lord’s Day (Manitoba) Act.”

The License By-law of the former City of Winnipeg was amended in 1969 to extend the hours of dancing from 1.00 A.M. to 2.00 A.M. to conform to the hours set forth in The Liquor Control Act. This request originated with several restaurants operating under Cabaret Licenses issued by the Liquor Control Commission. The effect of this amendment was to set uniform hours of operation for all Dance Halls. For your information The Liquor Control Act requires that the sale of liquor must close at 2.00 A.M. but the Act does not regulate the hours for dancing in any licensed premises.

Your Committee is of the opinion that the time restrictions as outlined under By-law No. 260/72 should be removed and therefore submits for favourable consideration draft By-law to amend License By-law No. 260/72 by deleting Section 24(3) as it relates to the hours of operations for dance hall premises.

Your Executive Policy Committee recommends that the recommendation of the Committee on Environment be not concurred in.

For the information of Council, your Committee submits copy of letters from The Winnipeg Police Commission, dated May 18, 1977, and from the Chief of Police, N. M. Stewart, dated April 22<sup>nd</sup>, 1977.

Councillor Nordman advised Council that he would refrain from entering the discussion and from voting on this clause in accordance with Section 58.4 of the Procedure By-law.

Moved by Councillor Galanchuk,  
Adoption of the clause.

His worship the Mayor called Councillor Zuken to the Chair.

Moved by Councillor Lazarenko,  
That the question be put.

Carried.

The motion for the adoption of the clause was put.

Councillors Lazarenko called for the Yeas and Nays which were as follows:

Yea: Councillors Knight, O'Shaughnessy and Parkhill. 3.

Nay: Councillors Bockstael, Brunka, Chornopyski, Corrin, Dixon, Ducharme, Ernst, Galanchuk, Hallonquist, Ireton, Johansson, Jorowski, Klym, Norrie, Mercier, Lazarenko, Penner, Rebchuk, Reese, Rizzuto, Ross, Ruta, Kozlowski, Skowron, Steen, Filmon, Wade, Smith, Westbury, Johnson and Zuken. 31.

(Sgd.) Ken Galanchuk, Chairman.

#### CONSIDERATION OF REPORT OF THE

#### COMMITTEE ON ENVIRONMENT

The following clause contained in Report "A" of the Committee on Environment, dated April 4<sup>th</sup>, 1977, was laid over by your Committee. Your Executive Policy Committee now submits this clause to Council with a recommendation for approval and adoption.

On motion of Councillor Galanchuk Report "A" of the Committee on Environment, dated April 4<sup>th</sup>, 1977, was considered.

East Committee Room,  
Council Buildings,  
Winnipeg, April 4<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Environment submits the following Report "A" and recommends: -

Application for approval of a plan of subdivision and proposed zoning changes to By-law No. 145, by rezoning land located south of Concordia Avenue, north and west of Molson Street, to an "R-PL" Planned Residential District - East Kildonan Community. File DASZ 33/76.

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1103 1. An application has been received from Guaranteed Homes Ltd., 450 Pandora Avenue West, Winnipeg, R2C 3A5, for approval of a plan of subdivision and proposed zoning changes to By-law No. 145 by rezoning land located south of Concordia Avenue, north and west of Molson Street, from a "C2" Commercial District to an "R-PL" Planned Residential District as shown outlined on the sketch below, for the establishment of a small lot subdivision including new streets.

The proposal provides for a modified P-loop having access to Molson Street on the south and eastern boundaries of the property, and a cul-de-sac provides access to lots on the northern part of the property. A small green space of approximately 6000 square feet, to be located at the top of the cul-de-sac would provide legal frontage to those lots situated in the north-west corner of the subject land, and permit the storage of snow at the end of the cul-de-sac. Pedestrian access only would be provided at the front of the twelve proposed lots and vehicular access would be taken from the lane at the rear. The applicant anticipates providing the minimum site area of 2500 square feet per unit, together with two parking stalls for each dwelling as required by the "R-PL" District. Altogether, the proposed development would result in 78 dwelling units, detached and semi-detached.

In the past, it has been noted that the requirements of the Zoning By-laws have grown inadequate, as evidence by the applications processed to permit additional parking areas on residential properties zoned for density in excess of "R2" Districts. Two off-street parking spaces per unit must be provided in any event as required by the "R-PL" standards.

Because of the mixture of land uses proposed for the site, final site plans should include adequate arrangements for fences and other screening devices as required, to ensure privacy and visual amenity for future residents and for those already living in the area.

The proposal initially submitted under this file number was advertised and considered at a Public meeting held before the East Kildonan Community Committee on November 1<sup>st</sup>, 1976 and January 4<sup>th</sup>, 1977. The application was subsequently readvertised to consider a revised proposal as shown on Schedule "A" attached hereto and considered at the Adjourned Public Meeting held on February 21<sup>st</sup>, 1977.

The following persons appeared on behalf of the applicant:-

Mr. H. E. J. Bergman of Guaranteed Homes Ltd., 450 Pandora Avenue West, Winnipeg, R2C 3A5,

Mr. D. Stephen of Guaranteed Homes Ltd., 450 Pandora Avenue West, Winnipeg, R2C 3A5.

The following persons appeared in opposition thereto:0

Mr. and Mrs. Matwychuk, 1100 Moncton Avenue, Winnipeg, R2K 1Z2,



Wendy Hamilton, 1102 Moncton Avenue, Winnipeg, R2K 1Z2,

Mr. H. Baessler, 1120 Moncton Avenue, Winnipeg, R2K 1Z2,

Mr. T. Bowkett, 1098 Moncton Avenue, Winnipeg, R2K 1Z2,

Mr. C. Winslow, 556 Helmsdale Avenue, Winnipeg, R2K 0W6,

Mr. B. Nelson, 1092 Moncton Avenue, Winnipeg, R2K 1Z2,

Mr. N. Guilbert, 1103 Moncton Avenue, Winnipeg, R2K 1Z4, presented a brief opposing the "R-PL" development supported by a petition purporting to contain 102 signatures on property owners on the easterly part of Braeside Subdivision.

Comments and communications were received from the following:-

Mr. E. B. Bodie of B.A.C.M. Limited, 1500 Plessis Road, Winnipeg, R2C 2Z5.

Communication from the Institute of Urban Studies, University of Winnipeg,, signed by Peter Saunderson, Consultant, dated January 25<sup>th</sup>, 1977.

Communication from Lloyd Axworthy, Director, Institute of Urban Studies, University of Winnipeg, 515 Portage Avenue, Winnipeg, R3B 2E9, dated February 21<sup>st</sup>, 1977.

Mr. C. Winslow, 556 Helmsdale Avenue, Winnipeg, submitted comments on behalf of the Resident Advisory Group.

The draft development conditions suggested by the Administrative Co-ordinating Group for the earlier proposal remained unchanged except for the deletion of a requirement for a lane turn-around.

Upon concluding the receipt of representations, the East Kildonan Community Committee were unable to arrive at a recommendation due to a tie vote being recorded, therefore, their report on this application was forwarded to your Committee without recommendation.

After considering all aspects of this matter, your Committee recommends to Council as follows:-

- (i) that the plan of subdivision attached hereto as Schedule "B" to the report of the Committee on Environment under File NO. DASZ 33/76 signed by the Director of Environmental Planning dated April 26<sup>th</sup>, 1977, be approved for preparation as

a plan of subdivision by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office subject to the applicant entering into a Development Agreement with the City as follows:-

1. The Developer will install at no cost to the City the following services in accordance with the Development Agreement Parameters of the City of Winnipeg:
  - a) Watermains to serve the proposed subdivision;
  - b) Waste water sewers to serve the proposed subdivision;
  - c) Land drainage sewers to serve the proposed subdivision including any regulating devices required to limit the run-off from the proposed subdivision at 0.35;
  - d) Reinforced Portland cement concrete pavements 25 feet
  - e) Waste water and water service connections from the main to the property line of an internal diameter approved by the Commissioner of Works and Operations
  - f) Ornamental street lights on all streets within the proposed subdivision;
  - g) Sodding on all boulevards between the edge of the pavement and the property line and on all rights-of way where pavement is not required;
  - h) Boulevard trees to the satisfaction of the General Manager of Parks and Recreation;
  - i) Illuminated street name signs bearing names approved by the City at each intersection within the proposed subdivision
  - j) Portland cement concrete sidewalks 5 feet in width and 4 inches in thickness on the north and west side of Molson Street from Concordia Avenue to Munroe Avenue as required by the Commissioner of Works and Operations;
  - k) Portland cement concrete sidewalks 5 feet in width and 4 inches in thickness in the walkway within the proposed subdivision which walkway shall be suitably fenced with chain link fencing to the satisfaction of the Commissioner of Works and Operations;

2. The Developer shall cause to be installed, at no cost to the City ,underground electrical and telephone services within the proposed subdivision.
  3. The Developer will pay the following costs to the City of Winnipeg:-
    - a) Engineering services to be provided by or on behalf of the City of Winnipeg;
    - b) Four Hundred and Fifty Dollars (\$450.00) per gross subdivision acre in lieu of City of Winnipeg legal, administration and other related costs associated with the preparation and implementation of the Development Agreement.
  4. The Developer will pay its share of services installed or to be installed by the City in Molson Street and in Concordia Avenue.
  5. The Developer will dedicate the area identified as “Public Reserve” on Schedule “B” as public open space.
  6. The Developer will sell the two lots adjoining the east side of the said “Public Reserve” for additional open space purposes, at a price satisfactory to the Committee on Finance.
  7. The Developer will fine grade and seed or sod all open space areas to the satisfaction of the Commissioner of Works and Operations. The City will reimburse the Developer for such fine grading and seeding or sodding at the rate of 48% of the cost incurred by the Developer.
  8. The Developer is to commence construction on or before August 1<sup>st</sup>, 1977, and is to complete all construction by October 15<sup>th</sup>, 1978.
- ii) That the Director of Environmental Planning and the Director of Land Surveys and Real Estate be authorized to certify any documents in connection therewith.
  - 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 Clause (i) above.
  - iv) That the proposed zoning change to By-law No. 145 to rezone the land contained within the above approved plan of subdivision as shown said Schedule “B” to an “R-PL” Planned Residential District be approved.

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- v) That the City Solicitor be requested to prepare the necessary Rezoning By-law in accordance with the above.
- vi) That the Subdivision By-law and Rezoning By-law be forwarded to Council for first and second readings to enable the By-laws to be forwarded to the Minister for Urban Affairs for approval.
- vii) That third reading be withheld until all necessary Agreements have been executed and the approval of the Minister is received.
- (viii) That the proper officers of the City be authorized to execute all necessary Agreements.
- ix) 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 Galanchuk,  
Adoption of the report.

Carried.

(Note:- See Minute Nos. 1104 and 1105 for attachments.)

(Sgd.) Ken Galanchuk, Chairman.

1104 -

Schedule "A" referred to in Clause 1 of Report "A" of the Committee on Environment, dated April 4<sup>th</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

1105 -

Schedule "B" referred to in Clause 1 of Report "A" of the Committee on Environment, dated April 4<sup>th</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON ENVIRONMENT

The Executive Policy Committee has considered the reports of the concerned Community Committees and the recommendations of the Committee on Environment, as contained in its Report dated May 2<sup>nd</sup>, 1977, has concurred in the recommendations contained therein, except as noted below and submits same to Council for favourable consideration.

On motion of Councillor Galanchuk the Report of the Committee on Environment, dated May 2<sup>nd</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building,  
Winnipeg, May 2<sup>nd</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Environment submits the following report and recommends:-

Proposed amendment to a Zoning Agreement affecting land located at the north-east corner of St. Anne's Road and Oustic Avenue - St. Vital Community. File DAZ 260/76 (ZAA 5/77).

1106 1. On December 15<sup>th</sup>, 1976, Council passed By-law No. 1446/76 amending the St. Vital Town Planning Scheme 1951, by rezoning the land located at the north-east corner of St. Anne's road and Oustic Avenue, as shown outlined on the sketch below to a "C1" Limited Commercial District.

As a condition of enactment of said By-law No. 1446/76, a Zoning Agreement dated September 15, 1976, (Caveat No. 242562) was executed which restricts the use of the subject land to a barber shop and beauty salon.

Mr. R. Beaudry, 419 St. Anne's Road, Winnipeg, R2M 3C4, has applied to amend the above-mentioned agreement to permit the establishment of a retail health food store in addition to the existing permitted uses.

A Public Meeting was held before the St. Vital Community Committee on April 18<sup>th</sup>, 1977, to consider this application.

Mr. R. Beaudry and Mr. L. Rochon, 419 St. Anne's Road, Winnipeg, R2M 3C4, and Mr. C. J. Gee, 36 St. Anne's Road, Winnipeg, R2M 2Y3, appeared in support of the application.

No one appeared in opposition thereto.

The St. Vital Community Committee recommended that the application to permit the establishment of a retail health food store be approved.

After considering the report of the St. Vital Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That the Zoning Agreement filed under Caveat No. 242562 as a condition of enactment of rezoning By-law No. 1446/76, be amended by adding to the list of permitted uses the following use:-  
  
“a retail health food store.”
2. That the City Solicitor be requested to amend the said Zoning Agreement in accordance with 1. above.
3. That the proper officers of the City be authorized to execute the amending agreement.
4. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 16502 by rezoning land located at the north-west corner of Elgin Avenue and Ellen Street to a “CR” Commercial and Residential District- Centennial Community. File DAZ 225/77

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1107 2. An application has been received from Mr. J. Lyons, on behalf of St. Andrews Place Incorporated, 812-270 Roslyn Road, Winnipeg, R3L 0H3, for a proposed zoning change to By-law No. 16502 by rezoning land located at the north-west corner of Elgin Avenue and Ellen Street from an “R2” Two-Family District to a “CR” Commercial and Residential District, as indicated on the sketch shown below, in order to restore the zoning regulations for the existing 11 storey multi-purpose building (Senior Citizens Apartment, Church and Commercial uses) located on the land.

The subject site, currently zoned “R2” was inadvertently included in a recent rezoning of the general area under the N.I.P. program and consequently made non-conforming because of this action on the part of the City.



The site was originally rezoned (DAZ 9/73) to a "CR" District on May 15<sup>th</sup>, 1974, by By-law No. 395/73. As a condition of enactment of the By-law, a zoning agreement was executed (Caveat No. 230674) which restricts the use of the land to:-

- a) A senior citizens multiple-family dwelling into exceeding 116 dwelling units.
- b) A medical clinic, food co-operative, thrift and consumer shop, legal aid office, senior citizens day centre, nursery and day care facility for young children, credit union, library and study area and similar community services approved as such by the Commissioner of Environment of the City;
- c) A church and related facilities for a sanctuary, counselling rooms and meeting rooms.
- d) Multiple purpose facilities for public meetings, indoor recreation and community television and theatre productions;
- e) Office space occupied and used in the operation of any of the foregoing uses, and requires that any building or structure erected on the land shall be constructed in accordance with plans submitted to and approved by the Commissioner of Environment.

A Public Meeting was held on March 22<sup>nd</sup>, 1977, by the Centennial Community Committee to consider this proposed zoning change.

No representation was made in support of the application nor did anyone appear in opposition thereto.

The Centennial Community Committee recommended that the application be granted, conditional upon an execution of a zoning agreement requiring those conditions imposed in the zoning agreement executed in 1973.

The Community Committee further recommended that the standard 10% dedication be waived, as was done in 1973.

With respect to the above recommendation by the Centennial Community Committee the zoning Agreement presently registered against the land under Caveat No. 230674 is still in effect and it is not necessary to enter into a new agreement.

After considering the report of the Centennial Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

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1. That By-law No. 16502 be amended by rezoning the subject land under DAZ 225/77 to a "CR" Commercial and Residential District.
2. That the standard 10% dedication be waived as was done in 1973.
3. That the City Solicitor be requested to prepare the necessary rezoning by-law and forward same to Council for all three readings.
4. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 1800 by rezoning land located south of Grant Avenue between Haney Street and Royal Road to an "R1-5.5" Single-Family District and an "RM-1" Multiple-Family District - Assiniboine Park Community. File DAZ 318/76.

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1108 3. Markborough Properties Limited, c/o P.O. Box 772, (who have purchased the subject property from Hudson's Bay Company Developments Limited) has applied for a proposed zoning change to By-law No. 1800 by rezoning land located south of Grant Avenue between Haney Street and Royal road from an "R1-6" Single-Family District and a "C6" Shopping Centre District to an "R1-5.5" Single-Family District and an "RM-1", Multiple-Family District, as indicated on the sketch shown below, in order that the site may be developed for residential purposes.

The proposed development consists of 6 single-family building lots fronting onto Epsom Crescent and a 194 unit condominium townhouse development. Currently the site is zoned "C6" Shopping Centre District, excepting a 15' strip along Epsom Crescent which is zoned "R1-6" Single-Family District.

The subject site is located approximately 500' south of Grant Avenue between Royal Road and Haney Street. In total the site comprises an area of approximately 19 acres.

Surrounding land uses consist of two 3-storey apartment blocks and some single-family residences across Royal Road to the east of the site. The Charleswood Golf Course is located across Haney Street to the west of the site and the entire area to the south is a single-family residential area. The land immediately to the north is undeveloped and zoned "C6" Shopping Centre District.

The proposed development is to consist of 116 3-bedroom townhouses and 78 4-bedroom townhouses, for a total of 194 townhouse units plus 6 single-family lots on Epsom

Crescent. These single-family lots are of equivalent size to the existing lots on Epsom Crescent, all being greater than 6,000 square feet in area. It should be noted that while the zoning on Epsom Crescent is "R1-6", most existing lots fall below the 60' width requirement.

The density within the proposed townhouse complex is approximately 10 dwelling units per acre. This density is roughly equivalent to a development consisting entirely of duplexes. There is a substantial amount of open space provided at grade for recreation purposes. The submitted site plans indicate a central recreation area consisting of 2 tennis courts, a community club, a pond and a children's play area; plus two smaller developed recreation areas. Parking is to be provided for a total of 314 cars; one stall for each dwelling unit and an additional 120 stalls.

A Public Meeting was held before the Assiniboine Park Community Committee on December 13<sup>th</sup>, 1976, and January 26<sup>th</sup>, 1977, to consider this proposed zoning change.

The following persons appeared in support of the application:

Mr. J. Orzechowski, Smith Carter Partners, 1190 Waverley Street, Winnipeg, R3T 3K7.

Mr. J. Willis, 212-1010 Brazier Street, Winnipeg, R2K 2P4.

The following persons appeared in opposition:

Mr. D. C. Kendall, 426 Royal Road, Winnipeg, R3R 0W4, who presented a petition purporting to contain signatures of 25 residents of the area opposing the proposed rezoning.

Mr. N. Larsen, 649 Royal Road, Winnipeg, R3R 0W7.

Mr. B. Novak, 630 Haney Street, Winnipeg, R3R 0Y8.

Mr. P. Van Hoek, 263 McLean Street, Winnipeg, R3R 0V6.

Mrs. S. Ostermann, 71 Epsom Crescent, Winnipeg, R3R 0X3, who submitted a petition purporting to contain the signatures of 530 residents of the area in opposition to the proposed zoning.

Mr. J. Hilgenga, 3600 Vialoux Drive, Winnipeg, R3R 0A4.

Mr. T. W. Rhoades, 26 Ascot Bay, Winnipeg, R3R 0X4.

Mr. E. L. Finch, 407 Royal Road, Winnipeg, R3R 0W5.

Mr. W. J. Hudson, 648 Haney Street, Winnipeg, R3R 0Y8.

Mr. W. Kuzik, 404 Royal Road, Winnipeg R3R 0W4.

Mr. C. H. Seabrook, 374 Royal Road, Winnipeg, R3R 0W4.

Mrs. J. Haddad, 3630 Eldridge Avenue, Winnipeg, R3R 0L6.

Mrs. S. Waschyk, 545 Royal Road, Winnipeg, R3R 0W7.

Mr. D. Manktelow, 10 Epsom Crescent, Winnipeg, R3R 0X2.

Mr. B. Seib, 3604 Batchelor Avenue, Winnipeg, R3R 0P1.

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Mr. G. S. Bhatia, 472 Bedson Street, Winnipeg, R3K 1S1, and Mr. E. A. Braid, 3602 Vialoux Drive, Winnipeg, R3R 0A4, appeared for information purposes.

The major concerns expressed by the opposition centered on the adequacy of existing sewer and water facilities and school facilities to accommodate the development and the increased volume of traffic that would be generated by the proposed development.

A communication was read into the record, addressed to the Department of Environmental Planning, dated January 24<sup>th</sup>, 1977, from D.A.A. Gosling, 87 Epsom Crescent, Winnipeg, R3R 0X3, which requested questions be answered regarding drains, school, road and traffic that will be affected by the proposed development.

In a communication to the Assiniboine Park Community Committee dated January 25<sup>th</sup>, 1977, the Assiniboine South School Division No. 3 indicated they would have no objection to the proposed development provided that the phasing of the development is as follows:

<u>Stage One</u>	Royal road clusters and recreation centre 47 units construction start     - summer '77 finish             - spring '78
<u>Stage Two</u>	North Haney Street clusters 66 units construction start     - summer '78 finish             - spring '79
<u>Stage Three</u>	South Haney Street clusters 81 units construction start     - summer /79 finish             - spring '80

After considering representations made before it, the Assiniboine Park Community Committee recommended that the application be rejected for the following reasons:-

1. There is not a District Plan for the area.
2. The report from the Director of Waterworks, Waste and Disposal Division indicates there are only 130 acres of land to be developed because of the capacity of the waste water sewer on Grant Avenue. The owners of this acreage are presently paying or have paid the local improvement for a waste water system in the area, and would therefore, be denied to some extent the right to develop their land.

3. The owner of this property has paid for a waste water sewer system in Charleswood based on something other than a high density area, and the developer is not paying to the extent he should to the waste water sewer system.

After considering representations made before it, the Assiniboine Park Community Committee recommended that the application be rejected for the following reasons:-

1. There is not a District Plan for the area.
2. The report from the Director of Waterworks, Waste and Disposal Division indicates there are only 130 acres of land to be developed because of the capacity of the waste water sewer on Grant Avenue. The owners of this acreage are presently paying or have paid the local improvement for a waste water system in the area, and would therefore, be denied to some extent the right the developer their land.
3. The owner of this property has paid for a waste water sewer system in Charleswood based on something other than a high density area, and the developer is not paying to the extent he should to the waste water sewer system.

After considering the report of the Assiniboine Park Community Committee, your Committee does not concur in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That By-law No. 1800 be amended by rezoning the subject land under DAZ 318/76 to an "RM-1" Multiple-Family District and an "R1-5.5" Single-Family District as shown on the sketch attached thereto, dated April 22<sup>nd</sup>, 1977, and marked as Schedule "A" to this report, subject to the following:-
  - (a) The execution of a Zoning Agreement between the applicant and the City pursuant to Section 600(1) of The City of Winnipeg Act to apply to that portion of the land being rezoned to the said "RM-1" district and to provide for the following:-
    1. That development of the site is limited to a maximum of 194 dwelling units;
    2. that buildings constructed on the land shall not exceed 35 feet in height;
    3. that final construction plans and landscape plans shall be subject to the approval of the Commissioner of Environment proper to the issuance of a building permit;
    4. that development of land shall be staged as follows:-

by the end of 1977 - a maximum of 47 dwelling units may be completed

by the end of 1978 - a maximum of 113 dwelling units may be completed

1. (a) 4. by the end of 1979 - a maximum of 194 dwelling units may be completed.
5. that a 10% dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space and recreational use based on the increased market value of the land.
- (b) The execution of a servicing agreement between the applicant and the City as follows:-
  1. The Developer, will at no expense to the City, connect its internal waste water sewers directly to the interceptor located on Grant Avenue and grant the City the necessary easement therefore;
  2. The Developer will, at no expense to the City, connect its internal land drainage sewers to the existing manhole located at the intersection of Grant Avenue and Haney Street and grant the City the necessary easement therefore;
  3. The Developer will, at no expense to the City, construct a watermain connecting the existing watermain in Haney Street to either of the existing watermains in Grant Avenue or Royal Road and grant the City the necessary easements therefor;
  4. The Developer will, at no expense to the City, install a Portland cement concrete pavement to a width of 33 feet and a thickness of 8 inches in Royal Road from Grant Avenue to the entrance point of the proposed development including any underground land drainage facilities and associated works which may be required;
  5. The Developer will cause to be installed at no expense to the City, underground electrical and telephone services to serve the proposed development and will pay the full cost of converting the existing overhead system;

6. The Developer will pay for the two metering pits required to assess water consumption;
  7. The Developer will pay the following costs to The City of Winnipeg:
    - a) Four Hundred and Fifty Dollars per acre of land being rezoned in lieu of City of Winnipeg legal, administration and other related costs associated with the preparation and implementation of the servicing agreement;
    - b) Engineering services to be provided by Templeton Engineering Company on behalf of The City of Winnipeg; and
    - c) A land drainage capacity charge as determined by the Commissioner of Works and Operations.
  8. The Developer will install all internal underground services in accordance with City of Winnipeg standards;
  9. The Developer will commence installation of services on or before May 1<sup>st</sup>, 1978, and will complete all installation by October 15<sup>th</sup>, 1979.
2. That the City Solicitor be requested to prepare the necessary rezoning By-law and forward same to Council for first and second readings to enable the By-law to be forwarded to the Minister for Urban Affairs for approval.
  3. That third reading of the By-law be withheld until:
    - (a) the approval of the Minister for Urban Affairs is received;
    - (b) the Zoning Agreement has been executed; and
    - (c) the Servicing Agreement has been executed.
  4. That the Proper Officers of the City be authorized to execute said Zoning Agreement.

5. 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 Galanchuk,  
Adoption of the clause.

Moved by Councillor Knight,  
That the clause be referred to the Sub-Committee appointed by Council this evening.

Carried.

(Note:- See Minute No. 1114 for attachment.)

Approval of Removal of Building Restriction Caveat No. 45707 - 624 Goulding Street - Midland Community. Files EC & BRC 10/77.

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1109 4. An application has been received from Gallagher, Allen, Chapman, et al, 165 Garry Street, Winnipeg, on behalf of Mr. H. Ostosh for the approval of the removal of Building Restriction Caveat No. 45707 as it affects property commonly known as 624 Goulding Street, Winnipeg, and legally described as being Lot 68, Block 1, Plan 1562.

Your Committee has been advised that the Midland Community Committee recommended that inasmuch as the zoning By-law is more restrictive than the Building Restriction Caveat, the Caveat should be discharged as it affects the subject site.

Your Committee recommends approval of the removal of Building Restriction Caveat No. 45707 as it affects property commonly known as 624 Goulding Street, as legally described above.

Your Committee further recommends that the following resolution be passed in connection therewith:-

“That in accordance with the provisions of Section 110(3) of The Municipal Board Act, the Council of the City of Winnipeg recommends approval of the removal of Building Restriction Caveat No. 45707 as it affects property commonly known as 624 Goulding Street and legally described as Lot 68, Block 1, Plan 1562, as applied for by Gallagher, Allen, Chapman, et al, 165 Garry Street, Winnipeg, Manitoba, R3C 1G8.”

Moved by Councillor Galanchuk,  
Adoption of the clause.



Carried.

Application for the approval of a plan of subdivision of lands encompassed by Inkster Boulevard on the south, Farmer Road on the north, King Edward Street on the west and Keewatin Street on the east and for proposed zoning changes to By-law No. 16502 by rezoning said lands to an "R-PL" Planned Residential District, an "R1" One-Family District, an "R2" Two Family District, an "R3B-ONE" and "R3B-TWO" Planned Building Group Districts and a "PR" Park and Recreational District - Lord Selkirk Community. File DASZ 63/75

1110 5. An application has been received from Underwood McLellan & Associates Ltd., 1749 Buffalo Place, Winnipeg, on behalf of the owner, Manitoba Housing & Renewal Corporation, 2100 - 185 Smith Street, for the approval of a plan of subdivision of lands encompassed by Inkster Boulevard on the south, Farmer Road on the north, King Edward Street on the west and Keewatin Street on the east and for proposed zoning changes to By-law No. 16502 by rezoning said lands from an "A" Agricultural District to an "R-PL" Planned Residential District, an "R1" One-Family District, an "R2" Two Family District, an "R3B-ONE" and "R3B-TWO" Planned Building Group Districts and a "PR" Park and Recreational District as shown on Schedule "A" attached to this report under DASZ 63/76 signed by the Director of Environmental Planning dated April 25, 1977.

To the east along Keewatin Street, between Keewatin Street and the C.P.R. Arborg line, lands are designated "Working Area" and "Working Area Reserve". Some of this area is zoned "M2A" and some "A" Agricultural. Given the high standards of development required under the "M2A" District regulations this industrial sector should not prove incompatible with the proposed residential subdivision. Further to the east is the Maples residential area. To the south is the Tyndall Park Community. Lands west and north are undeveloped and remain zoned Agricultural.

The total land area encompassed by Inkster Boulevard, Farmer Road, King Edward and Keewatin Streets is a full one-half section or 320 acres. Initially, the subject application was for the 262 acres of land owned by M.H.R.C. within these boundary streets. Clearly however development of the 262 acres would influence the development potential of the full one-half section. Thus the applicant was asked to prepare a concept plan for the entire area.

A proposed plan of subdivision over 116 acres has been submitted by the applicant for your Committee's formal recommendation at this time. It is suggested your Committee consider this plan of subdivision in conjunction with the concept plan and the implications for the general area:

General Concept:

The concept plan for the full 320 acres assumes a Development Plan Amendment will be adopted designating this entire area as a "Living Area". Your Committee wishes to

advise that a proposed amendment to change the "Working Area Reserve" designation on the northern one-third of this land tract has been initiated and is now in process. The southern portion of the development area, of which this application forms part, can proceed to development without said amendment.

The concept plan envisages approximately 2300 dwelling units, largely in single-family detached housing, capable of accommodating a population of approximately 7000 persons. In view of the surrounding major streets that will in some respect act as barriers, the area is intended to be self-sufficient in terms of elementary school sites, park areas and commercial collector streets.

Keewatin Street is planned to be widened from 99 feet to 120 feet in width and will serve both as a major connection to the Tyndall Park area to the south and as a connection to the proposed east-west transportation corridor paralleling Farmer Road in this area to the north. A strip of last 30 feet in width along both Inkster and Keewatin is to serve as a buffer from these collector streets.

Council recently approved in principle a B.A.C. M. residential subdivision extending the Maples westerly as far as the C.P.R. Arborg Line. The B.A.C.M. subdivision will project Adsum Drive as far west as the Arborg Line, 800 feet distant and easterly from Keewatin Street. It is intended that the Adsum right-of-way will be extended further and a signalized intersection will be provided at Keewatin Street. The extension of Adsum will serve as a major entry off Keewatin Street into the subject lands and will act as a ready connection to the Maples community. A similar projection of Jefferson Avenue could also connect these areas.

An essential feature of the overall concept is a major access road off Keewatin, 400 feet south of Paramount Road. This collector street involves lands which are the subject of a separate application, No. DASZ 8/77, which was considered at a preliminary public hearing on April 25, 1977. The two applications are integral to one another in terms of street design, this relationship being made evident on Schedule "B" attached to this Report under file DASZ 63/76 signed by the Director of Environmental Planning dated April 25, 1977.

In general, the concept allows for residential development in close proximity to existing City services and developing areas. Adequate provision is made for traffic circulation and general neighbourhood facilities. However, integrated development of this area is somewhat contingent upon the intentions of separate private landowners.

The subject application No. DASZ 63/76 consists of approximately 116 acres north of Inkster Boulevard. M.H.R.C. owned lands to the north have been deleted pending the required Development Plan Amendment. M.H.R.C. lands to the west, abutting the Plan 1090 area and private holdings, have been deleted.

The application is for proposed rezoning to the "R3B-One" and "R3B-Two" Planned Building Groups, the "R2" Two Family District, the "R-PL" Planned Residential

District and the "R1" One Family District. If the proposed "R3B" sites were developed to the maximum possible densities, approximately 650 apartment units could be achieved. Assuming, however, that "R3B-One" sites are intended primarily for townhousing units and "R3B-Two" sites for low-rise apartments, the following dwelling unit projections would apply:

"R1" Single Family	238 dwelling units	30%
"R-PL" Planned Residential	148 dwelling units	19%
"R2" Two Family	36 dwelling units	5%
"R3B-One" Planned Building Group (9.36 acres total)	159 dwelling units	20%
"R3B-Two" Planned Building Group (5.09 acres total)	<u>204</u> units (Apts.)	<u>26%</u>
Total	785 dwelling units	100%

The above yields on approximate density of 7 dwelling units per gross acre. This is comparable with the approved Castlewood subdivision south of Inkster and east of King Edward Street presently under construction.

Entrance into the subdivision area off Keewatin and King Edward Streets is vital to development of this scale. As mentioned above, the feasibility of the subject application is contingent upon the success of DASZ 8/77 in terms of street design. This is also true in terms of the proposed rezoning of partial blocks of land where they abut the adjacent owner's property line as depicted on the aforesaid Schedule "B" attached hereto.

Within the M.H.R.C. property, just west of the proposed commercial site within application DASZ 8/77, is a block proposed to be zoned "RPL" block with legal frontage on the north-south street behind the proposed Commercial designation, a consolidation of properties is necessary. A similar problem occurs with the "R3B-Two" and "R3B-One" sites to the south of the commercial site. It is suggested that the blocks of land so indicated "X" not be considered as building sites until such a consolidation of properties is effected. Alternatively, a complete re-design of both subdivisions would be necessary. The required street connection to Keewatin Street could be secured by a special clause in a zoning agreement with M.H.R.C.

The proposed connection to King Edward Street is indicated as an 80 foot right-of-way in anticipation of traffic generation. Garton Avenue in this area is only 50 feet - additional widening must be secured from lands outside M.H.R.C.'s current holding. Without the aforesaid street connections the proposed subdivision would have only the northernmost entry off Keewatin and would be landlocked.

On March 28<sup>th</sup>, 1977, a public meeting was held before the Lord Selkirk Community Committee to consider the subject application.

Mr. L. Brophy, representing Underwood McLellan and Associates, 1479 Buffalo Place, appeared on behalf of Manitoba Housing and Renewal Corporation in support of the application.

No one appeared in opposition thereto.

The Lord Selkirk Community Committee recommended approval of this application subject to all the provisions and conditions as set forth within the administrative reports.

Subsequent to the public meeting, a communication dated April 12, 1977 was received from the Communications Clerk advising that said Committee requests additional information be made available with this report to the Committee on Environment with respect to the possible addition of access points off of Inkster Boulevard to the subdivision. This question had been raised during the public meeting to which the District Planner had answered that the absence of access off Inkster Boulevard was consistent with the development on the south side of same and that in particular, the Streets and Transportation Division had expressed no objections over this point. However, the said Division was asked to comment further on this issue to which it has advised as follows:

1. The proposed street access system via King Edward Street and Keewatin Street will adequately service the proposed subdivision. For your information, there are no proposed subdivisions. For your information, there are no additional street connections planned between Keewatin and King Edward Streets to service lands south of Inkster Boulevard.
2. Inkster Boulevard is a regional street from Main Street West to P.T.H. #7. West from Keewatin Street the present posted speed limit (based on the 85<sup>th</sup> percentile operating speed) is 50 miles per hour while east of Keewatin Street the speed limit is 40 miles per hour. The ideal signal spacing (assuming on 80 second cycle length system with pedestrian crossing) required to maintain a four lane divided roadway operating speed of 40 miles per hour is 2,345 feet. Since the spacing between Keewatin and King Edward is approximately 2,600 feet, from a signal progression point of view the existing intersection spacing is appropriate. The proposed signalized intersection spacing will minimize delays and increase safety at these intersections.

In summation, this Division endorses the conceptual access plan to the M.H.R.C. subdivision relative to vehicular access to it from Inkster Boulevard via Keewatin and King Edward Streets, as submitted by transportation consultants working on behalf of the developer.

The submitted plan of subdivision illustrates housing backing onto Inkster, which, together with an adequate fencing system and public buffer strip, will minimize vehicular/vehicular and vehicular/pedestrian conflicts. Such an arrangement will help to

preserve the integrity of the regional streets in this area and provide for adequate local access for adjacent land developments.

Due to the magnitude of this proposal and its inherent complexities, it is necessary to suggest consideration be given to slightly amending the Community Committee's recommendation on three counts; one affecting the plan design, a zoning agreement condition being the second, and the last, providing for an additional processing condition. The first instance involves a proposed stub-end street located within the south-west sector of the plan as indicated by a heavy arrow on attached Schedule "A". This right-of-way was originally established to provide access to a specific subdivision pattern conceptualized for the lands lying beyond this application on the north side of Inkster Boulevard and east of King Edward Street. However, an application has in fact now been received for this adjacent parcel (DASZ 19/77) which sets forth a new plan configuration that is no longer dependent on the aforementioned stub-end street for access to the collector, but instead proposes to utilize Belton Street which presently exists 116 feet east of and parallel with King Edward Street. The elimination of this stub-end street at this time is considered the most logical approach as its removal by a necessary closing by-law at a later date would likely incur undesirable expense to the City. Should it be found necessary to reintroduce said street at a future date in order to accommodate the proposed adjoining subdivision due to further revisions to same, an opening can be effected with comparative less difficulty.

The second amendment suggested relates to item b) of the zoning agreement as recommended by the Community Committee which is quoted as follows:

"b) The use of all blocks to be zoned to the 'R3B-One' classification be restricted to a maximum density of 17 units per net acre."

This clause is thought to be too generalized a method of controlling densities within such "R3B-One" areas. It is, instead, considered more desirable to analyze and formulate a specific density limitation for each individual parcel or block based on the particular characteristics of each such as size, location and juxtaposition to other districts, etc. It is felt that a much more equitable treatment may be achieved in this way while still maintaining the overall maximum density average of 17 units per cent acreage. The final recommendations to this report have included the appropriate list of densities and cross-reference to respective sites.

The final amendment calls for an additional clause to protect against the implementation of this subdivision should there be a failure to amend the Development Plan as it affects the remaining lands located to the north within this half section. Second reading to the said Development Plan Amendment would be sufficient evidence that this application would not be jeopardized by its direct proximity to a "Working Area" for which it is not designed.

It is the opinion of your Committee that the incorporation of the three amendments as outlined above, within the following recommendation does not prejudice or

adversely affect any individual and in addition, may be viewed as being in the best interest of the City.

After considering the report of the Lord Selkirk Community Committee, your Committee concurs in part with the recommendation of the said Community Committee and recommends to Council as follows:

- (i) That the Plan of subdivision attached as Schedule "C" to the report of the Committee on Environment under File No. DASZ 63/76 signed by the Director of Environmental Planning dated April 25, 1977 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor for registration in the Winnipeg Land Titles Office subject to the applicant entering into a development agreement with the City as follows:
  1. The Developer is to pay the cost of installing and constructing the below listed services:
    - a) The full cost of constructing waste water sewers within the subdivision and along the boundary roads where required by the Commissioner of Works and Operations;
    - b) To finance the cost, without interest, of constructing the trunk interceptor waste water sewer, on Keewatin Street between Adsum Drive and Paramount Road, if required by the City and to pay its share of the cost of the said waste water sewer and the City will reimburse the Developer for the City's share when capital funding has been provided by City Council;
    - c) To pay the cost of constructing all watermains within the subdivision and along boundary roads where required by the Commissioner of Works and Operations;
    - d) The Developer is to pay to the City in cash its share of the cost of constructing the existing land drainage retention lakes and land drainage sewers 30 feet in diameter and larger South of Inkster Boulevard, based on the capacity required to provide land drainage to the boundary of the subdivision.
    - e) The Developer shall finance, without interest, and construct all land drainage sewers and the retention lake within the subdivision, the construction of which shall be tendered publicly and the Developer shall pay its share of the cost of the said land drainage system and the City will reimburse the Developer for the City's share when capital funding has been approved by City Council or

when monies have been received from subsequent Development Agreements benefiting;

- f) The full cost of constructing one or two 25 feet in width and 33 feet in width and 6 or 8 inches in thickness reinforced portland cement concrete pavement on all streets within the subdivision where required by the Commissioner of Works and Operations; The Developer shall finance, without interest, the cost of constructing one 25 feet in width and 8 inches in thickness reinforced Portland cement concrete pavement on Keewatin Street between Paramount Road and Adsum Drive and on King Edward Street between Inkster Boulevard and Garton Boulevard and the cost of constructing the said Portland cement concrete pavement as determined by the Commissioner of Works and Operations for the land fronting or abutting on Developer owned property shall be borne by the Developer and the City shall reimburse the Developer for the balance of the cost when capital funding has been approved by City Council or when monies have been received from sub-development agreements benefiting;
- g) the full cost of constructing 25 feet in width and 8 inches in thickness reinforced Portland cement concrete pavement along the first East-West street North of Inkster Boulevard between the West limit of Keewatin Street and the East limit of the subdivision;
- h) The full cost of constructing underground electrical and telephone services;
- i) The full cost of ornamental street lights on all streets within the subdivision including boundary roads, Keewatin and King Edward Streets, where required by the Commissioner of Works and Operations;
- j) The full cost of constructing 16 and 20 feet in width and 6 inches in thickness Portland cement concrete lane pavements on all lanes within the subdivision;
- k) The full cost constructing Portland cement concrete sidewalks 5 feet in width on all streets where designated by the Commissioner of Works and Operations within the subdivision and on boundary roads;

- l) The full cost of installing waste water and water lot line connections from the main to the property line for all single-family and two-family lots within the subdivision
  - m) The full cost of boulevarding and tree planting between the edge of the pavement and property line or public sidewalk;
  - n) The full cost of constructing 5 feet in width and 4 inches in thickness Portland cement concrete sidewalks together with chain link fencing on all walkways within the subdivision to the satisfaction of the Commissioner of Works and Operations;
  - o) The full cost of erecting City permanent standard street name signs.
2. The Developer shall pay the cost of the following:
- a) The full cost of all engineering to be provided on behalf of or by the City of Winnipeg;
  - b) To pay to the City of Winnipeg the amount of \$450.00 per gross subdivision acre in lieu of City of Winnipeg administrative and other related costs in preparation of the Agreement and administration thereof.
- 3.
- a) The Developer is to dedicate to the City, without cost to the City, 10 per cent of the subdivision area for public open space;
  - b) The Developer shall transfer to the City without cost prior to the release of subdivision liens for registration in the Winnipeg Land Titles office, an 80 foot right-of-way together with corner cuts at Keewatin Street for the extension of Adsum Drive between the C.P.R. - Arborg Subdivision line and Keewatin Street;
  - c) The Developer shall grant to the City, a 50 foot in width easement over Developer owned lands for the construction and maintenance of an interceptor waste water sewer along a straight line projection of Adsum Drive between Keewatin Street and King Edward Street.
4. The Developer shall grade and sod or seed the lands dedicated for open space where required and to the satisfaction of the Commissioner of Works and Operations. The City shall reimburse the Developer for grading, sodding or seeding at a rate of 48% of the actual costs as certified by the Commissioners of Works and Operations.



5. The Developer shall grant to the City a 3 year option to purchase a 3 acre site at a mutually agreed upon price plus improvements at the City's uniform Local Improvement Rate for the year in which construction takes place.
6. The Developer shall transfer to the City, without cost to the City, buffer strips 30 feet in width, over all Developer owned land adjacent to Keewatin Street and Inkster Boulevard.
7. The Developer shall transfer to the City, the land required for the construction of a land drainage retention lake within the subdivision and the City will reimburse the Developers for the City's share of the land based on the ratio of privately owned land to Developer owned land benefiting from the retention pond at a price to be determined by the Commissioner of Works and Operations and approved by Council.
8. The Developer shall provide for the proposed street connection with Keewatin, approximately 400 feet south of the westerly projection of Paramount Road if required by the Commissioner of Works and Operations.

The Developer is to commence construction on or before July 31, 1977 and to complete all construction by October 15, 1981.

- (ii) That the Director of Environmental Planning and the Director of Land Surveys and Real Estate be authorized to certify any documents in connection therewith.
- (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 Clause (i) above.
- (iv) That the proposed zoning change to By-law No. 16502 to rezone the land contained within the above approved plan of subdivision as shown on said Schedule "C" to an "R-PL" Planned Residential District, an "R1" One-family District, an "R2" Two-family District, an "R3B-One" and "R3B-Two" Planned Building Group Districts and a "PR" Park and Recreational District be approved subject to the applicant entering into a Zoning Agreement with the City as provided under Section 600(1) of The City of Winnipeg Act to provide for the following:
  - a) The use of all blocks zoned to the "R2" classification be restricted to two-family and single-family dwellings:

- b) That development on sites to be zoned “R3B-One” be restricted to a maximum number of dwelling units as illustrated on attached Schedule “D” of the Report to the Committee on Environment for DASZ 63/76 signed by the Director of Environmental Planning dated April 25, 1977 and listed as follows:

<u>Site</u>	<u>Acreage</u>	<u>Maximum No. of Dwelling Units</u>
Lot 1, Block 15	3.5 ac.	42 du.
Lot 4, Block 8	1.3 ac.	17 du.
Lot 3, Block 12	2.3 ac.	54 du.
Lot 1, Block 7	2.2 ac.	48 du.

- c) Except for sites utilized for senior citizens housing only, that on-site parking be provided on all “R3B” sites to a minimum ratio of 150% of units.
- d) The use of all blocks to be zoned to the “R3B-Two” classification be restricted to a maximum density of 40 units per net acre. Further, where a coinciding side or rear lot line exists between an “R3B-Two” District and an “R1” District, any principal structure on the “R3B-Two” site shall be set back a minimum of 40 feet, or that required by the By-law, whichever is the greater, from the property line abutting the “R1” District;
- e) Blocks within the subject application, designated as requiring consolidation as per attached Schedule “B” not be considered as building sites until such time as consolidation is effected to the satisfaction of the Commissioner of Environment. This provision to be incorporated in caveats against said parcels and no transfers of titles to be allowed until such caveats are registered;
- f) That signs, having minimum dimensions of 4 feet by 8 feet, be constructed and maintained until all “R1”, “R2” and “RPL” lots are developed, to be located where Keewatin and King Edwards Streets intersect with streets within the subdivision and near the property line at Inkster Boulevard. These signs shall indicate the plan of subdivision, the street pattern, potential land-use and all park or school sites;
- g) That signs with minimum dimensions of 4 feet by 3 feet be constructed on all parcels zoned to a classification greater than “R2”. These signs shall be maintained until said parcel is developed; these signs shall indicate the zoning of the parcel, the uses permitted and if applicable, the maximum height and density permitted on said parcel.

- (v) That the City Solicitor be requested to prepare the necessary rezoning by-law in accordance with the above.
- (vi) That the subdivision by-law and the rezoning by-law be forwarded to Council for first and second reading.
- (vii) That third reading be withheld for the rezoning by-law until the application (DASZ 19/77) for the subdivision of those lands currently owned by M.H.R.C. west of the subject by-law area has received favourable recommendation from the Lord Selkirk Community Committee pursuant to a Public Meeting.
- (viii) That third reading be withheld for both the rezoning by-law and the subdivision by-law until all necessary agreements have been executed and Council has given second reading to the proposed Greater Winnipeg Development Plan Amendment under File No. DPA 1/77.
- (ix) That the Proper Officers of the City be authorized to execute all necessary agreements.
- (x) That the City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Act.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

(Note: See Minute Nos. 1115, 1116, 1117 and 1118 for attachments.)

Proposed amendment to a Zoning Agreement affecting land located on the north side of Bronx Avenue, east of Grey Street - East Kildonan Community. File DAZ 36/74 (ZAA 2/77).

1111 6. On May 7<sup>th</sup>, 1975, Council adopted recommendations approving an application under File DASZ 36/74 to subdivide and rezone land to an "R3B-:" Low Density Multiple-family District and an "R2" Two-family District as illustrated on the following sketch.

At the recommendation of the Executive Policy Committee, third reading was made conditional upon the execution of a Zoning Agreement requiring that the property fronting on Bronx Avenue, while rezoned to an "R2" District, would be developed only with single-family housing.

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The necessary Rezoning By-law 1195/76 was passed by Council on March 3<sup>rd</sup>, 1976 and as a condition of enactment of the said By-law, a Zoning Agreement dated May 7<sup>th</sup>, 1976 (Caveat No. 239357) was executed which restricted the use of the land shown outlined on the following sketch to development of single-family dwellings only.

Since the land on the north side of Bronx Avenue was restricted to single-family dwellings, the owner at that time, Mardak Investments Limited, applied and obtained approval for a resubdivision of the 5-60 foot lots approved under File DAS 36/74 into 6-50 foot lots which conformed to the "R1" One-family District regulations. The application under File DASSF 51/76 was approved by Council on July 21<sup>st</sup>, 1976 and on October 21<sup>st</sup>, 1976, the plan establishing the 6 lots was registered in the Winnipeg Land Titles Office under No. 13007.

The new owner of the land, Pinedale Homes Limited, has applied to have the subject Zoning Agreement withdrawn in order to permit the construction of two-family dwellings.

The applicant also submitted a variance application under File DAV 142/77 to permit the construction of six two-family dwellings on six lots, each of the said lots having a width of 50 feet and an area of 5350 square feet instead of 60 feet and 6000 square feet, respectively, as required.

The 5 duplexes on the south side of Kimberley Avenue and the townhouses on the east side of Grey Street approved under File DASZ 36/74 have been erected but appear to be unoccupied. The land on the south side of Bronx Avenue is undeveloped while the land immediately to the east is in the process of being rezoned to an "R-PL" Planned Residential District.

A Public Meeting was held before the East Kildonan Community Committee on April 4<sup>th</sup>, 1977, to consider this application (File ZAA 2/77) as well as the related variance application under File No. DAV 142/77.

Mr. P. Wiens, representing Pinedale Homes, 4 Litz Place, Winnipeg, R2G 0V1, appeared in support of the applications.

No one appeared in opposition thereto.

The Department of Environmental Planning has no objection to the establishment of two-family dwellings on the subject land but suggested that no undue hardship would be exerted upon the applicant if he were required to resubdivide the property into 5-60 foot lots in order to comply with the minimum requirements of the "R2" Two-family District.

The East Kildonan Community Committee recommended approval of the application subject to:

- “(a) the property being subdivided by consent, into five complying lots of 60 foot frontage under “R2” zoning;
- (b) (re-dedication) the administration recalculate the 10% based on the previous calculation that this was zoned “R2”, but the recommendation was that only “R1” Single-Family Dwellings be constructed.

The variance application under File DAV 142/77 was rejected by the East Kildonan Community Committee.

With respect to Item 9a) above, it is not necessary to have the new 5 lots plan registered before the Caveat is withdrawn for the following reasons:-

1. Since the variance application has been rejected, once the Agreement is withdrawn, the applicant cannot obtain building permits for more than 5 duplexes on the subject land, unless the Community Committee approves a subsequent variance application or your Committee issues an order on appeal.
2. Requiring the owner to register a plan before the Caveat is withdrawn could delay construction by up to 6 to 8 weeks taking into consideration the amount of time required to have the plan prepared by a land surveyor, processing the plan through proper channels and registering the plan in the Winnipeg Land Titles Office. Once the Agreement is withdrawn, building permits for 5 duplexes can be issued on the basis of the existing 6 lot plan by using metes and bounds descriptions for site purposes only (not consent approval). There is no concern in this respect since zoning memorandums or Certificates of Title cannot be issued until the new plan is registered for 5 lots (or 10 lots if each half of a duplex is to be sold whereby the lot lines would align with the party walls).

With respect to Item (b) above, the land valuation for dedication purposes under DASZ 36/74 was based on the gross acreage contained within the subdivision and a further requirement for dedication is not considered applicable with this application.

After considering the report of the East Kildonan Community Committee, your Committee concurs in part with the recommendation of the said Community Committee and recommends to Council as follows:

1. That the Zoning Agreement filed under Caveat No. 239357 as a condition of enactment of Rezoning By-law No. 1195/76 be withdrawn.
2. That the City Solicitor be requested to withdraw the said Agreement.
3. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 1800 by rezoning land located on the east side of Charleswood Road, south of the Canadian National Railway Harte Subdivision to an "R1-6" Single-family District - Assiniboine Park Community. File DAZ 208/77.

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7. An application has been received from C. K. Subdivision Planning Services, 4 Dounreay Bay, Winnipeg, on behalf of Riverside Realty and B. R. Ventures, 202 - 3401 Roblin Boulevard, Winnipeg, for a proposed zoning change to By-law No. 1800 by rezoning land located on the east side of Charleswood Road, south of the Canadian National Railway Harte Subdivision from an "A" General Agricultural District to an "R1-6" Single-family District, as indicated on the sketch shown below, in order to permit the establishment of seven single-family building sites by means of a short form subdivision.

The applicant's total property holding consists of 10.5 acres. Approximately one acre along the Charleswood Road frontage is to be rezoned, leaving the remainder as "A" General Agricultural District. The section of Charleswood Road South of the abandoned Canadian National Railway right-of-way is serviced with waste water sewer, watermain and a graded granular surfaced road with side ditches for surface drainage. **xardiff** Road is not physically opened.

A Public Meeting was held before the Assiniboia Park Community Committee on February 23<sup>rd</sup>, 1977, to consider this proposed zoning change change.

Mr. C. Koke, C. K. Subdivision Planning Services, 4 Dounreay Bay, Winnipeg, R2K 2V8, appeared in support of the application.

Mr. J. Morrow, 202 - 3401 Roblin Boulevard, Winnipeg, R3R 0C6 and Mr. R. A. Van Cauwenberghe, 1071 Charleswood Road, Winnipeg, R3S 1A1, also appeared in support of the application.

No one appeared in opposition to the application.

The District Engineer recommended against approval of the proposed development for the following reasons:-

1. Drainage in the area is very poor and subject to overflowing ditches in the spring and during summer rainstorm.

2. The development of more homes along Charleswood Road with increase runoff and with the addition of a ditch culvert for every home, will aggravate the drainage situation and increase the ditch maintenance problems.
3. Increased traffic will make the existing granular surfaced roadway more costly to maintain free of dust and potholes.

Because of the above, the District Engineer recommended that no further development be permitted on Charleswood Road until land drainage sewers and paved roads are made available.

The Department of Environmental Planning recommended against approval of the proposed zoning change for the following reasons:

1. The said Department has consistently opposed small lot development along the existing streets between the abandoned Canadian National Railway Harte Subdivision and Wilkes Avenue until same time as full services can be extended to this area, xxx the area can be planned and developed in a comprehensive manner. To permit strip development of this nature or makes it more difficult to achieve a suitable plan in the future. Also, all preliminary planning done in the area indicates that Charleswood Road will function a minor collector street in the future. Firstly, it is xxxxx to minimize the amount of residential frontage on collector streets. The noise and traffic generated do not xxxx them very desirable living areas. Secondly, residential development with front drives is undesirable as the front drive interfere with the proper functioning of the street xxxxx.
2. A further reservation about this type of development is that the more small lot development that occurs along existing streets the more difficult it becomes to provide storm sewers and pavements along the streets at the time when these services can be installed.

It was also noted that should the rezoning be proceeded with, a variance of the zoning regulations would be required on the remaining "A" District Parcel as the lot area would be substandard and the xxx width would be reduced from the required 300 feet to 60 feet.

The Assiniboine Park Community Committee recommended that the application be approved subject to the applicant entering into a Zoning Agreement under Section 600(1) of The City of Winnipeg Act.

After considering the report of the Assiniboine Park Community Committee and the Administration, your Committee does not concur in the recommendation of the said Community Committee and recommends to Council that the proposed zoning change to amend By-law No. 1800 by rezoning land located on the east side of Charleswood Road, south of the

Canadian National Railway Harte Subdivision under File DAZ 208/77 to an "R1-6" Single-Family District be not proceeded with.

Proposed amendment to Zoning Agreement affecting land located on the east side of Carlton Street, south of Qu'Appelle Avenue - Centennial Community. File DAZ 4/72 (ZAA 3/77).

1112 8. On July 19<sup>th</sup>, 1972, Council passed By-law No. 151/72, amending By-law No. 16502 by rezoning the land located on the east side of Carlton Street, south of Qu'Appelle Avenue, as indicated on the sketch below, to a "CM" Business District.

As a condition of enactment of said By-law No. 151/72, a Zoning Agreement dated July 4<sup>th</sup>, 1972 was executed which restricts the use of the subject land to the following uses:-

1. dress shop
2. coin shop
3. ornament shop
4. boutique shop
5. antique shop
6. caretaker's suite
7. any similar shop approved as such by the Committee on Environment of the City.

The property previously contained a three storey building which was recently demolished. The land is presently vacant.

Messrs. Thompson, Dorfman, Sweatman, Barristers and Solicitors, 500 - Three Lombard Place, Winnipeg, R3B 1N4, has applied on behalf of Cartier Enterprises Ltd., to withdraw the above-mentioned Zoning Agreement in order to permit the subject land to be used as a parking area.

A Public Meeting was held before the Centennial Community Committee on April 12<sup>th</sup>, 1977, to consider this application.

Mr. G. V. Brickman, 600 - Three Lombard Place, Winnipeg, R3B 0Y4, appeared in support of the application.

No one appeared in opposition thereto.

The Department of Environmental Planning suggested that the withdrawal of the Agreement would not be in keeping with the intent of the rezoning to a "CM" District under File DAZ 4/72, which was approved for a specific building on the site. It was recommended that the Agreement be amended to include parking as a permitted use and retain control of what is a spot rezoning to "CM" in a "CR" District. It was also suggested that the applicant could reasonably



apply to rezone the land, or further amend the Agreement, if at some future date it is feasible to redevelop the site.

The Centennial Community Committee recommended that the Zoning Agreement be amended to include parking.

After considering the report of the Centennial Community Committee, your Committee concurs in the recommendation of the said Committee and recommends to Council as follows:-

1. That the Zoning Agreement executed under File DAZ 4/72 be amended by adding to the list of permitted uses the following use:-

“a public or private parking area.”

2. That the City Solicitor be requested to amend the said Agreement in accordance with 1. above.
3. That the proper officers of the City be authorized to execute the amending Agreement.
4. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 74 by rezoning land located west of Pentland Street to an “R3B-One” Planned Building Group District or an “R3B-L” Low Density District - East Kildonan Community. File DAZ 234/76.

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1113 9. An application has been received from Mr. M> Chernichan, 1763 Henderson Highway, Winnipeg, for a proposed zoning change to By-law No. 74 by rezoning land located west of Pentland Street, from an “A1” Agricultural District, an “R1” One-family District and an “R2” Two-family District to an “R3B-One” Planned Building Group District or an “R3B-L” Low Density Multiple-family District as indicated on the sketch shown below, in order to establish “R2” Two-family sites and a Hotel-Apartment on the site.

The property is presently landlocked, the Pentland Street frontage being under a different ownership. If the applicant does not succeed in acquiring the Pentland Street frontage. Access to the site would have to be taken through the Norvilla Motor Hotel premises, or would depend upon the approval of a future subdivision to the north (File DAZ 32/74A).

The estimated maximum number of dwelling units that could be developed on each of the proposed zoning districts is as follows:-

- “R3B-L” - 46 to 47 units
- “R3B-One” - 109 to 110 units (floor area ratio .75)
- or
- 183 units (floor area ratio 1.25 with 100%  
Underground Parking)

The subject site is located in Sub-Area 2 of the North Henderson Highway District Plan and is classified for low density residential development with a maximum density of twelve (12) units per acre. The site having an area of approximately 2.6 acres would be permitted a maximum development of approximately 31 units.

Public Meetings were held before the East Kildonan Community Committee on July 5<sup>th</sup>, 1976, July 19<sup>th</sup>, 1976 and January 4<sup>th</sup>, 1977, to consider this proposed zoning change.

Mr. A. T. Hammerling, Barrister, 1469 Main Street, Winnipeg, R2W 3V9 and Mr. C. Koke, of C. K. Subdivision Planning Services, 4 Dounreay Bay, Winnipeg, R2K 2V8, appeared on behalf of the applicant in support of the application.

The following persons appeared in opposition thereto:-

Mr. G. Milne, 245 Fortier Avenue, Winnipeg, R2G 0Z5, who filed a petition signed by several home owners in opposition to the proposed zoning change.

Mr. P. Minsky, 215 McIvor Avenue, Winnipeg, R2G 0Z7,

Mr. M. Schulman, 816 - 294 Portage Avenue, Winnipeg, R3C 0B9, on behalf of Active Builders Limited,

Mr. G. Kostiuk, 219 McIvor Avenue, Winnipeg, R2G 0Z7.

A communication in opposition was received from Mr. D. S. Cunningham, 1756 Henderson Highway, Winnipeg, R2G 1P2.

It should be noted that the dwelling unit density permitted under the District Plan would allow the construction of townhouses and, if that were what the applicant intended, then his proposal would comply with the District Plan, as long as the maximum density were not exceeded. It is the opinion of the Department of Environmental Planning, however, that in adopting a District Plan, Council does not bind itself to approve the maximum density throughout the plan area, but simply restricts the range of land uses and densities from which

development choices can be made. The proposed establishment of a Hotel Apartment would conflict with the General Residential Policy in the District Plan.

It is further noted that persons appearing in opposition at the Public Meeting were not objecting to the density as such, but to the building types possible in the "R3B" Districts (apartment buildings and townhouses). Some indicated that they would not object to duplexes in the area. Under the circumstances, it would be reasonable for the applicant to reapply for an "R2" Zoning District which would more likely accommodate the preferences of the local residents, while permitting the applicant to achieve a density similar to the maximum permitted under the District Plan.

The East Kildonan Community Committee recommended that this application be not proceeded with, and that only "R1" or "R2" should be permitted on the basis of the objections of the residents.

After considering the report of the East Kildonan Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council that the proposed zoning change to amend By-law No. 74 by rezoning the subject land under File DAZ 234/76 to an "R3B-One" Planned Building Group District or an "R3B-L" Low Density Multiple-family District be not proceeded with.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

(Sgd.) Ken Galanchuk, Chairman.

1114

Schedule "A" referred to in Clause 3 of the Report of the Committee on Environment, dated May 2<sup>nd</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

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1115 Schedule "A" referred to in Clause 5 of the Report of the Committee on Environment, dated May 2<sup>nd</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

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1116      Schedule "B" referred to in Clause 5 of the Report of the Committee on Environment, dated May 2<sup>nd</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

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1117 Schedule "C" referred to in Clause 5 of the Report of the Committee on Environment, dated May 2<sup>nd</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

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1118 Schedule "D" referred to in Clause 5 of the Report of the Committee on Environment, dated May 2<sup>nd</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.



CONSIDERATION OF REPORT OF THE

COMMITTEE ON ENVIRONMENT

The Executive Policy Committee has had before it Report "A" of the Committee on Environment, dated May 2<sup>nd</sup>, 1977, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Galanchuk Report "A" of the Committee on Environment, dated May 2<sup>nd</sup>, 1977, was considered.

East Committee Room,  
Council Building,  
Winnipeg, May 2<sup>nd</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Environment submits the following Report "A" and recommends:-

Proposed zoning change to the St. Boniface Town Planning Scheme 1957 by rezoning certain lands located within the area bounded by Provencher Boulevard and Rue Aubert, St. Joseph Street North and Rue Thibault to an "R1" One-family District, an "R2" Two-family District, an "R3" Limited Multiple-family District and an "R4B-One" Planned Building Group District - St. Boniface Community. File DAZ 206/77.

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1119 1. In accordance with Section 609 (2) of The City of Winnipeg Act, the Commissioner of Environment has initiated proposed zoning changes to the St. Boniface Town Planning Scheme 1957 by rezoning certain lands located in the area bounded by Provencher Boulevard and Rue Aubert, St. Joseph Street North and Rue Thibault, from an "R4" Multiple-family District and an "M1" Light Industrial District to an "R1" One-family District, an "R2" Two-family District, an "R3" Limited Multiple-family District and an "R4B-One" Planned Building Group District, as indicated on the sketch shown below for this section of the North St. Boniface District Plan area.

The proposed Zoning By-law reflects not only the predominantly single-family character of the area but also the other provisions of the North St. Boniface District Plan (By-law No. 965/75).

The Department of Environmental Planning's report to the St. Boniface Community Committee pointed out that the existing two-family residences, which were proposed to be rezoned to an "R1" One-family District classification, would be considered to be conforming buildings according to Chapter 20, Section 8 (a) of the St. Boniface Town Planning Scheme 1957, wherein it is stated that:-

“Existing One-family and Two-family dwellings in an ‘A1’, ‘RA’ or ‘R Districts - Any one-family or two-family dwelling lawfully existing in an ‘A1’, ‘RA’ or ‘R’ District at the effective date of this Scheme, would be non-conforming by reason of non-conforming by reason of non-compliance with the site area, site width, yards, height and minimum size of dwelling requirements of the St. Boniface Town Planning Scheme 1957, shall be deemed to be a conforming building.”

However, since the date of the Public Meeting the District Plans Branch has been advised by the Zoning Branch that existing two-family residences in an “R1” One-family District would not be deemed to be conforming buildings because By-law No. 233/72 implemented November 1<sup>st</sup>, 1972, amended the St. Boniface Town Planning Scheme 1957, and supersedes the above mentioned special provisions section of the non-conformities chapter. The relevant section states that:-

“Notwithstanding anything elsewhere contained in this By-law, a two family dwelling constructed I any residential district prior to January 1<sup>st</sup>, 1972, on a lot recorded in the Winnipeg Land Titles Office prior to that date, shall be deemed to conform to all provisions of this By-law; provided that enlargements, additions or structural alternations may be made to such two family dwelling constructed in any residential district except an ‘R1’ District only if the ‘R1’ District height and area regulations are complied with or any existing non-compliances with such regulations are not increased.”

Consequently, all existing two-family residences must be zoned to an “R2” Two-family District in order that the two-family dwellings be deemed conforming buildings.

The north half of the block located south of Rue Aubert and west of Rue Langevin is shown as an “R2” Two-family District rather than a single-family area. This zoning classification is proposed because of both the relatively poor condition of the existing residences and the fact that the site presently occupied by Supercrete Limited may experience multiple-family residential redevelopment. In addition, this zoning category may encourage private investment in the redevelopment of this block.

With respect to the existing multiple-family structures in the area, the proposed Zoning By-law suggests that these buildings be re-classified to an “R3” Limited Multiple-family District rather than the present “R4” Multiple-family District. This change will not create any non-conforming uses or buildings but it will eliminate the possibility of constructing and/or operating boarding, lodging and rooming houses, apartment hotels, fraternity and sorority houses, and private clubs or lodges.

The site presently occupied by Hub Service, together with the vacant lot to the south, is shown as an “R4B-One” Planned Building Group District which, assuming 800 square feet per suite, could accommodate 29 suites. This multiple-family zoning classification not only

reflects the residential land use policy of the District Plan but, as well, may provide the stimulus for private involvement in the redevelopment of this site.

The three existing commercial businesses situated within the neighbourhood have not been rezoned to a "C1" Limited Commercial District. Rather, these operations have been included in an "R" District because the District Plan designated the respective properties as residential. However, it was not the intention of either the District Plan or the Proposed Zoning By-law to eliminate these existing businesses. Consequently, two of the businesses - the beauty salon, gift shop and residence situated at 236 Aubert Street, and the grocery store and residence located at 712 Langevin Street and presently zoned "R4" Multiple-family District, will be considered to be a conforming building and use according to Chapter 20, Section 8 (b) of the St. Boniface Town Planning Scheme 1957, wherein it is stated that:-

"Existing 'C1' Uses and Buildings in 'R' Districts -

Notwithstanding any requirement of this Scheme, any 'C' Limited Commercial District use existing in any 'R' District at the effective date of this Scheme and occupying a building designed or intended for such use shall be deemed to be conforming use and building. The future use and/or expansion of the said building shall be limited to the existing use of a use permitted in the District in which such use is located and to the height, area and sign requirements of the 'C1' District. Provided further that such future use and/or expansion shall be confined to the original site and properties immediately adjacent thereto which were owned and/or leased by the owner or lessee of the original site at the time of the effective date of this Scheme."

Areas excluded from the proposed Zoning By-law consist of the three existing industrial operations as well as the existing commercial businesses and municipal offices fronting on Provencher Boulevard. All of these uses conform not only to the existing zoning regulations, but also to the land use policies contained in the adopted North St. Boniface District Plan.

A Public Meeting was held before the St. Boniface Community Committee on February 28<sup>th</sup>, 1977, to consider the proposed zoning changes.

The following persons appeared before the Community Committee requesting possible rezonings of their properties to "R3" Limited Multiple-family District:-

Miss Madeleine Constant, 254 Rue Dumoulin, Winnipeg, R2H 0E6,  
Mr. Barry Booth, 730 Rue St. Jean Baptiste, Winnipeg, R2H 2Y7,

Mrs. Jeanette Ducharme, 236 Rue Aubert, Winnipeg, R2H 0B3,  
Also inquired as to whether her property could be rezoned to Commercial.

No one appeared in opposition thereto.

The St. Boniface Community Committee recommended approval of the proposed rezonings subject to:-

1. Rezoning the property of Miss M. Constant, 254 Rue Dumoulin, to an "R3" Limited Multiple-family District.

After considering the report of the St. Boniface Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That the St. Boniface Town Planning Scheme 1957 be amended by rezoning the subject land under File DAZ 206/77 to an "R1" One-family District, an "R2" Two-family District, an "R3" Limited Multiple-family District and an "R4B-One" Planned Building Group District, as shown as the sketch attached hereto, dated April 18<sup>th</sup>, 1977, and marked as Schedule "A" to this report.
2. That the Rezoning By-law contain a clause therein in order to provide that the existing businesses located at 236 Rue Aubert (beauty salon, gift shop and residence) and 189 Rue La Verendrye (grocery store and residence) shall be deemed to be conforming uses and buildings subject to the following provisions:
  - i. that the future use and/or expansion of the existing buildings shall be limited to the existing use or a use permitted in the District in which such use is located and to the height, area and sign requirements of the "C1" District.
  - ii. that such future use and/or expansion shall be confined to the original site.
  - iii. that in the event the buildings are destroyed by fire the existing use may be restored.
3. That the City Solicitor be requested to prepare the necessary Rezoning By-law and forward same to Council for all three readings.
4. 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 Galanchuk,  
Adoption of the report.

Carried.

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(Note: See Minute No. 1120 for attachment.)

(Sgd.) Ken Galanchuk, Chairman.

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1120      Schedule "A" referred to in Clause 1 of Report "A" of the Committee on Environment, dated May 2<sup>nd</sup>, 1977.

Copy of the attachment is on file in the City Clerk's Department.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON ENVIRONMENT

The Executive Policy Committee has had before it the Report of the Committee on Environment, dated May 16<sup>th</sup>, 1977, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Galanchuk the Report of the Committee on Environment, dated May 16<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building,  
Winnipeg, May 16<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Environment submits the following Report and recommends:-

Proposed zoning change to By-law No. 74 by rezoning land located on the south side of Tu-Pelo Avenue, west of Molson Street to an "R3B-One": or "R3B-Two" Planned Building Group District - East Kildonan Community. File DAZ 209/77.

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1121 1. An application has been received from B.A.C.M. Limited, 1500 Plessis Road, Winnipeg, for a proposed zoning change to By-law No. 74 by rezoning land located on the south side of Tu-Pelo Avenue, west of Molson Street from an "A1" Agricultural District to an "R3B-One" or "R3B-Two" Planned Building Group District, as indicated on the sketch shown below, for the purpose of constructing 40 rental townhouse units, eight of which would be one-storey units, while the remainder would be two storeys in heights.

On the basis of information provided by the applicant, the Floor Area Ratio of the proposed development would be approximately 0.5, bringing the proposal within the "R3B-One" District requirements.

The land to the north of the site, across Tu-Pelo Avenue, is zoned as an "R1" One-family District; these homes flank on Tu-Pelo Avenue. To the west of the lane, there is an "R1" District fronting on Tu-Pelo Avenue. On the south side of the lane, there is an "R2" Two-family District along Ravenhill Road. On the east, there is an existing non-conforming nursery supply establishment which is the subject of the rezoning to a "C2" Commercial District for the purpose of expanding the existing building.

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A Public Meeting was held before the East Kildonan Community Committee on March 7<sup>th</sup>, and March 21<sup>st</sup>, 1977, to consider this proposed zoning change.

Mr. S. Sigesmund, Mr. A. Goldstein and Mr. M. Harzan, of Norex Homes Limited, 514 Gilmore Avenue, Winnipeg, R2G 2L2, appeared in support of the application.

The following persons appeared in opposition thereto:-

Mr. W. Carter, 6 John Taylor Place, Winnipeg,

Mr. and Mrs. E. Martin, 7 John Taylor Place, Winnipeg,

Mr. L. Kolb, 11 John Taylor Place, Winnipeg,

Mr. and Mrs. B. Winkler, 19 John Taylor Place, Winnipeg,

Mr. and Mrs. G. Suppes, 30 John Taylor Place, Winnipeg,

Mr. and Mrs. K. Ens, 14 Siddall Crescent, Winnipeg,

Mr. W. Sokol, 18 John Taylor Place, Winnipeg,

Mr. W. Peech, 26 John Taylor Place, Winnipeg, filed a petition Purporting to contain signatures of residents of John Taylor Place, Werrel Crescent, Stacy Bay, Tu-Pelo Avenue, Siddall Crescent and Ravenhill Road,

Mr. S. Carey, 77 Ravenhill Road, Winnipeg,

Mr. A. Knysh, 27 John Taylor Place, Winnipeg,

Mr. Perry Kahler, 34 John Taylor Place, Winnipeg,

Mr. B. Winkler, 19 John Taylor Place, Winnipeg,

Mr. D. Dueck, 8 Werrell Crescent, Winnipeg.

The East Kildonan Community Committee recommended unanimously that the application be not proceeded with for the following reasons:-

- a) there is too much "R3B" in the Valley Gardens area now; and, therefore, the proposed land use would not be compatible with the area;



- b) the main vehicular access to the residences would be from the lanes, and the high number of residents using these lanes would cause vehicular movement to become congested, especially under winter conditions when the lanes have been plowed and there is no room for two cars to pass;
- c) approval of this proposal would compound the existing visitor parking problem in the area;
- d) the proposal does not contain any play area or green space, and there is no guarantee there would not be children there, even though stated to be designed for adult living.

After considering the report of the East Kildonan Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council that the proposed zoning change to amend By-law No. 74 be rezoning the subject land under File DAZ 209/77 to an "R3B-One" or "R3B-Two" Planned Building Group District be not proceeded with.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 1558 by rezoning land located on the east side of Berry Street, south of Ness Avenue to an "R2" Two-family District - St. James-Assiniboia Community. File DAZ 223/77.

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1122 2. An application has been received from Mr. R. H. Banks, 63 Longfellow Bay, Winnipeg, for a proposed zoning change to By-law No. 1558 by rezoning land located on the east side of Berry Street, south of Ness Avenue from an "R1-5" Single-family District to an "R2" Two-family District, as indicated on the sketch below, in order to permit the construction of a two-family dwelling.

The applicant also submitted a variance application under File DAV 187/77 to permit the construction of a two-family dwelling on a site having a width of 33 feet and a lot area of 4554 square feet instead of 60 feet and 6000 square feet as required.

The subject site is currently vacant and is located in an area of older single-family dwellings, most of which occupy small lots of 25 to 33 feet in width.

A Public Meeting was held before the St. James-Assiniboia Community Committee on April 19<sup>th</sup>, 1977, to consider the proposed zoning change as well as the related variance application under File DAV 187/77.

Mr. R. H. Banks, 63 Longfellow Bay, Winnipeg, R3K 1H8, appeared in support of his application.

The following persons appeared in opposition thereto:-

Mr. and Mrs. F. R. Vosper, 303 Berry Street, Winnipeg, R3J 1N3,

Mr. K. Emberley, 387 Truro Street, Winnipeg, R3J 2A5.

The Department of Environmental Planning suggested that the proposed zoning change would have a detrimental impact upon the residential character of the area, since it is expected that a precedent would be established for further applications to increase the intensity of development in the neighbourhood. This area currently suffers from a shortage of open space and piecemeal rezoning of this type may lead to a doubling of the density of the neighbourhood, without corresponding improvements in recreation facilities, open space, schools and the like.

After considering representations made before it, the St. James-Assiniboia Community Committee recommended that the rezoning application be not proceeded with.

The Community Committee also rejected the variance application under File DAV 187/77.

After considering the report of the St. James-Assiniboia Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council that the proposed zoning change to amend By-law No. 1558 by rezoning Lot 92, Plan 1877 to an "R2" Two-family District be not proceeded with.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to the St. Vital Town Planning Scheme 1951 by rezoning land located on the east side of St. Mary's Road to a "C1" Limited Commercial District - St. Vital Community. File DAZ 221/77.

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1123 3. A proposed zoning change to the St. Vital Town Planning Scheme 1951 by rezoning land located on the east side of St. Mary's Road from an "R1" One-family to a "C1" Limited Commercial District, as indicated on the sketch shown below, has been initiated by the Commissioner of Environment and D. & W. Enterprises Limited and the City of Winnipeg.

The exchange of land was approved by Council on February 16<sup>th</sup>, 1977, subject to a number of conditions, one of which is that the vendor have the immediate right to make application to rezone the land acquired from the City of Winnipeg from "R1" to "C1". The land

exchange is illustrated on the sketch attached hereto and marked as Schedule "A" to this report. The City-owned land indicated as Parcel 2 is being exchanged for Parcel 1 to provide for the proposed widening of Maralbo Avenue.

The land to the south of Parcel 2 was included in the rezoning since the property fronting on St. Mary's Road between Maralbo Avenue and Worthington Avenue is presently zoned "C1" for a depth of approximately 110-115 feet.

A Fire Hall is presently situated on the City-owned land located at the north-east corner of St. Mary's Road and Worthington Avenue. Two single-family dwellings (1053 and 1055 St. Mary's Road) are located immediately to the north of the Fire Hall.

A Public Meeting was held before the St. Vital Community Committee on April 4<sup>th</sup>, 1977, to consider this proposed zoning change.

Mr. J. B. Fraser, of Pitblado, Hoskin and Company, Barristers and Solicitors, 1900 - One Lombard Place, Winnipeg, R3B 0X4, appeared on behalf of D. & W. Enterprises Limited, 436 Kingston Crescent, Winnipeg, R2M -T9, in support of the application.

On one appeared in opposition thereto.

The St. Vital Community Committee recommended that the application be approved and that the 10% dedication fee be waived in this instance.

After considering the report of the St. Vital Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That the St. Vital Town Planning Scheme 1951 be amended by rezoning the subject land under File DAZ 221/77 to a "C1" Limited Commercial District as indicated on the sketch attached hereto and marked as Schedule "B" to this report and dated May 4<sup>th</sup>, 1977.
2. That the City Solicitor be requested to prepare the necessary Rezoning By-law and forward same to Council for all three readings.
3. 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 Galanchuk,  
Adoption of the clause.

Carried.

(Note: - See Minute Nos. 1131 and 1132 for attachments.)

Proposed zoning change to By-law No. 1558 by rezoning land located on the east side of David Street, north of Livinia Avenue to an "R2" Two-family District - St. James-Assiniboia Community. File DAZ 237/77.

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1124 4. An application has been received from Mr. B. Kemp, 1856 Portage Avenue, Winnipeg, for a proposed zoning change to By-law No. 1558 by rezoning land on the east side of David Street, north of Livinia Avenue, from an "R1-5.5" Single-family District to an "R2" Two-family District, as indicated on the sketch shown below, in order to permit the construction of a two-family dwelling.

The property in question has a width of 68.5 feet and a depth of 135 feet for a total site area of 9247.5 square feet. The "R2" Two-family District regulations require a minimum width and area of 60 feet and 6000 square feet respectively.

The subject site is currently developed with an older single-family home and is an area which is comprised of mixed residential land uses. Relatively new one and two-family dwellings occupy lots fronting on David Street. An apartment building and townhouse development area are located on the west and east corners of the David Street and Fairlane Avenue intersection.

The adjacent property to the east of the subject site is presently vacant and zoned "RM-2" Multiple-family District. A two-family dwelling is located immediately north while a single-family dwelling is located immediately to the south.

Public Meeting was held before the St. James-Assiniboia Community Committee on April 19<sup>th</sup>, 1977, to consider this proposed zoning change.

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

The St. James-Assiniboia Community Committee recommended that the application be proceeded with, subject to the standard 10% cash dedication.

After considering the report of the St. James-Assiniboia Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That By-law No. 1558 be amended by rezoning the subject land under File DAZ 237/77 to an "R2" Two-family District, subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 600(1) of The City of Winnipeg Act to provide that:-

- (a) a 10% dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space and recreational use based on the increased market value of the land.
2. 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.
3. That the proper officers of the City be authorized to execute said Zoning Agreement.
4. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 1558 by rezoning land located on the east side of Buchanan Boulevard north of Lumsden Avenue to an "R2" Two-family District - St. James-Assiniboia Community. File DAZ 235/77.

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1125 5. An application has been received from G. L. Mayer Construction Limited, 3425 Vialoux Drive, Winnipeg for a proposed zoning change to By-law No. 1558 by rezoning land located on the east side of Buchanan Boulevard, north of Lumsden Avenue, from an "A" General Agricultural District to an "R2" Two-family District, as indicated on the sketch shown below, in order to permit the construction of a two-family dwelling.

The applicant also submitted a variance application under File DAV 205/77 to permit the construction of a two-family dwelling on a lot having a width of 50 feet instead of 60 feet as required.

The subject site has a lot area of approximately 6050 square feet. A minimum of 6000 square feet is required for a two-family dwelling.

The east side of Buchanan Boulevard between Risbey Crescent and Lumsden Avenue is comprised almost entirely of two-family dwellings. Two single-family dwellings are situated midway within the block, but the adjoining properties to the north and south of the subject site are developed with two-family homes. Single-family homes are on the west side of Buchanan Boulevard and to the east fronting on Risbey Crescent.

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A Public Meeting was held before the St. James-Assiniboia Community Committee on April 19<sup>th</sup>, 1977, to consider this proposed zoning change as well as the related variance application under File DAV 205/77.

Mr. G. L. Mayer of G. L. Mayer Construction Limited, 3425 Vialoux Drive, Winnipeg, R3R 0A5, appeared in support of the application.

No one appeared in opposition thereto.

The St. James-Assiniboia Community Committee recommended that the rezoning application be proceeded with subject to the standard 10% cash dedication.

The Community Committee also granted the variance application under File DAV 205/77, contingent upon third reading of the Rezoning By-law.

After considering the report of the St. James-Assiniboia Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That By-law No. 1558 be amended by rezoning Lots 9 and 10, Block 29, Plan 1687 to an "R2" Two-family District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 600(1) of The City of Winnipeg Act to provide that:-
  - (a) a 10% dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space and recreational use based on the market value of the land.
2. 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.
3. That the proper officers of the City be authorized to execute said Zoning Agreement.
4. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 1800 by rezoning land located on the south side of Dalhousie Drive, west of Ulster Street to an "RM-1" Multiple-family District - Fort Garry Community. File DAZ 302/76A.

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1126 6. An application has been received from Interstruct Limited, 201 - 3 Donald Street, Winnipeg on behalf of Hammer Developments Limited, for a proposed zoning change to By-law No. 1800 by rezoning land located on the south side of Dalhousie Drive, west of Ulster Street, from an "A" General Agricultural District to an "RM-1" Multiple-family District, as indicated on the sketch shown below, in order to construct a development consisting of 30 dwelling units within two (2) apartment buildings.

A previous zoning application (DAZ 302/76) to rezone the subject land to an "RM-1" Multiple-family District was adopted by Council on December 1<sup>st</sup>, 1976 as set out in Clause 4 of your Committee's report dated November 15<sup>th</sup>, 1976. That application was recommended for approval subject to the execution of a Zoning Agreement which among other things, was to limit development of the land to a maximum of 15 dwelling units as proposed by the applicant (T.O.I.L. Limited ) at that time. However, before the rezoning was completed, the land changed ownership and the application was re-advertised since the previous Public Meeting had dealt with a proposal to construct a maximum of only 15 dwelling units.

A Public Meeting was held before the Fort Garry Community Committee on April 12<sup>th</sup>, 1977, to consider the proposed zoning change under File DAZ 302/76A.

Mr. R. Lazar, 201 - 3 Donald Street, Winnipeg, R3L 2P6, on behalf of Interstruct Limited, appeared in support of the application.

On one appeared in opposition thereto.

At this time, the Department of Environmental Planning indicated that previous developments in this area have been restricted to a maximum density of 17 dwelling units per net acre. Because the subject site is bounded by townhousing to the east, and a single-family dwelling to the west, it was considered particularly desirable for this site to be developed within the suggested density range and with townhousing rather than apartments. A townhouse development would be more consistent with surrounding development and would result in a more suitable site development.

The Community Committee, however, expressed concern about the number of school children generated by a townhouse development and the resulting strain on existing school facilities. From this point of view, the proposed apartment development (with additional restriction that 18 of the proposed 30 apartment units be one bedroom units) was considered a more acceptable proposal.

The said Department is still of the opinion that a townhouse development would be preferable, however, based on the concerns of the Community Committee and the fact that the subject site is located on Dalhousie Drive, is prepared to defer any negative recommendation.

After considering representations made before it, the Fort Garry Community Committee recommended that the application be granted subject to a number of conditions, which have been incorporated in the following recommendations.

After considering the report of the Fort Garry Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That the decision of Council on December 1<sup>st</sup>, 1976 as set out in Clause 4 of your Committee's report dated November 15<sup>th</sup>, 1976, be rescinded.
2. That By-law No. 1800 be amended by rezoning the most easterly 48 feet of Lot 5 and all of Lots 6 and 7, Block 3, Plan 1798, to an "RM-1" Multiple-family District subject to the applicant entering into a Zoning Agreement with the City pursuant to Section 600 (1) of The City of Winnipeg Act to provide for the following:-
  - (a) that development of the site not exceed thirty (30) dwelling units consisting of 18 one-bedroom units and 12 two-bedroom units.
  - (b) that the proposed buildings be restricted to a maximum of 3 storeys, with a maximum height of 35 feet.
  - (c) that final construction plans indicating the location and design of the proposed buildings, accessory parking area, fencing, garbage enclosures and landscaping shall be subject to the approval of the City Landscape Architect, the Fort Garry Community Committee and the Commissioner of Environment prior to the issuance of a building permit.
  - (d) that a minimum of 9 parking spaces be assigned and maintained for visitor parking only.
  - (e) that the existing row of trees along the westerly property line be retained as a landscape buffer.
  - (f) that a 10 % decision be made by payment of a sum of money to the City in lieu of the requirement for land for open space and recreational use based on the market value of the land.



2. 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.
3. That the proper officers of the City be authorized to execute said Zoning Agreement.

Moved by Councillor

Adoption of the clause.

Carried.

Proposed zoning change to the St. Vital Town Planning Scheme 1951 by rezoning land located on the west side of Dakota Street, south of Woodydell Avenue, to an "R-PL" Planned Residential District - St. Vital Community. File DAZ 239/77.

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1127 7. An application has been received from Qualico Developments Limited, 16 Speers Road, Winnipeg, for a proposed zoning change to the St. Vital Town Planning Scheme 1951 by rezoning land located on the west side of Dakota Street, south of Woodydell Avenue, from an "R1" One-family District to an "R-PL" Planned Residential District, as indicated on the sketch shown below, in order to establish zero lot line housing.

The subject site is 1.6 acres (69.696 square feet) of rectangular property with 514.62 feet of frontage along Dakota Street.

Prior to the subject property and properties to the west being subdivided and rezoned, the initial proposal as presented to the St. Vital Community Committee under File DAZ 29/73 and File DAS 11/73, was that the subject 1.6 acres be designed as "R3B-One" Planned Building Group District under which the number of units obtainable would have been 52. However, the Community Committee had recommended to the Committee on Environment that an "R3B-One" density would not be suitable, and subsequently the land was rezoned to an "R1" One-family District.

At that time, the South St. Vital District Plan had not been anticipated. It was not until 1976 that the potential capacity or role that Dakota Street would play in the future development of South St. Vital as a regional arterial right-of-way.

Planning policies do not usually create a situation where single-family development is adjacent to a major thoroughfare such as Dakota Street, unless a proper buffer strip is provided between the single-family district and the thoroughfare. The "R-PL" Planned Residential District provides a comprehensive approach to the development of single-family housing where the location and design of the individual dwelling units is an integral part of the planning and design of the overall district, which also includes vehicular and pedestrian circulation systems, services, recreation areas, open spaces and public and private landscaping.

A Public Meeting was held before the St. Vital Community Committee on May 2<sup>nd</sup>, 1977, to consider this proposed zoning change.

Mr. P. McNeil, 16 Speers Road, Winnipeg, appeared on behalf of Qualico Developments Limited, in support of the application.

The following persons appeared in opposition thereto:-

Mrs. L. Willis, 226 Vista Avenue, Winnipeg, who filed a communication and petition in opposition to the application,

Mr. K. Dando, 230 Vista Avenue, Winnipeg,

Mrs. D. Diachuk, 238 Vista Avenue, Winnipeg,

Mr. M. Buchan, 234 Vista Avenue, Winnipeg.

The St. Vital Community Committee recommended that the application be approved subject to:-

1. the standard 10% dedication'
2. the number of units not exceed 16;
3. require plans to be approved by the Community Committee prior to the issuance of building permits.

After considering the report of the St. Vital Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:

1. That the St. Vital Town Planning Scheme 1951 be amended by rezoning Block 3, Plan 12030 to an "R-PL" Planned Residential District, subject to the applicant entering into a Zoning Agreement with the city pursuant to Section 600(1) of The City of Winnipeg Act to provide for the following:-
  - (a) the development of the land not exceed sixteen (16) dwelling units;
  - (b) that final construction plans indicating the location and design of the proposed dwellings, accessory parking, fencing and landscaping details be subject to the approval of the St. Vital Community Committee prior to the issuance of a building permit;

- (c) a 10% dedication be made by a payment of a sum of money to the City in lieu of the requirement for land for open space and recreational use based on the increased market value of the land.
- 2. That the City Solicitor be requested to prepare the necessary Rezoning By-law and forward same to Council for first and second readings to enable the By-law to be forwarded to the Minister for Urban Affairs for approval, and that third reading of the By-law be withheld until the approval of the Minister for Urban Affairs is received and the Zoning Agreement has been executed.
- 3. That the proper officers of the City be authorized to execute said Zoning Agreement.
- 4. 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 Galanchuk,  
Adoption of the clause.

Carried.

Proposed zoning change to By-law No. 1800 by rezoning land located on the south side of Cedric Street to an "R1-5.5" Single-family District - File DAZ 220/77.

1128 8. An application has been received from Mr. H. M. Bannatyne, 643 Community Row, Winnipeg, for a proposed zoning change to By-law No. 1800 by rezoning land located on the south side of Cedric Street from an "R1-20" Single-family District to an "R1-5.5" Single-family District, as indicated on the sketch shown below, in order to permit the establishment of five single-family building lots.

Under the proposed zoning category, a minimum lot width of 50' and lot area of 5500 square feet are required. The proposed lots are all substantially larger than the minimum area required; four being over 8600 square feet in area and one at 5671 square feet. The smaller lot will front onto Malone Street while the four larger lots will face Cedric Street. At present, Cedric Street is not physically developed; however, improvements on the existing 33' wide street are budgeted for in 1977.

A short-form subdivision application will be required to create the 5 lots mentioned above, and also to provide for the 27' widening of Cedric Street. Also, the 10% dedication will be levied under the short-form subdivision approval.

A Public Meeting was held before the Assiniboine Park Community Committee on March 23<sup>rd</sup>, 1977, to consider this proposed zoning change.

Mr. H. M. Bannatyne, 643 Community Row, Winnipeg, R3R 1H6, appeared in support of this application.

On one appeared in opposition thereto.

The Assiniboine Park Community Committee recommended that the application be approved subject to the applicant entering into a Servicing Agreement with the City, if required.

With respect to the above recommendation, the Assistant Development Agreements Officer had advised that a Servicing Agreement is not required as the District Engineer intends to install all necessary underground services under local improvements during 1977. The applicant has also successfully petitioned the City to install concrete pavement, boulevards and ornamental lighting on Cedric Street.

After considering the report of the Assiniboine Park Community Committee, your Committee concurs in the recommendation of the said Community Committee and recommends to Council as follows:-

1. That By-law No. 1800 be amended by rezoning Lot 3, Plan 12884 to an "R1-5.5" Single-family District.
2. That the City Solicitor be requested to prepare the necessary Rezoning By-law and forward same to Council for all three readings.
3. 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 Galanchuk,  
Adoption of the clause.

Carried.

Approval of Removal of Building Restriction Caveat No. 98796 as it affects the southerly 25' of Lot 13, all of Lot 14, Block 1, Plan 2151, St. James-Assiniboia Community. File BRC 8/77.

1129 9. An application has been received from Wilson, Yerex and Young, 300-296 Garry Street, Winnipeg, R3C 1H3, on behalf of Phyllis Patricia Gale Finnen, for approval of the removal of Building Restriction Caveat No. 98796 as it affects the southerly 25' of Lot 13, all of Lot 14, Block 1, Plan 2151, commonly known as 164 Woodhaven Crescent.

Your Committee has been advised that the St. James-Assiniboia Community Committee on April 19<sup>th</sup>, 1977, recommended that the Building Restriction Caveat be removed as it restricts building to a 30' setback from Woodhaven Crescent and does not permit the erection or conversion of any building, or use of the land, for a store or a business while the existing structure on the site is a single-family dwelling and attached garage having a front yard setback of 28.5', and is less restrictive than the present "R1-5.5" One-family District regulations applicable to this area of St. James-Assiniboia Community.

Your Committee recommends approval of the removal of Building Restriction Caveat No. 98796 as it affects the southerly 25' of Lot 13, all of Lot 14, Block 1, Plan 2151.

Your Committee further recommends that the following resolution be passed in connection therewith:-

"That in accordance with the provisions of Section 110(3) of The Municipal Board Act, the Council of the City of Winnipeg recommends approval of the removal of Building Restriction Caveat No. 98796, as it affects the southerly 25' of Lot 13, all of Lot 14, Block 1, Plan 2151, commonly known as 164 Woodhaven Crescent, as applied for by Wilson, Yerex and Young, 300-296 Garry Street, Winnipeg, R3C 1H3."

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Approval of Removal of Building Restriction Caveat No. 48879 as it affects property known as 1207 Henderson Highway - East Kildonan Community. Files EC & BRC 6/77.

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1130 10. An application has been received from Wolchock and Company, 404 Centennial House, 310 Broadway, Winnipeg, R3C 0S6, on behalf of Iona Irmgard Mayer, for approval for the removal of Building Restriction Caveat No. 48879 as it affects property known as 1207 Henderson Highway, legally described as all those portions of Lots 1, 2 and 3, which lie to the west of a straight line drawn from a point in the southern limit of said Lot 1, distant easterly thereon seventy-nine feet from the western limit of said Lot 3, in Block 6, which lots are shewn on a plan of survey of part of River Lots 61 and 62 of the Parish of Kildonan, Plan 1174.

Your Committee has been advised that the East Kildonan Community Committee on May 2<sup>nd</sup>, 1977, recommended that the Building Restriction Caveat be removed as it restricts a main building wall to a 40' minimum set-back from the street and is more restrictive than the present "R3" Multiple-family District regulations applicable to this area of East Kildonan Community.

Your Committee recommends approval of the removal of Building Restriction Caveat No. 48879 as it affects property known as 1207 Henderson Highway.

Your Committee further recommends that the following resolution be passed in connection therewith:

“That in accordance with the provision of Section 110 (3) of The Municipal Board Act, the Council of the City of Winnipeg recommends approval of the removal of Building Restriction Caveat No. 48879, as it affects property known as 1207 Henderson Highway, legally described as follows:-

All those portions of Lots One, Two and Three, which lie to the west of a straight line drawn from a point in the southern limit of said Lot One, distant easterly thereon seventy-nine feet from the western limit of said Lot One to a point, in the northern limit of said Lot Three, distant easterly thereon seventy-five feet from the western limit of said Lot Three, in Block Six, which lots are shewn on a plan of survey of part of River Lots Sixty-one and Sixty-two of the Parish of Kildonan, in Manitoba, registered in the Winnipeg Land Titles office as No. 1174

as applied for by Wolchock and Company, 404 Centennial House, 310 Broadway, Winnipeg, R3C 0S6.”

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

(Sgd.) Ken Galanchuk, Chairman.

Council Minutes - June 1st, 1977

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1131 Schedule "A" referred to in Clause 3 of Report of the Committee on Environment, dated May 16th, 1977.

Copy of the attachment is on file in the City Clerk's Department.

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1132 Schedule "B" referred to in Clause 3 of Report of the Committee on Environment, dated May 16th, 1977.

Copy of the attachment is on file in the City Clerk's Department.



CONSIDERATION OF REPORT OF THE  
COMMITTEE ON ENVIRONMENT

The Executive Policy Committee has had before it Report "A" of the Committee on Environment, dated May 16<sup>th</sup>, 1977, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Galanchuk Report "A" of the Committee on Environment, dated May 16<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building,  
Winnipeg, May 16<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Environment submits the following Report "A" and recommends:-

Authorization for Civic Employees to make submissions to the Law Amendments Committee with respect to Bill 62 of The Manitoba Legislature. File GL-5.1.

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1133 1. Your Committee recommends to Council that any Civic Employee as an individual be allowed to appear before the Law Amendments Committee to express his or her personal views with respect to Bill 62 of the Manitoba Legislature, on the understanding that he or she is not making representation on behalf of the City of Winnipeg.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Proposed By-law to improve Life Safety in Existing Residential Occupancies. Files EB and EL-1.

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1134 2. Council on April 6<sup>th</sup>, 1977, approved Clause 20 of your Committee's Report, dated March 21<sup>st</sup>, 1977, which Clause recommended that By-law No. 1046/75, the Existing Apartment Buildings Improvements By-law, be expanded to cover all types of residential occupancies classed as "Group C".

Your Committee therefore submits for favourable consideration draft By-law to improve life safety in Existing Residential Occupancies pursuant to the aforementioned Order-in-Council.

For your information, By-law No. 1046/75, the Existing Apartment Buildings Improvements By-law for the City of Winnipeg, and amendments thereto, is repealed upon the date the Existing Residential Occupancies By-law is approved.

An informational memorandum from the Commissioner of Environment relative to the upgrading of residential occupancies is attached hereto.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Amendment to Handbill and Poster By-law No. 1076/75. File ER-1.5.

1135 3. Your Committee submits for favourable consideration draft By-law of the City of Winnipeg to amend By-law No. 1076/75, a By-law to regulate the distribution and posting of handbills and posters.

The proposed amendment to Clause 8 of By-law No. 1076/75 is incorporated below in brackets within said Clause 8;

“8 Posting Notices

No persons shall (erect, place or maintain any notice, poster, or other paper or device, in a public place calculated to attract the attention of the public, or) post or fix any notice, poster or any other paper or device calculated to attract the attention of the public, to any lamppost, utility pole, parking meter, traffic sign, fence, barricade, hoarding, or tree located in a public place, or upon or in any public structure or building which is owned or under the control of the City or upon any private fence, barricade, hoarding or structure located in a public place, except as may be authorized by the Commissioner or authorized or required by law.”

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Amendment to the Development Agreement to be entered into with Qualico Developments Ltd., in Connection with the Plan of Subdivision and Zoning Changes affecting land situated North of Warde Avenue, between St. Mary's Road and the Extension of Dakota Street - St. Vital Community. File DASZ 5/75.

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1136 4. On October 20<sup>th</sup>, 1976, Council adopted Clause 2 of your Committee's Report, dated October 4<sup>th</sup>, 1976, in regard to the approval of a proposed Plan of Subdivision and Zoning Changes to the St. Vital Town Planning Scheme 1951 by rezoning land situated north of Warde Avenue, between St. Mary's Road and the extension of Dakota Street, to an "R1" One-Family District, an "R2" Two-Family District, an "RPL" Planned Residential District, an "R3B-One" and an "R3B-Two" Planned Building Group District, a "PR" Park and Recreational District and a "C2" Commercial District.

Condition No. 8 under Recommendation (i) in said clause recommended for inclusion in the Development Agreement with the City the following condition:

"that the Developer shall sell to the City approximately 19 acres or property at a purchase price of \$11,500.00 per acre plus improvements."

Your Committee has now been advised that the property acquisition has been reduced to 12.06 acres.

Your Committee recommends to Council that Condition No. 8 under Recommendation (i) as set out in Clause 2 of your Committee's Report dated October 4<sup>th</sup>, 1976, which condition was recommended for inclusion in the Development Agreement with the City, be deleted in its entirety and the following substituted therefore:

- "(i) 8(a) The Developer shall grant to the City an option to purchase at any time up to December 31, 1979, 6 acres at \$11,500.00 per acre plus 683.6 feet of improvements at the City's uniform levy for the year in which construction takes place (2 school sites).
- (b) That a 6.06 acres be transferred to the City at no cost to the City, upon the registration of the Plan of Subdivision and that the Developer be credited for 6.06 acres of over dedication from a future Plan of Subdivision in the Community of St. Vital where approved by the Committee on Environment."

Moved by Councillor Galanchuk  
Adoption of the clause.

Carried.

(Sgd.) Ken Galanchuk, Chairman.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON ENVIRONMENT

The Executive Policy Committee has had before it the Report of the Committee on Environment, dated May 24<sup>th</sup>, 1977, has concurred in the recommendations contained therein, except as noted below and submits same to Council for favourable consideration.

On motion of Councillor Galanchuk the Report of the Committee on Environment, dated May 24<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building,  
Winnipeg, May 24<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Environment submits the following Report and recommends:-

Establishment of a Municipal Non-Profit Rehabilitation Housing Corporation - City of Winnipeg. File EX.

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1137 1. Your Committee has considered the attached Report from its Ad Hoc Committee on Housing dated May 2<sup>nd</sup>, 1977, relative to a Municipal Non-Profit Housing Corporation.

Your Committee recommends to Council that it concur in principle in the establishment of a Municipal Non-Profit Rehabilitation Housing Corporation to be known as the "Winnipeg Housing Rehabilitation Corporation", with the criteria for the Housing Corporation being as follows:-

1. It would operate, as much as possible, without Municipal fundings (except for start-up funds), relying basically on available Provincial and Federal Program Funds and on the turn-over of existing funds.
2. That the Province of Manitoba be officially requested to provide the sum of \$1,000,000.00 for the purpose of establishing a revolving fund and that same be earmarked for the Non-Profit Housing Corporation when it is established.
3. It would acquire and rehabilitate older buildings under Sections 15.1 and 34.1 of The National Housing Act or under any programs or funds made available.

4. It would provide housing accommodation to residents of the City through sales and/or rental and/or lease with option to buy.

Your Committee further recommends that the matter of the Articles of Incorporation and what the specific powers of the Housing Corporation will be, be left in the hands of your Committee for further deliberation and report back to Council.

Your Executive Policy Committee recommends the following be added to the criteria listed above:

“5. The net cost to the City over the five-year period not to exceed \$1000,000.00.”

Moved by Councillor Galanchuk,  
Adoption of the clause.

In amendment,

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

Councillor Zuken called Councillor Bockstael to the Chair.

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

Carried.

The amendment was put and carried.

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

Proposed Amendment to the Greater Winnipeg Development Plan for the Area bounded by Wilkes Avenue, McGillivray Boulevard, Waverley Street and the Canadian Pacific Railway La Riviere Subdivision Right-of-Way - Assiniboine Park Community. Files DPA 2/76 and EP-1.1.

1138 2. On April 20<sup>th</sup>, 1977, Council adopted Clause 12 of your Committee's Report dated April 4<sup>th</sup>, 1977, in connection with the above matter, to change the designation of the above stated area to a combination of "Present and Future Working Area" and "Present and Future Living Area".

The Development Plan presently classifies the area as a "Present and Future Working Area." The proposal is to leave some of this land in its present classification and to change the remainder to a present and future living area classification. The By-law must be

specific in what amount of land is to remain as a working area. The applicant, B. A. C. M. Limited, proposes those areas outlined on the following sketch to remain as working areas.

No policy has been established concerning these two working areas. The City of Winnipeg Act provides that a Development Plan By-law may be amended after first reading to delete land but not to add land. Thus by starting with the entire area as a living areas, the amount of land decided upon for industrial use may be deleted from the By-law after the Public Meeting.

Your Committee recommends to Council that the By-law to amend the Greater Winnipeg Development Plan indicate the entire area bounded by Wilkes Avenue, McGillivray Boulevard, Waverley Street and the Canadian Pacific Railway La Riviere Subdivision Right-of-Way as a "Living Area 'A'."

Your Committee submits herewith the necessary By-law, in accordance with the above, which is forwarded to Council for first reading only, thence to be advertised for a Public Meeting before the Committee on Environment on Wednesday, June 22<sup>nd</sup>, 1977, at 7:30 p.m., in the Grant Park High School, 450 Nathaniel Street, Winnipeg.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

(Sgd.) Ken Galanchuk, Chairman.

#### QUESTION PERIOD

1138 Councillor Lazarenko asked the Chairman of the Committee on Environment if it is intended under the Municipal Non-Profit Rehabilitation Housing program to purchase houses from Slum landlords and bail them out.

Councillor Galanchuk replied in the negative.

#### COMMITTEE ON ENVIRONMENT

#### CONSIDERATION OF BY-LAWS

1140 On motion of Councillor Galanchuk the following By-laws were each read a third time, and were passed and ordered to be signed and sealed, namely:-

By-law No. 1143/76, a By-law of The City of Winnipeg to amend By-law No. 16502, of the former City of Winnipeg, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the Assiniboine Park Community;

By-law No. 1577/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the St. Vital Community;

By-law No. 1578/77, a By-law of The City of Winnipeg to amend The St. Vital Town Planning Scheme 1951, being the Zoning Scheme regulating and restricting the use of land and location of buildings and structures in the St. Vital Community.

On motion of Councillor Galanchuk the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 1617/77, a By-law of The City of Winnipeg to improve life safety in Existing Residential Occupancies;

By-law No. 1618/77, a By-law of The City of Winnipeg to amend By-law No. 1076/75, being a by-law to regulate the distribution and posting of handbills and posters;

By-law No. 1619/77, a By-law of The City of Winnipeg to amend By-law No. 1800, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Fort Garry Community;

By-law No. 1620/77, a By-law of The City of Winnipeg to amend By-law No. 45/60, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Transcona Community;

By-law No. 1621/77, a By-law of the City of Winnipeg to approve a Plan of Subdivision in the Rural Municipality of East St. Paul;

By-law No. 1622/77, a By-law of The City of Winnipeg to amend The East St. Paul Town Planning Scheme 1956, being the Zoning Scheme regulating and restricting the use of land and location of buildings and structures in the Rural Municipality of East St. Paul;

By-law No. 1623/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the St. Vital Community;

By-law No. 1624/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the St. Vital Community.

By-law No. 1625/77, a By-law of The City of Winnipeg to amend The St. Vital Town Planning Scheme 1951, being the Zoning Scheme regulating and restricting the use of land and location of buildings and structures in the St. Vital Community;

By-law No. 1626/77, a By-law of The City of Winnipeg to amend By-law No. 16502, of the former City of Winnipeg, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the East Kildonan Community.

By-law No. 1627/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the West Kildonan Community;

By-law No. 1628/77, a By-law of The City of Winnipeg to amend By-law No. 2833, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the West Kildonan Community;

By-law No. 1629/77, a By-law of The City of Winnipeg to amend By-law No. 2833, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the West Kildonan Community;

By-law No. 1630/77, a By-law of The City of Winnipeg to amend by-law No. 2833, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the West Kildonan Community;

By-law No. 1631/77, a by-law of The City of Winnipeg to approve a Plan of Subdivision in the Rural Municipality of West St. Paul;

By-law No. 1632/77, a By-law of The City of Winnipeg to amend The West St. Paul Town Planning Scheme 1959, being the Zoning Scheme regulating and restricting the use of land and location of buildings and structures in the Rural Municipality of West St. Paul;

By-law No. 1633/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the East Kildonan Community;

By-law No. 1634/77, a By-law of The City of Winnipeg to amend By-law No. 74, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the East Kildonan Community;

By-law No. 1635/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the Assiniboine Park Community;



By-law No. 1636/77, a By-law of the City of Winnipeg to amend By-law No. 1800, being the Zoning By-law regulating and restricting use of land and location of buildings and structures in a portion of the Assiniboine Park Community;

By-law No. 1637/77, a By-law of The City of Winnipeg to amend By-law No. 16502 of the former City of Winnipeg, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the Assiniboine Park Community;

By-law No. 1638/77, a By-law of The City of Winnipeg to amend The St. Vital Town Planning Scheme regulating and restricting the use of land and location of buildings and structures in the St. Vital Community.

On motion of Councillor Galanchuk By-law No. 1567/77, a By-law of The City of Winnipeg to amend By-law No. 1800, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Fort Garry Community, was read a third time, and was passed and ordered to be signed and sealed.

On motion of Councillor Galanchuk the following By-laws were each read a first and second time, namely:-

By-law No. 1645/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the East Kildonan Community;

By-law No. 1646/77, a By-law of The City of Winnipeg to amend By-law No. 74, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in a portion of the East Kildonan Community;

By-law No. 1647/77, a By-law of The City of Winnipeg to approve a Plan of Subdivision in the Lord Selkirk Community;

By-law No. 1648/77, a By-law of The City of Winnipeg to amend By-law No. 16502 of the former City of Winnipeg, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Lord Selkirk Community.

On motion of Councillor Galanchuk the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 1649/77, a By-law of The City of Winnipeg to amend By-law No. 1800, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Fort Garry Community;

By-law No. 1650/77, a By-law of The City of Winnipeg to amend By-law No. 1800, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Fort Garry Community;

By-law No. 1651/77, a By-law of The City of Winnipeg to amend By-law No. 145, being the Zoning By-law regulations and restricting the use of land and location of buildings and structures in a portion of the East Kildonan Community;

By-law No. 1652/77, a By-law of The City of Winnipeg to amend The St. Vital Town Planning Scheme 1951, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Fort Rouge Community.

By-law No. 1653/77, a By-law of The City of Winnipeg to amend by-law No. 16502 of the former City of Winnipeg, being the Zoning By-law regulating and restricting the use of land and location of buildings and structures in the Fort Rouge Community.

On motion of Councillor Galanchuk By-law No. 1654/77, a By-law of the City of Winnipeg to amend By-law No. 1117, a By-law establishing The Metropolitan Development Plan, being a statement of the City's policy and general proposals in respect of the development or use of the land in The City and The Additional Zone, deemed by The City of Winnipeg Act to be The Greater Winnipeg Development Plan for The City and The Additional Zone, was read a first time.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON WORKS AND OPERATIONS

The Executive Policy Committee has had before it the Report of the Committee on Works and Operations, dated May 10<sup>th</sup>, 1977, has concurred in the recommendations contained therein, except as noted below and submits same to Council for favourable consideration.

On motion of Councillor Mercier the Report of the Committee on Works and Operations, dated May 10<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building,  
Winnipeg, May 10<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Works and Operations submits the following report and recommends:-

Fee-for-Service for those areas that want the walk-in Refuse Collection Service. File WT-1.

1. The Executive Policy Committee at its meeting held May 5<sup>th</sup>, 197, referred back to the Committee on Works and Operations the following Clause in its report dated xx xxxth, 1977.-

“On February xx, 1977, Council referred to your Committee a resolution dealing with the Solid Waste By-law which proposed that those citizens of Winnipeg who wish refuse picked up xxx than their lot line, be permitted to pay extra for this service.

Further on February xx, 1977, Council, decided that inasmuch as the Committee on Works and Operations requested the Commissioner of Works and Operations to explore the possibility of charging of “fee for service” for those areas that want the walk-in service xxx change be made at that time with respect to the walk-in service.

In order to provide carryout service on a ‘fee for service’ basis it is estimated that the cost based on a carry out of not in excess of sixty (60’) feet from the lot line would be in the xxxx xxx of \$5.00 per month depending upon the number of requests received for this service. For carry out service for premises having a carry out distance in excess of sixty (60’) feet, the cost of providing the service would be greater. XXXx is anticipated that with the response to the lot line placement of refuse containers to date that he number of citizens requesting this service would be nominated under that type of situation, the average cost of this service would xxx be in the order of \$6.00. For apartment blocks this fee would be per xxxx. The fee for the carry out service for commercial establishments is difficult xxx estimate and would depend upon the volume of refuse generated by the commercial establishment. The provision of this additional service at a fee would be xxx to administer and carry out in the field. It should be noted that the xxx of the cost of this service is contingent on a number of factors, that xxxx number of garbage receptacles, the distance to be carried, the frequency of the number of citizens, apartments and commercial establishments availing xx xx of this service The prices quoted do not include an administrative xx to cover the cost of billing. Depending upon volume of extra service xxxx the cost of billing would be in the order of \$2.00 to \$3.00 per month, per bill.

Such a service would be very awkward and difficult to administer and therefore, cannot be recommended.

Your committee therefore recommends that carry out services on a ‘fee for service’ not be permitted”.

Your Committee has considered the above Clause and again submits it to Council to adoption.

Provision of Underground Services to a portion of East St. Paul. File WW-2.4

1141 2. Council at its meeting of April 6, 1977, approved the recommendation of the Committee on Works and Operations to amend the existing servicing agreement between the City of Winnipeg and the Rural Municipality of East St. Paul.

This amendment provides for the servicing of McNair Crescent from Henderson Highway west to Eastwood Drive with wastewater sewer and watermain services.

In order to proceed with the installation of this servicing during the current construction year, funding will be required to be included in the 1977 Capital Estimates.

Your Committee recommends that an additional appropriation of \$17,300.00 be provided for in the Local Improvement section of the 1977 Capital Estimates to fund the installation of wastewater sewer and watermain services on McNair Crescent from Henderson Highway west to Eastwood Drive.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Inclusion of Optimist Park in Sturgeon Creek Regional Park. File PR-7.16.

1142 3. In letter dated February 22<sup>nd</sup>, 1977, from the St. James-Assiniboia Community Committee, it was requested that consideration be given to transferring to Sturgeon Creek Regional Park the park property at Summit Road, formerly known as Optimist Park.

The park property in question was used for a number of years by the Optimist Club as a recreational site. It subsequently was turned over to the St. James-Assiniboia Parks board for the purpose of maintenance. It has been, and continues at this time, to be maintained by the Parks Department of that Community.

The Optimist Park is 25.66 acres in size and is located on Sturgeon Creek north of Saskatchewan Avenue. The size of the site itself could classify it as a Regional park, but, as well, plans for the extension of Sturgeon Creek Regional Park include the Creek banks north of Saskatchewan Avenue, north-west to the Perimeter Highway. West-Central Park District of the Regional Parks System maintains Sturgeon Creek Park south of Saskatchewan at the present time. Therefore, it would seem logical that the former Optimist Park be included in this District's maintenance program.

As mentioned previously, the park site is at the present time being maintained by the Community Parks Department where plans have been formulated in connection with extensive landscape renovation in 1977. Design work in this regard is presently being

undertaken by the Civic Properties Division and the Park Development Section of the Parks and Recreation Department.

Your Committee recommends that the Optimist Park in St. James-Assiniboia Community, presently a community responsibility, be included as part of the Sturgeon Creek Regional Park, effective in the year 1978.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

(Sgd.) G. W. J. Mercier, Chairman.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON WORKS AND OPERATIONS

The Executive Policy Committee has had before it Report "A" of the Committee on Works and Operations, dated May 10<sup>th</sup>, 1977, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Mercier Report A" of the Committee on Works and Operations, dated May 10<sup>th</sup>, 1977, was considered clause by clause.

West Committee Room,  
Council Building,  
Winnipeg, May 10, 1977

His Worship the Mayor and Councillors:

Your Committee on Works and Operations submits the following report "A" and recommends:

Proposed Closing of Part of Gwendoline Street and part of the public lane in the block bounded by Hendry and Logan Avenues, Gunnell and Sherbrook Streets - Centennial Community. File SC-3.13(2).

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1143 1. Your Committee at its meeting held March 28<sup>th</sup>, 1977, was advised that the Department of Public Works, Province of Manitoba, initiated an application for the proposed closing of part of Gwendoline Street and part of the public lane in the block bounded by Henry

and Logan Avenues, Gunnell and Sherbrook Streets, for the consolidation of adjoining lands to provide for the construction of a Provincial garage. The Transportation Division has advised of the need to widen Logan Avenue by 12 feet on its North side between Gwendoline and Sherbrook Streets; and the District Engineer has requested that Henry Avenue be widened on its South side between Sherbrook and Gunnell Streets. The proposed closing and widening is considered to be in the best interests of the City.

The Committee on Environment approved of the proposed closing and street and lane widening.

The Centennial Community Committee has no objection to the proposed street and lane closing.

The Committee on Finance at its meeting held March 8<sup>th</sup>, 1977, approved of the terms and conditions of said proposed street and lane closing.

Your Committee submits for favourable consideration draft By-law to close part of Gwendoline Street and part of the public lane in the block bounded by Henry and Logan Avenues, Gennell and Sherbrook Streets.

Your Committee recommends that the City Clerk be authorized to post the necessary notices in accordance with the terms of The City of Winnipeg Act, the costs of and incidental to the By-law to be borne by the Province of Manitoba.

Copy of Plan No.123c/76 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Galanchuk,  
Adoption of the clause.

Carried.

Proposed Closing of Part Gallagher Avenue adjoining Lots 3/10, Block 1, Plan 795 and part Midmar Avenue between Ada and the straight production Northerly of the Western limit of said Lot 8. File SC-3.13(9).

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1144 2. In June 1976, Carte Electric Limited, lessee of adjoining property, made application to permit the Canadian National Railway to install a spur track across Midmar Avenue. Midmar Avenue at this location is only 17 feet wide. The south 16 feet was closed by the former Municipality and sold in part to former owners of 1995 Logan Avenue, now under lease to Carte Electric.

The lessee's property is fenced and includes parts of Midmar and Gallagher Avenues which were previously closed but not sold to the former owner. The lessee subsequently

made application to purchase the fenced portions of former Midmar and Gallagher Avenues together with the portions of streets affected by the proposal. Carte Electric, however, upon being advised of the terms and conditions of sale, advised that the Company and owner no longer wished to purchase or lease the lands.

The Board of Commissioners on December 22<sup>nd</sup>, 1976, concurred in a recommendation of the Technical Advisory Committee on City Properties that Carte Electric Limited be given notice to relocate fences to exclude City-owned lands and that approval of the spur track crossing be withheld pending satisfactory relocation of the fences.

Carte Electric has emphasized the need for the company to obtain the spur which is essential to its operations. The closing of Midmar Avenue will obviate the need to obtain approval of the Railway Transport Committee to the crossing of Midmar Avenue which will no longer exist as a street.

Once the street is closed, it is the intention to recommend approval of a 25 foot easement across City lands to allow the installation of the spur track conditional in part to the owners paying an annual rental of \$100.00, indemnifying the City against any claims, paying the full cost of removing the spur track when no longer required, and relocating the fences to exclude City lands before the easement is granted.

Your Committee submits for favourable consideration draft By-law in the above behalf.

Your Committee recommends that the City Clerk be authorized to post the necessary notices in accordance with the terms of The City of Winnipeg Act, the cost of the By-law, estimated of \$110.00, to be borne by the City at large.

Copy of Plan No. 58-77 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Proposed Closing and Diversion of certain Public Streets and Lanes in the Block bounded by McMillan and Corydon Avenues, Osborne and Nassau Streets. File SC-3.13(5).

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1145 3. On October 2<sup>nd</sup>, 1974, Council approved the purchase of land on the south side of McMillan Avenue between Nassau Street North and Osborne Street for recreation purposes. These lands have now been purchased and the proposed closing of portion of McMillan Avenue and diversion of certain lanes, all in the block bounded by McMillan and Corydon Avenues, Osborne and Nassau Streets, is in accordance with the original intent for consolidation of the

surrounding lands for parks and recreation purposes. The proposal is necessary to consolidate the properties purchased on the south side of McMillan Avenue with the Gladstone School Recreation Site, and also to incorporate the sunken garden at Corydon Avenue and Osborne Street.

The Winnipeg Hydro has indicated that the rearranging of lighting facilities may be required at a total estimated cost of \$3,500.00. Existing Manitoba Telephone System facilities located on the proposed lane turn-around will require relocation at an estimated cost of \$600.00. The Greater Winnipeg Gas Company has indicated an easement will be required to protect their facilities on the portion of McMillan Avenue to be closed.

The Commissioner of Environment approved the proposal on February 14<sup>th</sup>, 1977.

Your Committee submits for favourable consideration draft By-law in the above behalf, the cost of which is to be charged to the project.

Your Committee recommends that the City Clerk be authorized to post the necessary notices in accordance with the terms of The City of Winnipeg Act.

Copy of Plan No. F. R. 3251-Scheme 1 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Amendment to Parking Meter By-law. File ST-2.

1147 5. The minute parking meters on the west side of Garry Street adjacent to the Post Office are in effect between 9:00 a.m. and 9:00 p.m. However, the Post Office box pickup area is open from 7:00 a.m. to 10:00 p.m. AS a result, long-term parking occurs before 9:00 a.m. and after 9:00 p.m. Post Office box patrons often have difficulty finding curbside parking during these times and double parking frequently occurs, obstructing movement on the street. It is therefore desirable that the short-term meter operation be made coincident with the hours of operation of the Post Office boxes.

Your Committee recommends that the hours of operation of the existing fifteen minute meters on the west side of Garry Street between Graham Avenue and St. Mary Avenue be extended on additional three hours daily (to include the hours of 7:00 - 9:00 a.m. and 9:00 - 10:00 p.m.), and submits for favourable consideration draft By-law in the above behalf.

Moved by Councillor Mercier,  
Adoption of the clause.



Carried.

(Sgd.) G. W. J. Mercier, Chairman.

CONSIDERATION OF REPORT OF THE  
COMMITTEE ON WORKS AND OPERATIONS

The Executive Policy Committee has had before it the Report of the Committee on Works and Operations, dated May 24<sup>th</sup>, 1977, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Mercier the Report of the Committee on Works and Operations, dated May 24<sup>th</sup>, 1977, was considered clause by clause.

West Committee Room,  
Council Building,  
Winnipeg, May 24, 1977.

His Worship the Mayor and Councillors:

Your Committee on Works and Operations submits the following report and recommends:

Amendment to Parking Meter By-law File ST-2

1148 1. Your Committee at its meeting held March 28<sup>th</sup>, 1977, was advised that Sherbrook Street between William and Notre Dame Avenues carries approximately 8,300 vehicles during a 12 hour period, with 660 vehicles in both directions during a typical off-peak hour during the day. The traffic control signals at Notre Dame, Bannatyne, McDermot and William Avenues are approximately 430 feet apart and the efficiency with which these signals are able to accommodate the traffic demand (particularly with northbound and southbound left turning vehicles obstructing the through traffic) is reduced with vehicles parked on Sherbrook Street. The installation of parking meters on the west side of this section of Sherbrook Street is intended to alleviate the peak-hour congestion now experienced on this route and will limit parking to a maximum of one hour between the hours of 9:00 a.m. and 6:00 p.m. on any day except Sundays and holidays.

Your Committee recommends that one-hour parking meters be installed on the west side of Sherbrook between William Avenue and Bannatyne Avenue (16 spaces), and

between McDermot Avenue and Notre Dame Avenue (12 spaces), and submits draft By-law in this behalf to amend the Winnipeg Parking Meter By-law.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Proposed Widening of Dakota Street South of the Proposed Fort Garry - St. Vital Bridge. Files SB-22 and SC-3.11(11).

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1149 2. Council on June 2<sup>nd</sup>, 1976, by adoption of the Clause 3 of the Report of the Committee on Works and Operations, approved of the widening of Dakota Street to a width of between 117 and 120 feet, subject to 50% participation by the Province. The lands required for the most part are owned by the City. The remaining lands will be acquired by land exchange and dedication through the subdivision process.

Your Committee therefore submits for favourable consideration draft By-law to widen Dakota Street South of the proposed Fort Garry - St. Vital Bridge.

Copy of Plan Nos. 374a/76 and 374b/76 is on file in the office of the City Clerk.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Proposed Lane Diversion South of Rue Tissot and West of Rue La Fleche. File SC-3.13(8).

1150 3. Diversion of the lane south of Rue Tissot and West of Rue La Fleche was initiated was a result of an application on behalf of the St. Louis Centre to use adjoining vacant City-owned land for parking purposes.

The City owned land including the portion to be opened as public lane was formerly known as 440 Rue Tissot. It was acquired for park purposes pursuant to Council Order dated August 20<sup>th</sup>, 1975. The building was subsequently demolished.

The proposal does not provide for 10 foot cut corners at the north-east corner at the junction of the two lanes as suggested by the Transportation Department by reason that the land is owned by other than the City. The District Engineer is expected to budget monies for future acquisition of the land if he deems the corner cut necessary.

The Committee on Environment on December 6<sup>th</sup>, 1976, approved of the diversion as to planning details.

The Committee on Finance at its meeting held January 25<sup>th</sup>, 1977, approved of the dedication of part Lot 1138, Plan 2766 (20 feet x 122 feet), for lane purposes in accordance with Plan No. 231/76.

Your Committee submits for favourable consideration draft By-law to divert the public lane South of Rue Tissot and West of Rue La Fleche.

Your Committee recommends that the City Clerk be authorized to post the necessary notices in accordance with the terms of The City of Winnipeg Act, the costs of and incidental to the By-law to be charged to the City at large.

Copy of Plan No.231/76 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Proposed Closing of North/South lane between Chancellor Drive and Bison Drive, West of Markham Road - Proposed Greensboro Square opening as shown on sketch plan No. 453a/76. File SC-3.14(4).

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1151 4. Your Committee at its meeting held February 14<sup>th</sup>, 1977, was advised that the proposed closing of the north-south lane between Chancellor Drive and Bison Drive, West of Markham Road, was initiated by the Department of Environmental Planning pursuant to an application to rezone lands immediately West of the subject lane. The rezoning application was approved by Council on November 17<sup>th</sup>, 1976, subject to the lane being closed and consolidated with the Developer's land. The lane had been dedicated to the City by Qualico as part of its original development.

At its meeting held February 14<sup>th</sup>, 1977, the Committee on Works and Operatins approved of the proposed lane closing, subject to approval by the Committee on Finance of the terms and conditions of conveyance of the lane to the developer.

In connection with the opening of Greensboro Square, as shown on Plan 453a/76, the Committee on Environment, as a meeting held on November 15<sup>th</sup>, 1976, approved the plan of subdivision of Parts of River Lots 4 and 5, Parish of St. Vital being a re-subdivision of Parts of River Lots 4 and 5, parish of St. Vital being a re-subdivision of Lots 2 to 18, Block 8, Plan 11867, subject to third reading being given to the By-law for the rezoning of the land lying South of Chancellor Drive between Augusta Drive and Markham Road to "R-PL" or "RM-1" as determined by Council.

On November 17<sup>th</sup>, 1976, Council authorized an amendment to By-law No. 1800 rezoning the subject land to an "R-PL" Planned Residential District and an "RM-1" Multiple Family District, subject to the applicant entering into a Zoning Agreement with the City which, amongst other things, was to provide for the proceedings to be initiated to close the lane immediately to the East of the subject site. (File DAZ 285/76).

The Subdivision Administrator has pointed out that approval of the subdivision plan, which includes the opening of Greensboro Square, does not take effect until third reading is given to the rezoning By-law and that the said By-law is being held in abeyance until such time as the Zoning Agreement is executed, which provides for the collection by the City of its required dedication levy and the lane lying to the East of the site being closed.

The proposed exchange of lands would be subject to the following terms and conditions:-

1. Enactment of the necessary lane closing by-law.
2. City to transfer or deed to the Company those lands shown cross-hatched on sketch plan No. 453a/76.
3. Company to dedicate those lands shown dotted on sketch plan No. 453a/76 to provide for the opening and widening of Greensboro Square.
4. Company to pay to the City the sum of \$5,107.00, being the difference in value of the lane proposed to be closed (11,140 square feet) and the land required for the widening of Greensboro Square (7,735 square feet).
5. Company to pay to the City upon request the full cost and expense which will be incurred by the City in connection with the lane closing and without limiting the generality of the foregoing, the Company will pay upon request the cost of the following:
  - (1) By-law costs estimated at \$110.00
6. Company to pay all costs incurred in connection with installation of protection posts for existing Manitoba Telephone System pedestal terminals and shall grant to the M.T.S. and Manitoba Hydro an easement over, under and upon the South portion of the lane approximately 5 feet North of the North boundary of Bison Drive for construction and maintenance of existing plants located therein.
7. Sale of land to the Company would be subject to an easement over, under and upon the lane to be closed in favour of the City for the construction and maintenance of the storm sewer installed therein, together with the right to enter upon the lands at any time with or without equipment for the said purpose.

8. Company to make application to the necessary authorities for the use of the existing approach located on the North end of the proposed lane closing, adjoining Chancellor Drive, as a private approach. If the necessary permission is not obtained, necessitating the removal of the said approach, the Company agrees to pay the cost of removing same.
9. Company to pay adjustments as of the day of the enactment of the By-law.
10. Company to pay as an adjustment an amount equal to the total of such taxes, rates and charges, including local improvement levies, which would have been levied or charged against the said lands being purchased for the unexpired portion of the current taxation year as though the said lands had been entered on the assessment rolls of the City as privately owned and subject to taxation.
11. Company to obtain possession of the lands at the Company's own expense.
12. Company to accept Title subject to all or any exceptions, reservations or encumbrances expressed or implied in the City's Title.
13. Company to pay any and all additional costs and charges which may arise by reason of the lane closing.
14. Company to indemnify the City against all claims arising out of the lane closing.
15. Company to enter into a formal agreement with the City embodying the terms and conditions hereinafter listed and in form satisfactory to the City Solicitor.

The suggested terms and conditions are based on a subdivision application wherein a developer is required to pay the difference in value where a closed "street or lane" exceeds the land to be dedicated for "street or lane" pursuant to Order of Council dated December 20, 1972.

Your Committee submits for favourable consideration draft By-law to close the north-south lane immediately west of Markham Road, between Bison and Chancellor Drives.

Your Committee recommends that the City Clerk be authorized to post the necessary notices in accordance with the terms of The City of Winnipeg Act.

Copy of Plan No. 453a/76 regarding the above proposals, is on file in the office of the City Clerk.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Proposed Closing of Lulu Street between Henry Avenue and Logan Avenue, and the public lane in the block bounded by Henry and Logan Avenues, Owena and Lulu Streets. File SC-3.13(2).

1152 5. Your Committee at its meeting held March 14<sup>th</sup>, 1977, was advised that the proposed closing of Lulu Street between Henry and Logan Avenues, and the public lane in the block bounded by Henry and Logan Avenues, Owena and Lulu Streets was initiated by the Land Acquisition Branch of the Provincial Government in applying to purchase land for consolidation to provide for the construction of a laboratory. Adjoining lands are, in part, owned by the City and it is intended to convey same to the Province.

The proposed closing was circulated in the usual way and there were no objections by any City department or public utilities. Manitoba Telephone System requires an easement; costs for realignment and/or abandonment will be recovered by Winnipeg Gas Company and City Hydro.

The Centennial Community Committee has no objections to the proposed closing.

The Commissioner of Environment approved the closing of December 1, 1976. Approval by the Commissioner of Environment did not include any provision for the widening of Henry Avenue as suggested in the comments of the office of the District Engineer on the proposed closings; the proposed sale, therefore, does not provide for future widening of Henry Avenue.

The proposed terms and conditions of the closing agreed to by the Department of Public Works are as follows:

1. Enactment of the necessary street and lane closing by-law.
2. The City of Winnipeg to transfer or deed to the Province those lands shown hatched on sketch plan No. 276/76.
3. The Province to pay the City the sum of \$8,450.00, being the assessed value of the lands comprising the street and lane proposed to be closed and conveyed to the Province.
4. The Province to pay to the City upon request the full cost and expense which will be incurred by the City in connection with the street and lane closing and without limiting the generality of the foregoing, will pay upon request the actual costs of the following works, as well as the percentage shown against general overhead costs:
  - 1) Engineering Costs
    - a) Remove turnout
    - b) New walk

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- c) New curb
- d) Asphalt repairs @ Henry Avenue
- e) Relocate hydrant
- f) Cut and plug watermain
  
- g) Remove turnout
- h) New walk
- i) New curb
- j) Asphalt repairs @ Logan Avenue
- k) Relocate hydrant
- l) Cut and plug watermain
- m) Cut and plug sewer
  
- n) Remove turnouts
- o) New curb
- p) Asphalt repairs @ Owena Street
- q) Boulevard repairs
- r) New walk

Estimates at \$14,000.00

2)	Eleven percent overhead of Item (1)	\$1,540.00
3)	Greater Winnipeg Gas Co. Abandonment of underground plant	3,000.00
4)	Add: Two percent of Item (3) as general overhead	60.00
5)	Winnipeg Hydro Rearranging of lines, estimated at	1,800.00
6)	By-law costs estimated at	110.00
		<u>\$20,510.00</u>

5. The Province to pay adjustments as to the date of the enactment of the by-law.
  
6. The Province to pay as an adjustment an amount equal to the total of such taxes, rates and charges, including local improvement levies which would have been levied or charged against the said lands being purchased for the unexpired portion of the current taxation year as though the said lands had been entered on the assessment rolls of the City as privately owned and subject to taxation.

7. The Province to obtain possession of the lands at its own expense.
8. The Province to accept Title subject to all and any exceptions, reservations and encumbrances expressed or implied in the City's title.
9. The Province to pay any and all additional costs and charges which may arise by reason of the street and lane closing.
10. The Province to indemnify the City against all claims arising out of the street and lane closing.
11. The Province to enter into a formal agreement with the City embodying the terms and conditions hereinbefore listed and in form satisfactory to the City Solicitor.

Your Committee submits for favourable consideration draft By-law to close the portion of Lulu Street between Henry Avenue and Logan Avenue and the first public lane east thereof, and recommends that the City Clerk be authorized to post the necessary notices in accordance with the terms and conditions of The City of Winnipeg Act.

Copy of Plan No. 176/76 regarding this proposal is on file in the office of the City Clerk.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Amendment to The City of Winnipeg Act regarding Bi-lateral Negotiations of Hydro Rates. File HR.

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1153 6. Council at its meeting of February 16<sup>th</sup>, 1977, referred the following motion to the Committee on Works and Operations, namely:-

“That Council do endorse amendment of Section 544 (2) of The City of Winnipeg Act to allow bi-lateral negotiation of hydro rates between the City and the Province.”

Section 544 of The City of Winnipeg Act deals with the equalization of electricity rates throughout the City by agreement between the City and Manitoba Hydro. Section 544 (2) directs that such an agreement be entered into. Sections 544(3) (4) and (5) state what action would be taken if an agreement is not reached. Since an Agreement was made and equalization is in effect, Sections 544(3) (4) and (5) are redundant and could be deleted from the Act.



There is no specific provision in the Act relative to desired or required changes in the equalized schedule of electric rates. However, on March 26<sup>th</sup>, 1974, and on April 1<sup>st</sup>, 1976, the City did enter into an Agreement with Manitoba Hydro. This Agreement sets forth the procedure to be followed in effecting any adjustment in the rate schedule. In effect the Agreement calls for discussions to be held between the parties to resolve any disagreements on any matter contained in the proposed changes to the schedule and if agreement can not be reached then the City may refer the schedule to the Public Utilities Board to resolve such disagreements.

After lengthy negotiations, a uniform schedule of electric rates was instituted in August 1973. Following that, changes to the schedules were negotiated and instituted on April 1, 1974, May 15, 1975, April 1, 1976 and March 17, 1977.

As successful negotiations to effect changes to the electric rate schedule have been and can be made under the terms of the present Agreement between the City and Manitoba Hydro, no amendments to The City of Winnipeg Act in this regard are deemed necessary.

The City Solicitor was requested for an opinion as to whether the City had the unilateral right to set its own electrical rates prior to April 1<sup>st</sup>, 1976, and whether the City has the right to set its own rates after termination of the existing Agreement in 1981, and if the City has the right to purchase power from the United States utilities instead of Manitoba Hydro. In this reply dated May 6<sup>th</sup>, 1977, he states that the City does not have the right to set its own rates, "unless, of course, there has been a change in legislation", nor has the City the right or authority to purchase power from the United States.

Your Committee submits the above to Council with the recommendation that it be received as information.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Oversizing of Land Drainage Sewers to service a Proposed Redevelopment of the area presently occupied by the District 6 Public Works Yard. File WS-5

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1154 7. There is a strong possibility that the public works function of the Markham Yard will be relocated in the near future in view of the fact that the yard is situated in a largely residential neighbourhood. At that time the land will be available for other uses and the District Planner has advised that the Markham Yard property, due to its proximity to the railroad tracks, schools and apartment blocks, would be best suited for residential use with a density of five to eight units per acre.

As the Metropolitan Homes Waverley Heights development to the north and west has cut off the natural drainage route for storm water from Markham Yard, Metropolitan Homes has agreed to provide sufficient capacity in their land drainage sewers to adequately drain the yard area as it is presently constituted. The capacity provided will only allow for a low density residential development of the site which would not be in keeping with the recommendations of the Planning Department.

The Consultant providing engineering services for the development has estimated that the cost of providing extra capacity in the land drainage sewers in order to accommodate a higher density redevelopment of the Markham yard area is \$16,500.00. Metropolitan Homes has indicated that they are entirely prepared to bear the cost of providing drainage for the property's present use but are not willing to pay for the cost of the oversizing required for any anticipated utilization. To not oversize the land drainage sewers at this time would: 1) restrict the Markham Yard site to future use as a low density residential development, or 2) require the City to install an additional 2,000 feet of land drainage sewers paralleling the presently proposed sewers in the Metropolitan Homes development in the event that a higher density development of the yard area is undertaken. The cost of this parallel system would be significantly higher as a complete sewer would have to be installed through the developed area which will then contain pavements and boulevards. It is expected that the cost of oversizing the land drainage sewers will be recoverable from the purchaser of the Markham Yard property.

Your Committee recommends that Council approve the expenditure of \$16,500.00 to oversize the land drainage sewers that will service the Markham Public Works Yard in order that future redevelopment of this site will provide for a residential density of five to eight units per acre. The required sum would be supplied from any unallocated 1977 Capital funds or alternately be a first charge on the 1978 Capital Estimates.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Approval of Lagimodiere Secondary Sewer Extension - New 1976 Project. File WS-5.5

1155 8. An extension to the Lagimodiere Secondary Sewer is required at this time to provide an outlet for a portion of the sanitary sewer relief program presently under construction in Windsor Park. The extension is also required for sanitary servicing of commercial and industrial developments north of the Trans-Canada Highway.

Because of an extremely favourable tender price received for the construction of the St. Boniface Interceptor and Lagimodiere Secondary Sewer Project (1976 Project Z-104-2) and excess amount of \$400,000.00 is anticipated and is a logical source of funds for the referenced sewer extension.

The Lagimodiere Secondary Sewer Extension project consists of the northerly extension of the secondary sewer at Lagimodiere Boulevard and the Trans-Canada Highway to Paterson Avenue, and is primarily required for the sanitary servicing of substantial industrial and commercial acreages to the north of the highway. Several parcels have signified development interest recently. Included in the design of this extension is an allowance for relief flows from Windsor Park to the west.

The principal reason for the referenced extension at this time is the need to have it constructed at the same time as the sanitary sewer relief program for Windsor Park. The referenced extension serves as the interconnection from a portion of the relief system to the Lagimodiere Secondary sewer. As the relief sewers were scheduled for completion by May 1, 1977, it is required that funding and conceptual approval of the extension be obtained at this time so that the installation can also be completed by the spring.

Funds for the extension are available for transfer from the 1976 project - St. Boniface Interceptor and Lagimodiere Secondary Sewers - Z-104-2, page 76 where an excess of over \$400,000.00 exists. The referenced project is a natural extension of the Lagimodiere Secondary Sewer. It is estimated that this project will cost \$125,000.00.

Your Committee recommends that the Lagimodiere Secondary Sewer Extension be approved by Council as an additional project to the 1976 Capita Estimates and that the necessary funds in the amount of \$125,000.00 be charged to the St. Boniface Interceptor project.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Request for Capital Budget Change - Richmond Kings Community Centre. Files FC-1 & PR-2

1156 9. Included in the 1977 Capital Estimates - Culture and Recreation - Fort Garry Community, is the amount of \$75,000.00, being the City's share of financing an artificial ice plant at the Richmond Kings Community Centre. The artificial ice plant was proposed to be financed as follows:-

Richmond Kings Community Centre	\$20,000
Kinsmen Club of Fort Garry	30,000
City of Winnipeg	<u>75,000.</u>
Total	<u>\$125,000</u>

The Fort Garry Community Committee, at its meeting held on May 10<sup>th</sup>, 1977, considered a communication from the President, Richmond Kings Community Centre, dated April 25<sup>th</sup>, 1977, asking that they be given the option of erecting a new clubhouse instead of

proceeding with the artificial ice plant as was budgeted for. The President of the Richmond Kings Community Centre, in the said letter, indicates it would prefer to contribute another \$30,000, bringing the total contribution from the Community to \$50,000, excluding the Kinsmen Club of Fort Garry.

The Community Committee indicated it would support whatever project the Community Centre wished to proceed with and requested the Community Centre to advise whether it wished to proceed with the ice plant or the clubhouse. The Community Centre subsequently advised it wished to proceed with the erection of a new clubhouse.

Your Committee recommends that the amount of \$75,000.00, included in the 1977 Capital Estimates - Culture and Recreation - Fort Garry Community, being the City's share of financing the artificial ice plant at the Richmond Kings Community, be re-allocated towards the construction of a clubhouse at the said Community Centre.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

Operation of Grant's Mill on Sturgeon Creek. File PR-7.16.

1157 10. On November 12, 1973, representatives of the New Horizons Committee appeared before the St. James-Assiniboia Community Committee and presented their proposal to build a replica of Grant's Mill in Sturgeon Creek Park, near the corner of Portage Avenue and Booth Drive. Approval of the proposal was given by the Community Committee.

At a meeting of the Community Committee held on November 20, 1973, a Grant's Mill Coordinating group was formed, including representatives of the Parks and Protection and Waterworks and Waste Disposal Divisions.

In the 1974 Capital Budget, Council approved the item of a dam and spillway to service the Mill, in the amount of \$20,000. These works were subsequently built by the City at a cost of \$48,000.

Construction of the Mill proceeded during 1974 and 1975. In April 1976, the Mill was dedicated to the City and with the approval of the Parks and Recreation Department was operated by the Association, pending a formal agreement being entered into. The \$140,000 facility was funded by the New Horizons Committee with major assistance from the six Rotary Clubs of Greater Winnipeg, grants from the City, Provincial and Federal Governments, fund raising activities and private donations.

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The St. James-Assiniboia Pioneer Association, Inc., has demonstrated an interest in operating the Mill and has the organization and expertise necessary to carryout this endeavour. It is to the advantage of both parties that an agreement be entered into for this purpose.

Terms and conditions for an agreement have been arrived at after lengthy discussions between the St. James-Assiniboia Pioneer Association, Inc., and the City's Law and parks and Recreation Departments. Basically, the arrangement will relieve the City of any financial input into the operation of the Mill. The lands cape maintenance of the area surrounding the Mill will continue to be the responsibility of the Parks and Recreation Department.

Confirmation has been obtained from the St. James-Assiniboia Pioneer Association that no outstanding financial obligations exist except a holdback of \$700 which is due to the contractor pending the completion of roof repairs. The Association has assured that it has more than sufficient funds on hand to meet this obligation.

Due to an oversight, approval for the site was not formally forwarded to Council for ratification.

Your Committee recommends:-

1. That Council give formal approval of the location of the structure known as Grant's Mill, as built by the New Horizons Committee on City property, specifically Sturgeon Creek Park.
2. That the City accept and formally acknowledge the donation of the completed Mill by the St. James-Assiniboia Pioneer Association, Inc., the successor to the New Horizons Committee, as offered to the City to have and to own outright in perpetuity.
3. That an agreement be entered into between the City of Winnipeg and the St. James-Assiniboia Pioneer Association, Inc., allowing for the Association to operate the Mill according to the terms and conditions attached hereto, and that the proper officers of the City be authorized to do all things necessary to finalize such agreement, incorporating terms set forth.

Moved by Councillor Mercier,  
Adoption of the clause.

Carried.

(Note:- See Minute 1158 for attachment.)

(Sgd.) G. W. J. Mercier, Chairman.

1158 Attachment referred to in Clause 10 of the Report of the Committee on Works and Operations, dated May 24<sup>th</sup>, 1977

DRAFT TERMS OF AGREEMENT

1. The Association shall operate the mill and sell milled products only.
2. The association shall submit a list of the products to be sold and the suggested prices for same to the City's General Manager of Parks and Recreation for his approval. No product shall be sold at any price until the General Manager's approval is obtained.
3. The term of the agreement shall be from April 1, 1977 to November 1, 1979.
4. The term of the agreement shall be as follows:  
  
DAILY - 10:00 a.m. to 8:00 p.m.  
SUNDAYS - 2:00 p.m. to 8:00 p.m.  
  
Any changes must be approved by the City's General Manager of Parks and Recreation.
5. The Association shall pay a nominal fee of \$1.00 for the agreement.
6. Upon termination of the agreement for any reason, the Association will give to the City any fixtures, facilities, equipment, and/or furnishings which were installed or used by the Association before or during the term of this agreement, and the Association shall leave the mill in good working condition.
7. The operation of the mill by the Association shall in all respects be to the satisfaction of the City's General Manager of Parks and Recreation.
8. The Association will be entirely responsible for maintenance on the inside of the mill structure, including painting and the Association will keep the mill interior and the patio in a clean, bright and attractive condition at all times and be responsible to keep the location free and clear of papers, rubbish, and other debris of every description and kind.
9. The Association agrees that no signs whatever are to be installed or displayed except those approved and installed by the City.
10. There shall be an inventory of the furnishings, fixtures and equipment (including the mill wheel), prior to the agreement being entered. That inventory shall form

part of the agreement, and the Association shall be responsible to maintain, repair and/or replace any items listed on that inventory, ordinary wear and tear excepted, to the satisfaction of the General Manager.

11. There shall be no assignment of the agreement by the Association unless the prior written consent of the City is first obtained.
12. The Association shall annually submit an audited profit and loss statement for each year's operation, said statement to be received no later than January 31 of the subsequent year.
13. The Association shall be allowed to charge such admission deemed necessary to maintain the facility. The admission charge shall be approved annually by the General Manager of Parks and Recreation.
14. The Association agrees that during the term of this agreement it shall operate the mill each year from April 1<sup>st</sup> to November 1<sup>st</sup>, or for such other period as may be mutually acceptable to the General Manager and the Association.
15. The Association agrees that it shall preserve and maintain good order in and about the mill and patio at all times, and will not permit any form of gambling or other unlawful pursuit to be conducted thereon.
16. The Association agrees that it shall not alter, add to, or vary the mill in any way without consent of the General Manager.
17. The Association shall assume all risk of loss and damage of any kind howsoever caused to the mill or any part thereof and hereby undertaken to indemnify and keep indemnified the City from and against all claims, actions or proceedings for loss, injury, damages or compensation by any persons, firm or corporation, whether to real or personal property, wheresoever situated, or by any person whomever (including the Association, or any member, employee, agent, licensee, invitee, tenant or third party whether claiming through or under the Association or otherwise) caused by reasons of or in any way attributable to the Association's use of the said mill or any furnishings, fixtures and equipment (including the mill wheel) connected therewith or otherwise by reason of the exercise by the Association of the leave and licence hereby granted or the performance of or failure to perform its obligations hereunder; it being understood and agreed that in case any such claim, action, suite, or demand be brought or made against the City, the City may give the Association notice thereof and if the Association does not within ten days thereafter forbid the City to do so, action, suite or demand and that if the Association forbids the City to make such compromise be effected, then the Association will and does hereby covenant and agree to pay the City on demand the sum or sums paid in settlement of any such claim, action, suit or

demand, together with all other costs and expenses howsoever arising in connection therewith, including such as shall represent the reasonable value of any service rendered by the City Solicitor, charged on the same basis as if the said Solicitor were not receiving a salary or remuneration from the City, but was a private practitioner.

To further safeguard the City, the Association agrees to keep in full force and effect during the term of this agreement a public liability policy of insurance in the joint names of the City and the Association with such limits and in such form and subject to such terms and conditions as may be satisfactory to the City Solicitor, and the City Solicitor shall have the absolute right to require the Association to alter, delete, or vary the form or terms and conditions of such insurance at any time.

18. The Association agrees that it shall be solely, responsible in every way for the payment of any wages, salaries or indemnities to or on behalf of any person employed or working on behalf of the Association in connection with the mill.
19. The Association agrees that it will pay all utility accounts including water, heating, electric and telephone service in respect of the mill operation (i.e. the building).
20. The agreement will automatically cease if the mill is not operated by the Association from April 1<sup>st</sup> to November 1<sup>st</sup> in each of the years of the agreement, or where the performance of any of the obligations under this agreement are not satisfactory to the General Manager.
21. Either party may cancel the agreement on ninety (90) days notice by delivering a notice in writing to the opposite party/
22. The Association has the option to renew the agreement for a further period of three (3) years on the same terms and conditions as contained in this agreement, provided, of course, that they perform all their obligations under this agreement.
23. The agreement will be binding on each of the parties and their respective successors, heirs and assigns.



QUESTION PERIOD

1159 Councillor Zuken asked the Chairman of the Committee on Works and Operations for a report on the entire storm sewer program together with any recommendations to accelerate the program.

Councillor Zuken also asked if the three year cycle to clean sewers was a contributing factor to basement flooding.

Councillor Mercier replied that the Committee on Works and Operations was considering the matter of sewer cleaning and that the storm sewer report was delayed because of the report on financing which is dependant on the Provincial Government passing legislation on local improvement districts.

Councillor Bockstael asked the Chairman when the report presented to the Board of Commissioners on the second exit from the Trizec Development at Portage Avenue and Main Street would be forwarded to the Executive Policy Committee.

Councillor Mercier replied that he would ask the Commissioner of Works and Operations.

Councillor Kozlowski asked if the Committee on Works and Operations would consider some method of forcing residents to disconnect their rain water down pipes from the house sewers.

Councillor Mercier replied that this also was under consideration by the Committee.

Councillor Norrie asked with respect to the storm sewer report what the purpose is in waiting for the financial study before completing the Engineering study.

Councillor Mercier replied that the report should be before the Executive Policy Committee in a couple of months and that the matter of the delay could be raised at Executive Policy Committee meeting tomorrow morning.

Councillor Skowron asked if a progress report could be made on the Forest Tent Caterpillars and the upcoming mosquito infestation.

Councillor Mercier replied that spraying for Forest Tent Caterpillars was started two weeks ago and that at present the level for mosquito bites is below the tolerable level and when it rises and the equipment completes its spraying for the Forest Tent Caterpillars it will be used to spray mosquitoes.

Councillor Norrie asked for a report on the Dutch Elm Disease and was it under control.

Councillor Mercier replied that a report had been distributed on April 28<sup>th</sup>, 1977, and he would see that Councillor Norrie receives a copy.

### MOTIONS

Moved by Councillor Eliason,  
Seconded by Councillor Wade,  
1160 WHEREAS on May 25<sup>th</sup>, 1977, Council authorized that Canadian Pacific Limited be notified that the City does not intend to renew the lease agreement respecting the park on property previously occupied by the Royal Alexandra Hotel;

AND WHEREAS the Committee on Works and Operations is concerned with the future use of this land;

THEREFORE BE IT RESOLVED that Council authorize that discussions be held with the Canadian Pacific Railways as to the future use of this land by the Commissioner of Works and Operations.

Moved by Councillor Gee,

That the motion be referred to the Committee on Finance.

With permission of Council Councillor Gee withdrew his motion to refer.

The motion was put and declared carried.

### COMMITTEE ON WORKS AND OPERATIONS

#### CONSIDERATION OF BY-LAWS

1161 On motion of Councillor Mercier the following By-laws were each read a first time, namely:

By-law No. 1639/77, a By-law of The City of Winnipeg to close portions of Gwendoline Street and the first North-South public lane East thereof, and to widen portions of Henry and Logan Avenues and the public lane running parallel to and between those streets;

By-law No. 1640/77, a By-law of The City of Winnipeg to close a portion of Gallagher Avenue adjoining Lots 8/10, Block 1, Plan 795 and to close a portion of Midmar Avenue

between Ada Street and the straight production Northerly of the Western limit of said Lot 8;

By-law No. 1641/77, a By-law of The City of Winnipeg to close and divert certain public streets and lanes in the block bounded by McMillan and Corydon Avenues, Osborne and Nassau Streets.

On motion of Councillor Mercier the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 1642/77, a By-law of The City of Winnipeg to amend By-law No. 820/74 concerning the reservation of certain portions of streets and public parking facilities and public parking sites for the purpose of parking vehicles and the use of parking meters in connection therewith;

By-law No. 1643/77, a By-law of The City of Winnipeg to amend By-law No. 820/74 concerning the reservation of certain portions of streets and public parking facilities and public parking sites for the purpose of parking vehicles and the use of parking meters in connection therewith.

On motion of Councillor Mercier the following By-laws were each read a first time, namely:-

By-law No. 1655/77, a By-law of The City of Winnipeg to close the portion of Lulu Street between Henry and Logan Avenues and the first public lane East thereof;

By-law No. 1656/77, a By-law of The City of Winnipeg to close the North-south Lane immediately West of Markham Road, between Bison and Chancellor Drives;

By-law No. 1657/77, a By-law of The City of Winnipeg to divert the public lane South of Rue Tissot and West of Rue la Fleche.

Moved by Councillor Kaufman,

That Council continue in session beyond the hour of 11:30 p.m.

Carried.

On motion of Councillor Mercier the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law No. 1658/77, a By-law of The City of Winnipeg to amend By-law No. 820/74, concerning the reservation of certain portions of streets and public parking facilities and

public parking sites for the purpose of parking vehicles and the use of parking meters in connection therewith;

By-law No. 1659/77, a By-law of The City of Winnipeg to widen Dakota Street between Sterling Avenue and Hazelwood Avenue.

CONSIDERATION OF REPORT OF THE

COMMITTEE ON FINANCE

The Executive Policy Committee has had before it the Report of the Committee on Finance, dated May 3<sup>rd</sup>, 1977, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Gee the Report of the Committee on Finance, dated May 3<sup>rd</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building, Winnipeg,  
May 3<sup>rd</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Finance submits the following report and recommends:-

Grant to Provide Bus Transportation for the Transit Wildlife Association. File FG-1.1(W).

1162 1. Your Committee has considered a request from the Transit Wildlife Association for financial assistance towards providing bus transportation to the Transit Lodge at Eleanor Lake on June 5<sup>th</sup>, 1977, for a Fishing Derby in the Whiteshell Forest Reserve for handicapped people.

Council on January 5<sup>th</sup>, 1977, established a policy providing that all grants towards bus transportation costs be limited to trips within the Perimeter Highway, and that all organizations be required to pay the usual costs of operating buses outside the Perimeter Highway, excluding trips to Birds Hill Park and Lower Fort Garry.

Your Committee recommends that the policy adopted by Council on January 5<sup>th</sup>, 1977, be waived in this instance and that a grant in the amount of \$340.00, which covers the cost of renting two City buses with drivers, be made to the Transit Wildlife Association.

Moved by Councillor Gee,

Adoption of the clause.

Carried.

Acquisition of Property - Neighbourhood Improvement Program, Centennial Community Area.  
File EU-4(C)

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1163 2. Your Committee has considered a matter concerning the purchase of certain property in the Centennial Community area for infill housing, and submits the following data and particulars with respect thereto, namely:-

Report No. 1A

April 27<sup>th</sup>, 1977

Item 2 - File C/EU-4

File 3005(N)/14

Centennial Community

Re: Neighbourhood Improvement Program

The Neighbourhood Improvement Branch recommended that the subject property be acquired for use as infill housing.

Particulars of the property and negotiations are as follows:

Location:	North side Pacific Avenue between Isabel & Sherbrook Sts.
Legal Description:	In the City of Winnipeg, in the Province of Manitoba, being in accordance with special survey of said City, and being all that portion of the West half of Lot Fifty-one which Lot is shewn on a plan of survey of part of Lot Ten of the Parish of Saint John, registered in the Winnipeg Land Titles Office as No. 3656, lying between the Northern limit of Pacific Avenue and a line drawn South of, parallel with and perpendicularly distant Seventy-eight and Three-tenths feet from the Southern limit of Alexander Avenue.
<u>Certificate of Title:</u>	902604
<u>Owner:</u>	Mary Alice Glasier 421-269 Dufferin Avenue
<u>Assessment:</u>	Land only - \$640.00
<u>Zoning:</u>	R3
<u>Lot Size:</u>	25 feet x 78.31 feet = 1,957.75 square feet
<u>Lot Description:</u>	The lot is flat and vacant.

The property owner has agreed to sell this property to the City for the sum of \$3,400.00 subject to adjustments. The possession and adjustment date is to be arranged for some mutually agreeable date after receipt of Finance approval to the purchase. Vacant possession will be delivered to the City.

The proposed purchase price is considered to be fair and reasonable. This purchase may be charged to account No. 10A-632-140. This account was approved by Council on August 28, 1974.

Your Committee recommends that the property described herein be purchased by the City for the sum of \$3,400.00.

Your Committee further recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereto.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Acquisition of Property for Parks and Recreation Purposes - South side of Henry Avenue between Laura and Patrick Streets - Centennial Community - File FI-2(2).

1164 3. Your Committee has considered a matter concerning the purchase of certain property known as 450 Henry Avenue in the Centennial Community area for Parks and Recreation purposes, and submits the following data and particulars with respect thereto, namely:-

Report No. 1A

April 27<sup>th</sup>, 1977.

Item 1 - File No. C/PR-2(2)

File 5855

Centennial Community

Re: Parks acquisition

The General Manager of Parks and Recreation has recommended the purchase of this property for consolidation with an existing tot-lot.

The property owner has advised that he would be willing to sell this property to the City should the City have any need for it.

The Parks and Recreation Department was contacted and has advised that the Committee on Finance on June 13, 1968, approved that Lots 1 and 2 except Easterly 29 feet, Lot 3, Lot 4 except Southerly 12 feet, Plan 111 be made available for development of a temporary tot-lot. This was undertaken and swings, sandbox and play sculptures were installed.

The said Division is of the opinion that a permanent park and recreation site be established North of Logan Avenue and that the location of the existing tot-lot and property proposed for purchase is suitable.

The Committee on Environment, at its meeting held on February 21, 1977, recommended that 450 Henry Avenue be purchased and that the building be demolished and further that the City owned land adjacent to the said property described as Lots 1 and 2 except the Easterly 29 feet, Lot 3, Lot 4 except the Southerly 12 feet, Plan 111 which is temporarily being used as a tot-lot be designated for parks and recreation purposes.

Particulars of the property proposed for purchase are:

<u>Location:</u>	South side Henry Avenue between Laura Street and Patrick Street
<u>Legal Description:</u>	The most Easterly Twenty-nine feet in depth of Lots One and Two, which Lots are shewn on a plan of survey of part of Lot Eleven of the Parish of Saint John, registered in the Winnipeg Land Titles Office, Winnipeg Division, as No. 111.
<u>Certificate of Title:</u>	995826
<u>Owner:</u>	Hymie Birnboim, c/o 426 Inkster Boulevard R2W 0K5
<u>Assessment:</u>	Land - \$580.00 Buildings - \$2,350.00
<u>Zoning:</u>	M-2
<u>Lot Size:</u>	29 feet frontage x 51.08 feet depth; area - 1,481.32 square feet
<u>Building Description:</u>	This site is improved with a two storey frame dwelling comprising approximately 749.5 square feet of plan area and a gross area of 1,499 square feet. The eight room building was constructed in 1903. The building contains two fully self-contained dwelling units. The dwelling appears to be in very poor condition and warrants demolition. The building currently generates a rental of \$225.00 per month plus all utility payments.

The property owner has now advised that he would sell this property to the City at an amount of \$7,000.00 and will provide vacant possession on a date to be mutually agreed upon after receipt of Council approval of the purchase.

The Centennial Community Committee, the Board of Commissioners and the Committee on Environment have all recommended that the subject property be acquired and that the cost of acquisition and demolition be charged to the Centennial Community Cash Dedication Fund.

The purchase price is considered to be fair and reasonable.

Your Committee recommends that the property described herein and known as 450 Henry Avenue be purchased for the sum of \$7,000.00 for parks and recreation purposes and that the building located thereon be demolished immediately upon possession; further that the cost of acquisition and demolition be charged to the "Centennial Community Cash Dedication Fund."

Your Committee further recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereon.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Additional Appropriation, Special Grants - Bus Transportation. File FG-1.

1165 4. Your Committee wishes to advise that the amount of \$2,000.00 provided by Council on January 5<sup>th</sup>, 1977 for the purpose of providing bus transportation has been expended or committed.

Your Committee recommends that an additional appropriation in the amount of \$2,000.00 be approved for 1977 under Account 319-026-903, in order to provide sufficient funds to cover any additional applications for transportation grants during the balance of 1977.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Oxford Heights Community Club - Accounts Receivable - \$30,000.00 Files PR-2 & FE-1



1166 5. On February 21<sup>st</sup>, 1973, Council ratified the actions of the Oxford Heights Community Club and the Transcona Community Committee with respect to their dealings with Perms Structures Limited. This refers to the awarding of a contract to the Company by the Community Club which was an action beyond their authority. Subsequent to this the City took over control of the project to build the new clubhouse and provided \$86,000.00 and \$34,000.00 in the 1973 and 1974 Capital Budgets for this purpose, in addition to which there were cost overruns of \$35,903.00. It was understood and agreed by both the Club and the City that the Club would underwrite the cost in the amount of \$30,000.00. This is set out in a letter dated September 16<sup>th</sup>, 1973, signed by the Club's Executive.

Your Committee has been advised that the Oxford Heights Community Club does not have the capacity to discharge this liability and to carry a worthless asset on the City's Balance Sheet would be contrary to generally accepted practice. Further there is no means available to the City to effect collection of this account.

The Transcona Community Committee at its meeting held on April 19<sup>th</sup>, 1977, requested that the Accounts Receivable standing in the name of the Oxford Heights Community Club, in the amount \$30,000.00 be written off, and that additional appropriation be provided for this purpose.

Your Committee recommends that the accounts receivable standing in the name of the Oxford Heights Community Club, in the amount of \$30,000.00 be written off and that an additional appropriation be provided for this purpose.

Your Committee further recommends that the proper officers of the City be authorized to do all things necessary to implement the intent of the above recommendation.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Grant to Canadian Association for the Mentally Retarded. File FG-1.1(C)

1167 6. Your Committee has considered an application received from the Canadian Association for the Mentally Retarded for a grant in the amount of \$69,500.00 for the year 1977. Council at its meeting held on April 21<sup>st</sup>, 1976 approved a grant to the said Association in the amount of \$65,000.00.

After considering all aspects of the subject application your Committee recommends that a grant to the Canadian Association for the Mentally Retarded be approved in the amount of \$69,500.00 for the year 1977.

For the information of Council the increase requested for 1977 is just under 7% over the grant made in 1976.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Increase in Staff Establishment - Assessment Department. File GP-1.1

1168 7. In 1961 when the Metropolitan Corporation of Greater Winnipeg Assessment Division was established, a general reassessment of the City of Winnipeg, which had been started in 1957, was nearing completion. The decision was made to continue the Winnipeg Assessment revision as the first part of a Metro-wide reassessment. This was completed in 1962, and reassessment of the other area municipalities began in 1964 and was completed in 1965. This in effect provided a uniform level of assessed values for all municipalities within the Metropolitan boundaries. This same level of assessment (which approximates 75% of 1957 values) still continues as the tax base for all properties in the amalgamated City of Winnipeg.

Your Committee has been advised that periodic reassessments are required to adjust inequities arising from the fact that property values do not change uniformly throughout the City. As a full reassessment has not been carried out for quite a number of years, these inequities have become a problem. As the City of Winnipeg Act requires that a reassessment of the City be carried out every three years, the validity of all assessments may be open to question.

Your Committee has also been advised that the Assessment Department has been in the process of carrying out a reassessment program for a number of years. However, due to understaffing and the ever-increasing workload of the maintenance aspect of the assessment function (such as assessment of new construction and alterations to existing properties) the completion of the program is being constantly delayed and will be outdated prior to implementation unless increases in staff are forthcoming.

Your Committee has also been advised that while temporary staff will still be utilized wherever possible, 14 additional permanent Assessors over the 1976 establishment are necessary to complete this work. As two positions were recently added to the Department, 12 are now required. One other position is necessary on a continuing basis to assist in the compilation and development of costing data as well as related income and expense information necessary for the Assessors to carry out both the reassessment and maintenance functions. Four Clerk "A" positions arise directly from the reassessment program. These clerical personnel perform functions related to entering reassessment information into the assessment roll, particularly in regard to residential properties.

Your Committee recommends that 13 positions of Assessor I/II/III be added to the permanent establishment of the Assessment Department. Estimated 1977 cost \$69,961.00.

Your Committee further recommends that four Clerk "A" positions be added on a temporary basis pending resolution of the total clerical requirements of the Assessment Department. Estimates 1977 cost \$15,808.00.

Your Committee also recommends that an additional appropriation in the amount of 485,769.00 be adopted for the above purpose.

Moved by Councillor Gee,  
Adoption of the clause.

The motion for the adoption of the clause was put.

Councillor Mercier called for the Yeas and Nays which were as follows:

Yea: Councillors Chornopyski, Dixon, Ducharme, Eliason, Ernst, Galanchyuk, Gee, Hallonquist, Hudson, Jorowski, Klym Knight, Lazarenko, Penner, Perry, Pierce, Rebchuk, Reese, Rizzuto, Ross, Ruta, Kozlowski, Skowron, Wade, Smith, Westbury, Johnson and Zuken. 28.

Nay: Councillors Ireton, Johannson, Kaufman, Norrie, McGonigal, Mercier, Steen, Filmon and Yanofsky. 9.

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

Exemption of Billiard Parlour License - Domino Club Inc. - File EL-1.4.

1169 8. Your Committee has considered a draft by-law which adds the Domino Club Inc., 549 Sargent Avenue, Winnipeg, to the list of non-proprietary clubs shown under paragraph (a), subsection (9) of Section 3 of License By-law No. 260/72.

Your Committee is informed that as a non-proprietary club, the Domino Club Inc. is exempt from a Billiard table license under Section 524(1) of the City of Winnipeg Act.

Your Committee submits draft by-law in this connection for favourable consideration.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

(Sgd.) C. John Gee, Chairman.

CONSIDERATION OF REPORT OF THE  
COMMITTEE ON FINANCE

The Executive Policy Committee has had before it the Report of the Committee on Finance, dated May 10<sup>th</sup>, 1977, has concurred in the recommendations contained therein, except as noted below and submits same to Council for favourable consideration.

On motion of Councillor Gee the Report of the Committee on Finance, dated May 10<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building, Winnipeg  
May 10<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Finance submits the following report and recommends:-

Expansion of Winnipeg Stadium, File F-5.

(Note:- Clause 1 dealt with Council on May 25<sup>th</sup>, 1977.)

Appointment of Special Constables Works and Operations Department. File GF-2.3.

- 1170 2. Your Committee has been informed by the City Solicitor that the Commissioner of Works and Operations has requested that the following employees of the Works and Operations Department, be sworn in as Special Constables to serve summonses under certain circumstances, naley:-

ROBERT EARL BROWN

SIDNEY ROBERT BIHUN

Your Committee recommends that the City Solicitor be authorized to make the necessary application to the Attorney General's Department to have the above named employees sworn in as Special Constables, and that the Proper Officers of the City be authorized to execute the required forms of indemnity of whatsoever kind or nature arising out of the acts and conduct of anything done, said or written by the said Special Constables while they function as Special Constables under the said appointment.

Move by Councillor Gee,  
Adoption of the clause.

Carried.

Land Acquisition - District #3 Works and Operations Yard - West Kildonan Community, Files S-3 and EP-1.1

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1171 3. Council at its meeting held May 4<sup>th</sup>, 1977, adopted Clause 6 of the Report of the Committee on Works and Operations dated April 25<sup>th</sup>, 1977, regarding the above matter, which recommended as follows:

1. That the Greater Winnipeg Development Plan be amended to permit the construction of a District 3 Operations Complex on the McPhillips Street Site.
2. That the subject be rezoned to a category compatible with the nature of the proposed development.
3. That the Land Surveys and Real Estate Department be authorized to purchase or expropriate the property necessary (20.1 acres owned by Kildonan Seed Farms Limited) to consolidate an adequate development site subject to development plan and zoning changes being approved.

On April 28<sup>th</sup>, 1976, the Director of Land Surveys and Real Estate was instructed by The Board of Commissioners to enter into negotiations for acquisition of the subject site. During 1976, negotiation proceeded with the owners and proposed settlements were made without success. In December 1976, the District Engineer of District #3 recommended acquisition as soon as possible. This position was confirmed by the Civic Properties Division in February, 1977.

The particulars of this property are, in brief, as follows:

Location: West side of McPhillips Street lying north of Templeton Avenue and south of the C.P.R. right-of-way.

Legal Description: All those portions of Lots Twenty, Twenty-one, Twenty-two, in the Outer Two Miles according to the Dominion Government survey of the Parish of Kildonan in Manitoba which lie to the East of the Eastern limit of the land taken for the Right-of-way of the Manitoba Power Company as same is shewn on a plan filed in the Winnipeg Land Titles Office as No. 3174 excepting out of said lots, Firstly: all those portions thereof taken for the Right-of-way of the Canadian Pacific Railway as the same is shewn on a plan filed in the said Office as No.

1906, Secondly: all those portions of said lots lying to the south of a straight line drawn north of, parallel with and perpendicularly distant Six hundred and Sixty feet from the Southern limit of said Lot Twenty, which lies to the East of a straight line drawn Northerly at right angles to the said Southern limit from a point in the same distant Westerly thereon Six hundred and Forty –two and Forty-five One-hundredths feet from the Eastern limit of said Lot Twenty.

Certificate of Title: 889232  
Owner: Kildonan Seed Farms Ltd.  
Assessment: Not proportioned.  
Zoning: RA

The cost of acquisition is chargeable to Work Order No. 10D-817-501

Your Committee submits with a recommendation for approval and adoption draft by-law to acquire by expropriation the land described above for the District #3 Works and Operations Yard.

Your committee also recommends that the proper officers of the city be authorized to do all things necessary to implement this matter.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Additional Appropriation – Reward  
for Information Regarding the Death  
of Evelyn Edith Kebalo.  
\_\_\_\_\_ File GF-2.

1172 – 4. Your Committee was advised that after considering the report from the Chief of Police dated April 28<sup>th</sup>, 1977, the Winnipeg Police Commission recommended to your Committee that reward of \$2,000.00, pursuant to Section 472 (2) of the City of Winnipeg Act, be posted for a period of six months.

Report of the Committee on Finance, dated May 10<sup>th</sup>, 1977.

Your Committee recommends that a \$2,000.00 reward be posted in this instance for a period of six months, for information leading to the arrest and conviction of persons responsible as prescribed under the provisions of Section 472(2) of the City of Winnipeg Act.

Your Committee also recommends that an additional appropriation in the amount of \$2,000.00 be approved in the above connection.

For the information of Council, Section 472(2) of the City of Winnipeg Act, reads as follows:

“The Council may, when a crime is believed to have been committed in the City, offer and pay a reward for information leading to the discovery, apprehension, or conviction of the criminal, or of any person who is suspected to be the criminal.”

Copy of letter from Chief of Police attached hereto.

Moved by Councillor Gee,  
Adoption of the Clause.

Carried.

Expropriation of Property for Storm Water  
Retention Basin and Future Transportation  
Right-of-way – Bunn’s Creek (Stage 2) –  
East Kildonan Community.  
Files FI-2 (3) and PR-7.19-3

1173 – 5. Your Committee has been advised that land required for the above project was discussed with the engineers and consultants for the Waterworks, Waste and Disposal Division. The Design Engineer, Waterworks, Waste and Disposal Division, has advised that by delaying construction and curtailing needed development, a C.M.H.C. grant which has been allocated to this waste water project may be lost. This loss could amount to \$600,000.00

Particulars of the subject property are described herein.  
Sketch plan No. 1460/76 indicates location.

Funds for land/improvements acquisition and construction of the proposed linear lake system were included in the approved 1975 Capital Estimates, Project No. 204-8, Bunn’s Creek Linear Lake System.

Location: North of Springfield Road immediately west of the City of Winnipeg Hydro Transmission Line, Plan 2794.

Legal Description: All that portion of the most southerly Two Hundred and Thirty feet in perpendicular width of River Lot Fifty-seven according to the Dominion Government Survey of the Parish of Kildonan, in Manitoba, lying to the West of the North-western limit of the land taken for the right-of-way of the City of Winnipeg

Power Transmission Line as the same is shewn on a plan registered in the Winnipeg Land titles Office as No. 2794, which lies to East of a line drawn Northerly at right angles to the Southern limit of said Lot from a point in the same distant Westerly thereon Sixty-one and Six-tenths feet from the said North-western limit.

Excepting thereout all that portion taken for a public road as same is shewn on a plan registered in the said office as No. 8653.

Report of the Committee on Finance, dated May 10<sup>th</sup>, 1977

Certificate of Title: E27693  
Owner: F.T.L. Enterprises Ltd.  
Assessment: Land - \$1,130.00  
Buildings - \$10,600.00  
Zoning: A-1 & C2  
Lot Size: Irregular shaped lot with the following dimensions:  
North boundary – 222.55 feet  
West boundary – 230.00 feet  
East boundary – 280.72 feet  
South boundary – 61.60 feet

Square footage area – 32,677.25 or .75 acres

Description of Improvements:

One storey concrete block structure with no basement, containing 3,025 square feet of office space and washrooms added in 1973. Cheaply constructed quonset hut from rear of workshop containing a square foot area of 920 feet. Main building built in 1965 – office addition added in 1973 and quonset hut built in 1957. Presently on a lease agreement to Erin Ironworks Ltd., until January 15<sup>th</sup>, 1977. Erin Ironworks have now moved to new premises in Transcona.

Construction details:

- (a) Height 16 feet
- (b) 10” concrete block insulated walls
- (c) 6” reinforced concrete floors
- (d) 10”x 24” reinforced concrete perimeter beam on 1416” piles with a depth of 25 feet.
- (e) 2”x 10” joists on 16” centres
- (f) steel ‘I’ beam construction
- (g) ceiling, medium wood deck – tongue & groove
- (h) roof flat – tar and gravel
- (i) forced air oil heating

An offer of compensation was made to the owners through their solicitor on November 9<sup>th</sup>, 1976. To date a satisfactory settlement has not been possible. It is, therefore,



deemed necessary to proceed by the expropriation route to obtain possession of this property, thereby insuring the least possible delay in the completion of this portion of the linear lake project.

The cost of acquisition is chargeable to Work Order No. 10A-452-200

Your Committee therefore submits for favourable consideration draft by-law to authorize the expropriation of the subject property for storm water retention basin and future transportation services.

Your Committee also recommends that the proper officers of the City be authorized to do all things necessary to implement this matter.

Moved by Councillor Gee  
Adoption of the clause

Carried

Transfer of Old Concordia Hospital  
Site to the Province of Manitoba.  
Files FH-2.2 and FH-2.1

1174 – 6. Council on May 4<sup>th</sup>, 1977, adopted Clause 10 of your Committee's report dated April 26<sup>th</sup>, 1977, regarding the transfer of the Old Concordia Hospital Site to the Province of Manitoba; one of the conditions being that a definition of the property to which the Province is legally entitled under Section 96 (2) of the Health Services Act, satisfactory to the City Solicitor, be ascertained.

Report of the Committee on Finance, dated May 10<sup>th</sup>, 1977.

Your Committee has again considered this matter and recommends that Parcels (a), (b), and (c) as shown on Plan 326/1/74, copy attached, be transferred to the Province of Manitoba, subject to the City having first right of refusal to repurchase said Parcels (a), (b) and (c) if or when the Province should decide to dispose of same. The balance of the recommendation as set out in said Clause 10 referred to above remains unchanged.

Moved by councilor Gee,  
Adoption of the clause.

Carried.

(Note:- See Minute No. 1177 for attachment.)

Grant toward rental of Playhouse Theatre –  
Stony Mountain Institution.

File FG-1.1(S)

1175 – 7. Your Committee has considered a request from the Social Cultural Development Officer, Stony Mountain Institution, for a rebate of \$360.00 on the rental of the Playhouse Theatre on April 29<sup>th</sup>, 1977, at which time the inmates sponsored and produced a program called “Variety Fare”, the proceeds of which were to go to a non-profit public education agency. The show had a financial loss of \$233.00.

Council on January 5<sup>th</sup>, 1977, established a policy that the City not contribute to deficits or make up a funding shortfall resulting from programs of any kind, which were undertaken without consultation with the City. Council also established a policy that grants be made of up to 50% of the basic rental fee for the Playhouse Theatre to local non-profit organizations sponsoring events for charitable purposes.

Your Committee recommends that the policy adopted by Council on January 5<sup>th</sup>, 1977, be waived in this instance and that a grant equal to 50% of the basic rental for the Playhouse Theatre, namely \$180.00, be made payable to the Inmate Welfare Committee or Stony Mountain Institution, Box 101, Stony Mountain, Manitoba.

Moved by Councillor Gee  
Adoption of the clause.

Carried.

Additional Appropriation – Manitoba  
Association of Urban Municipalities  
Conference.

File GC-5.5

1176 – 8. Your Committee recommends that an additional appropriation in the amount of \$5,000.00 be approved for the purpose of establishing a budget to host the Manitoba Urban Association 1977 Annual Conference in Winnipeg, October 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup>, 1977, and that the Director of Planning be requested to make the services of Mr. Allan Bready available as the Host City Coordinator.

Moved by Councillor Gee  
Adoption of Clause.

Carried.

(Sgd.) C. John Gee, Chairman

1177 - Attachment referred to in Clause 6 of the Report of the Finance Committee dated May 10th, 1977.

Copy of the attachment is on file in the City Clerk's Department

CONSIDERATION OF REPORT OF THE  
COMMITTEE ON FINANCE

The Executive Policy Committee has had before it the Report of the Committee on Finance, dated May 17<sup>th</sup>, 197, has concurred in the recommendations contained therein and submits same to Council for favourable consideration.

On motion of Councillor Gee the Report of the Committee on Finance, dated May 17<sup>th</sup>, 1977, was considered clause by clause.

East Committee Room,  
Council Building, Winnipeg,  
May 17<sup>th</sup>, 1977.

His Worship the Mayor and Councillors:

Your Committee on Finance submits the following report and recommends:-

Acquisition of Property – Beaver Dam  
Creek Park-Waterway System, Assiniboine  
Park community Area. Files FI-2(1) &  
PR-7.19.1.

1178 – 1. Your Committee has considered a matter concerning the purchase of certain property in the Assiniboine Park Community area for the Beaver Dam Creek Park-Waterway System, and submits the following data and particulars with respect thereto, namely:-

Report No. 1A

May 11, 1977

Item 2 – File No. C/PR-7.24

File A.P. 4880/11

Assiniboine Park Community

Re: Land acquisition – Beaver Dam Creek Park-Waterway System

The subject property forms part of an area designated for acquisition under the moderate scheme of the “Beaver Dam Creek Park-Waterway Study” which was adopted by Council on August

20<sup>th</sup>, 1975. The portion required is indicated on sketch plan No. 432-1/76.

Council, at its meeting on August 20<sup>th</sup>, 1975, approved the moderate scheme with reference to the "Beaver Dam Creek Study". Included in the moderate scheme is acquisition of the subject property.

The owners have agreed to the negotiated price and terms.

Particulars of the property, in brief, are as follows:

Location: 423 Berkeley St, North of Roblin Boulevard  
Legal Description: All that portion of Lot One, in Block Six, which Lot is shewn on a plan of survey of part of River Lot Sixty of the Parish of St. Charles, in Manitoba, registered in the Winnipeg Land Titles Office as No. 1213, shewn as Parcel lettered "D" on a plan filed in the said Office as No. 10190, which lies to the East of a straight line drawn South-westerly from a point in the Northern limit of said Parcel distant Westerly thereon Sixty-three and Forty-seven One-hundredths feet from the South-eastern limit of said Parcel to a point in the Southern limit of said Parcel distant Westerly thereon Twenty feet from the said South-eastern limit.  
Certificate of Title: B59258  
Owners: James Barry and Shirley Marion Gessener, 423 Berkeley St.

Report of the Committee on Finance, dated May 17<sup>th</sup>, 1977.

Assessment: Not apportioned  
Zoning: R1-20  
Lot Size: 3,547 square feet  
Description: Vacant creek bank, incline, creek bed land.

The negotiated purchase price of \$1,250.00 is considered fair and reasonable. The purchase is subject to the following terms:

1. All reasonable legal costs being paid by the City
2. To protect the privacy of the owners' property, the City will construct a chain link fence, should the owners deem it necessary, between the owners' property and park area at such time as park construction completed and opened to the public. Cost of same to be borne by the City.

Cost of this acquisition to be charged to Work Order No. 10A-207-502, dated August 20, 1975.

Your Committee recommends that the property described herein be purchased for the sum of \$1,250.00 in accordance with terms negotiated.

Your Committee further recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereto.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Acquisition of Property – Future  
Extension of Bournais Drive,  
Transcona Community Area.  
File SC-3.11(12)

1179 – 2. Your Committee has considered a matter concerning the purchase of certain property in the Transcona Community area for the future extension of Bournais Drive, and submits the following data and particulars with respect thereto, namely:-

Report No. 1A  
Item 1 – File No. C/SC-3(12)  
File Tr. 5141

May 11<sup>th</sup>, 1977.

Transcona Community

Re: Land acquisition – future extension of Bournais Drive

The Council of the City of Winnipeg in 1975 by By-law 1049/75 authorized expropriation of the subject site, however, inasmuch as no agreement was signed with the developer who would be assuming the acquisition costs, the expropriation proceedings were stayed. In November, 1976, the agreement was signed and the proceedings are now proceeded and the Notice of Intention to Expropriate has now been served.

The subject site may be briefly described as follows:

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Location: Mission St. adjacent to CNR MacArthur  
Cut-off ROW

Report of the Committee on Finance, dated May 17<sup>th</sup>, 1977.

Legal Description: All that portion of block lettered "A" which Block is shown on a plan of survey of the Roman Catholic Mission Property in Manitoba, registered in the Winnipeg Land Titles Office as No. 433, lying to the North of the Northern limit of the land taken for the right-of-way of the Canadian National Railway as the same is shown on a plan of survey filed in the said Office as No. 1276 which lies to the East of a straight line drawn Northerly at right angles to the said Northern limit from a point in the same distant Westerly thereon One hundred and Thirty-seven and Two-tenths (137.2) feet from the most Southerly limit of Mission Street as the same is shown on Plan 433.

Certificate of Title: Part of 963930

Owner: Echo Lite Aggregate Ltd.,  
1525 Dugald Road

Assessment: Not apportioned

Zoning: M-1 & M-2

Size of Site: Total site – 58.62 acres  
Partial taking – 0.06 acres

Market Value: \$1,200.00

The Land Surveys and Real Estate Department considers the market value to be fair and reasonable.

The Development Agreement entered into between the City and B.A.C.M. provides that the Company must pay for the full cost of all necessary land acquisition required for the Bournais Drive extension.

The land is required for transportation purposes.

Your committee recommends that the City Solicitor be authorized to make an Offer of Compensation under the Expropriation Act based on a market value of \$1,200.00 in acquisition by the City of the property described herein.

Your committee further recommends that the proper officers of the City be authorized to do all things necessary to implement the same, including the execution of any documents related thereto.

Moved by Councillor Gee,

Adoption of the clause.

Carried.

Offers of Compensation for expropriated  
Lands required to consolidate the Bunn's  
Creek Park-Waterway System Project –  
(Phase 1). File FI-2(3)

1180 – 3. Your Committee has considered a matter concerning offers of compensation for expropriated lands required to consolidate the Bunn's Creek Park-Waterway System Project (Phase I) in the East Kildonan Community area, and submits the following data and particulars with respect thereto, namely:-

Report No. 1A

May 11<sup>th</sup>, 1977

Item 5 – File No. C/PR-7.19

Files E.K. 4567/8, /12, /13, /14, /15, /18, /24 and /42

East Kildonan Community

Re: Offers of Compensation for expropriated lands required to consolidate the Bunn's Creek Park-Waterway System Project (Phase I)

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Report of the Committee on Finance, dated May 17<sup>th</sup>, 1977.

At its meeting held on March 16, 1977, Council authorized expropriation of the properties described herein in order to consolidate the Bunn's Creek Park-Waterway System project (Phase I).

At its meeting held on February 6, 1974, Council adopted a report that recommended a land acquisition program in accordance with the Bunn's Creek Park-Waterway System Study submitted in November, 1973. To date satisfactory settlements have been completed on 31 properties.

Pursuant to its By-law No.1398/76, the City of Winnipeg authorized the expropriation of lands described herein and executed a Declaration of Expropriation dated November 1, 1976. An Inquiry Officer was appointed under the Expropriation Act to consider objections to the intended expropriation. Said Inquiry Officer reported that the expropriation of lands described in the By-law aforementioned was fair and reasonably necessary to achieve the objectives of the expropriating authority, excepting a

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portion of land contained within Parcel 16 under Plan 12681, owned by Merenus Vandernagel, one of the objectors.

However, Council is of the opinion that in the interest of the proper planning of the future park, all the land contained within Parcel 16, Plan 12681 and improvements be purchased to ensure free access from Bonner Avenue onto future park and to provide full control over lands adjoining the creek bed being lands potentially susceptible to slippage of the creek.

Particulars of the subject properties affected by the above recommendation are as follows:

Parcel No. 1 – File E.K. 4567/8 – Sketch plan No. 255a/76

Location: 253 Bonner Avenue  
Legal Description: All that portion of Lot Seven in said Block Two contained within the limits of Parcel Six on said Plan No. 12681.  
Certificate of Title: 506901  
Owner: Knowles School for Boys  
2065 Henderson Highway  
Assessment: Not apportioned  
Zoning: R-1B & A1  
Lot Size: Irregular shape consisting of 36,052 square feet  
Condition: Vacant land consisting of creek bank, incline, flood plain and creek bed.  
Offer of Compensation: \$14,000.00

Parcel No. 2 – File E.K. 4567/8 – Sketch Plan No. 255a/76

Location: South side of Bonner Avenue between Henderson Highway and Rothesay Street.  
Legal Description: All that portion of Lot Ten, in Block One, which Lot is shewn on said Plan No. 1301 contained within the limits of Parcel Eight on said Plan No. 12681.  
Certificate of Title: E863  
Owner: Jacobus Adrianus Jonker  
Assessment: Not apportioned  
Zoning: R-1B & A1  
Lot Size: 12,804 square feet



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Condition: Vacant land consisting of creek bank, incline, flood plain and creek bed.  
Offer of Compensation: \$5,000.00

Parcel No. 3 – File E.K. 4567/13 – Sketch plan No. 255a/76

Location: Southside of Bonner Avenue between Henderson Highway and Rothesay Street.  
Legal Description: Lot eleven, excepting thereout the most Southerly Ten feet in depth thereof, in Block One, which Lot is shewn on a plan of survey of part of Lots Forty-two and Forty-three of the Parish of Kildonan, in Manitoba, registered in the Winnipeg Land Titles Office as No. 1301.  
Certificate of Title: C273  
Owners: D.J. & L.Y. Peters (1/2 interest)  
333 Henderson Highway  
W. & H. Unruh (1/2 interest)  
12 Algonquin Avenue  
Assessment: Land - \$1,070.00  
Zoning: R-1B & A1  
Lot Size: 43,458 square feet  
Condition: Vacant land, creek bed and level area.  
Offer of Compensation: \$28,000.00

Parcel No. 4 – File E.K. 4567/14 – Sketch plan No. 255a/76

Location: South side of Bonner Avenue between Henderson Highway and Rothesay Street.  
Legal Description: Lot Twelve, excepting thereout the most Southerly Ten feet in depth thereof, in block One, which Lot is shewn on a plan of survey of part of Lots Forty-two and Forty-Four of the Parish of Kildonan, in Manitoba, registered in the Winnipeg Land Titles Office as No. 1301.  
Certificate of Title: C274  
Owners: Donald John & Lorita Yvonne Peters  
Assessment: Land - \$1,070.00  
Zoning: R-1B & A-1  
Lot Size: 43,720 square feet  
Condition: Vacant land – creek bed and level area  
Offer of Compensation: \$27,500.00

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Parcel No. 5 – File E.K. 4567/15 – Sketch plan No. 255a/76

Location: South side of Bonner Avenue  
between Henderson Highway and  
Rothesay Street.

Legal Description: Lot Thirteen, excepting thereout the most  
southerly Ten feet in depths thereof, in Block One, which Lot is  
shewn on a plan of survey of part of Lots Forty-two and Forty-  
three of the Parish of Kildonan, in Manitoba, registered in the  
Winnipeg Land Titles Office as No.1301.

Certificate of Title: C275

Owners: Walter Henry & Helen Unruh

Assessment: Land - \$950.00

Zoning: R-1B & A-1

Lot Size: 43,542 square feet

Condition: Vacant land – creek bed and level  
area

Offer of Compensation: \$26,000.00

Parcel No. 6 – File E.K. 4567/18 – Sketch plan No. 256/76

Location: 304 Bonner Avenue

Legal Description: Lot Twenty, in Block One, shown as  
Parcel Sixteen on Plan No. 12681.

Certificate of Title: 779120

Owner: Merenus Vandernagel  
304 Bonner Avenue

Assessment: Land - \$1,060.00  
Building - \$2,300.00

Zoning: R-1B & A-1

Lot Size: 116.6 feet x 383.05 feet or  
44,663.63 square feet

Condition: 31 years old, five room dwelling  
dug-out basement. Dwelling has 704 square feet of living area  
with older detached garage in poor condition, home is considered  
in good condition having been remodelled. Land area consists of  
31,338 square feet of creek bank, incline, flood plain and creek  
bed, balance of land containing dwelling and garage, 13,334 square  
feet.

Offer of Compensation: \$40,000.00

Parcel No. 7 – File E.K. 4567/42 – Sketch plan No. 255a/76

Location: 2065 Henderson Highway

Legal Description: All that portion of River Lot Forty-  
one according to the Dominion Government Survey of the Parish  
of Kildonan, in Manitoba, shewn on Parcel Three on a plan of

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survey of part of River Lots Forty-one to Forty-nine of said Parish filed in the Winnipeg Land Titles Office as No. 12681.

Certificate of Title: 272717  
Owner: Knowles School for Boys  
Assessment: Not apportioned  
Zoning: R-1B & A-1  
Lot Size: 95,336 square feet  
Condition: Vacant land consisting of creek bank, incline, flood plain and creek bed.  
Offer of Compensation: \$36,000.00

Parcel No. 8 – File E.K. 4567/24 – Sketch plan No. 256/76

Location: 332 Bonner Avenue  
Legal Description: The most Easterly One hundred and Sixteen feet in width of the most Westerly Two hundred and Thirty-two feet in width of the most Northerly Two hundred and Four feet in depth of Lot two, in Block Three, which Lot is shewn on a plan of survey of part of Lots Forty-two and Forty-three of the Parish of Kildonan, in Manitoba, registered in the Winnipeg Land Titles Office as No. 1301, subject to a right-of-way for all purposes and as to appurtenant to the balance of the most Easterly One hundred and Sixteen feet in width of the most Westerly Two hundred and Thirty-two feet in width of said Lot Two over and upon the most Westerly Ten feet in width of the land firstly above described.

Certificate of Title: C16641  
Owners: William Keith & Margaret Ann McCowan, 452 Greene Avenue  
Assessment: Land - \$2,160.00  
Zoning: R-1B & A-1  
Lot Size: 23,664 square feet  
Condition: Vacant land consisting of 8,700 square feet of creek bank, incline, flood plain and creek bed, balance 14,964 square feet level land.  
Offer of Compensation: \$14,500.00

Individual Offers of Compensation and total acquisition cost listed below:

- |     |                   |             |
|-----|-------------------|-------------|
| (1) | File E.K. 4567/8  | \$14,000.00 |
| (2) | File E.K. 4567/12 | \$ 5,000.00 |
| (3) | File E.K. 4567/13 | \$28,000.00 |

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(4)	File E.K. 4567/13	\$27,500.00
(5)	File E.K. 4567/15	\$26,000.00
(6)	File E.K. 4567/18	\$40,000.00
(7)	File E.K. 4567/42	\$36,000.00
(8)	File E.K. 4567/24	<u>\$14,500.00</u>
		\$191,000.00

The above total amount of \$191,000.00 is to be charged to Work Order No. 10A-452-200, dated November 5, 1975.

Your Committee recommends that the City Solicitor be authorized to make Offers of Compensation in the amounts shown with respect to the properties described herein, acquired by the City under the provisions of the Expropriation Act Manitoba (1970).

Your Committee further recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereto.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Change in Date of Adjustment – Purchase  
Of Lots 5/6, Block 12B, Plan 331 – South  
Side of Jarvis Avenue between Schultz and  
Charles Streets – A. Litz Construction Ltd.  
File FI – 2(6).

1181 – 4. Your Committee has considered a matter concerning the change in the date of adjustment on the purchase of certain property in the Lord Selkirk Community and submits the following data and particulars with respect thereto, namely:-

Report No. 1  
Item 1 – File No. C/FP-1(6)  
File 3005(k)/2

May 11<sup>th</sup>, 1977

Lord Selkirk Community

Re: Purchase of Lots 5/6, Block 12B, Plan 331 – South side of Jarvis Avenue between Schultz and Charles Streets – A. Litz Construction Ltd.

On September 15, 1976, Council approved sale of the referenced land in accordance with the terms and conditions of the City's standard Industrial Application and Agreement for Option to Purchase.

The Sale of this land also required approval of the Federal/Provincial/Municipal Governments as members of the Urban Renewal Partnership. The date for adjustment used in the City's standard form provided for the date of adjustment to be the date of the granting of the option by the City, namely, September 25, 1976, however, approval of the Federal Government was not forthcoming until March 31, 1977, some 6<sup>1/2</sup> months after approval of the sale by the City. The purchaser, A. Litz Construction Ltd., has not been able to proceed with development and has requested that the date of adjustments be advanced to April 5, 1977, in view of the time lapse.

Your committee recommends that the date of adjustment in the sale of the land referred to herein be changed from September 15<sup>th</sup>, 1976 to April 5<sup>th</sup>, 1977.

Your Committee also recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereto.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Proposed Land Exchange and Relocation  
Of Bus Loop from North-east corner of  
Edelweiss Crescent and Donwood Drive to  
North-West corner of Raleigh Street and  
Donwood Drive – East Kildonan Community.  
Files FI-2(3) and TT-6

1182 – 5. Your Committee has considered a matter concerning the exchange of land for the relocation of a busloop in the East Kildonan Community and submits the following data and particulars with respect thereto, namely:-

Report No. 1A  
Item 4 – File No. C/TT-6  
File E.K. 4388

May 11<sup>th</sup>, 1977.

East Kildonan Community

Re: Proposed land exchange and relocation of bus loop from North-east corner of Edelweiss Crescent and Donwood Drive to North-west corner of Raleigh Street and Donwood Drive

The two parcels of land affected by the proposed exchange are shown on sketch plan No. 166a/75.

At its meeting held on February 14, 1977, the Committee on Works and Operations approved of the relocation of the bus loop as proposed herein.

On February 7, 1977, the Committee on Environment concurred in a recommendation of the Commissioner of Environment that the bus loop situated at the North-east corner of Donwood and Edelweiss Crescent be relocated to the North-west corner of Donwood Drive and Raleigh Street, including an exchange of land between the City and Metropolitan Properties Ltd., subject to provision of a 20 foot buffer strip facing Raleigh Street to be maintained by the City.

The East Kildonan Community Committee initiated the proposed bus loop relocation by representation to the Board of Commissioners on January 26, 1977.

In reviewing the proposed relocation of bus loop, the Manager of Transportation Research and Development forwarded a sketch indicating the proposed bus loop relocation showing an operating configuration similar to that which is presently employed at the Edelweiss/Donwood location. The Manager suggests that property owners on the West side of Callum Crescent and others in the immediate area may possibly be opposed to the new bus loop location.

The manager also forwarded terms and conditions of a property exchange which he recommends should apply:

“

1. The developer will have to agree to bear the cost of construction of the new bus loop. If an equivalent bus loop to that at Edelweiss and Donwood is constructed at Raleigh and Donwood the estimated cost will be approximately \$5,200. This includes gravel approaches which is contrary to City standards but which was acceptable at Edelweiss and Donwood because of the considered temporary nature of the bus loop at that time. If concrete

approaches are included, the total cost of bus loop construction is estimated at approximately \$7,300.

2. The developer will be required to remove the gravel approaches, at the present bus loop, to a sufficient depth to allow for the placement of earth fill and sod to the same standards as the adjacent boulevard area.
3. There will be a 20 foot buffer strip along the northerly edge of the proposed bus loop property which will be reflected in the design of the facility. It was originally recommended that the buffer strip along the most easterly 20 feet in perpendicular width of Blocks 6 and 7 be transferred to the City. This recommendation should be included in the final report. A 20 foot strip along the easterly edge of the proposed bus loop property would subsequently be maintained under the same conditions as those buffer strips north and south of this area to provide a visual continuity along Raleigh Street.”

The Manager has further recommended that the residents of the area be adequately informed of the impact of the proposed bus loop operation on the surrounding residential community.

Your Committee recommends that an exchange of Lot 8, Plan 10903, owned by the City, for Blocks 1 and 8, Plan 11651, owned by the Metropolitan Properties, be approved, subject to the following conditions:

1. The Company to pay to the City upon request the full cost and expense which will be incurred by the City in connection with establishing a relocated bus loop and, without the generality of the foregoing, the company will pay on request the actual costs of the following:
  - (a) Construction of a new bus loop satisfactory to the Streets and Transportation Division.
  - (b) Removal of gravel approaches located at Edelweiss Cresecent and Donwood Drive and the placement of earth fill and sodding to the same standard as the adjacent boulevard.
  - (c) Landscaping of buffer strips along the North and East boundaries of the newly established bus loop.
2. That in the event an adverse petition against the proposed new bus loop is received by the City and it is decided that relocation would not be in the best interests of the City, the exchange of lands be declared null and void.

Your Committee also recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereto.

Moved by Councillor Gee,  
Adoption of the clause.

Moved by Councillor Penner,  
That the clause be referred back to the committee on Finance.

Carried.

Land Acquisition – Beaver Dam Creek  
Park-Waterway System. Files FI-2(1)  
and PR-7.19.1.

1183 – 6. Your Committee had considered a matter concerning the acquisition of certain property in the Assiniboine Park Community area for the Beaver Dam Creek Park-Waterway System, and submits the following data and particulars with respect thereto, namely:-

Report No. 1A  
Item 3 – File No. C/PR-7.24  
File A.P. 4880/12

May 11<sup>th</sup>, 1977

Assiniboine Park Community

Re: Land acquisition – Beaver Dam Creek Park-Waterway System and Proposed School Site project.

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The subject property forms part of an area designated for acquisition under the moderate scheme of the “Beaver Dam Creek Park-Waterway Study” which was adopted by Council on August 20, 1975. The portion required is indicated on sketch plan No. 433-1/76.

Council, at its meeting on August 20, 1975, approved the moderate scheme with reference to the “Beaver Dam Creek Study”. Included in the moderate scheme is acquisition of the subject property.

The owner has agreed to the negotiated price and terms and has signed the appropriate form (V.L.A.), as required by the Department of Veterans Affairs.



Particulars of the property, in brief, are as follows:

Location: 427 Berkeley Street, East side of Berkeley Street North of Roblin Boulevard.

Legal Description: All those portions of Parcels lettered "B" and "C", which parcels are shewn on a plan of survey of part of Lot Sixty of the Parish of St. Charles, in Manitoba, filed in the Winnipeg Land Titles Office as No. 10190, which lies to the East of a straight line drawn South-westerly from a point in the Northern limit of said Parcel lettered "C" distant Westerly thereon Twenty feet from the Eastern limit of said Parcel lettered "C" to a point in the southern limit of said Parcel lettered "B" distant Westerly thereon Seventeen and Twenty-eight One-hundredths feet from the Eastern limit of said Parcel lettered "B".

Certificate of Title: B32728

Owner: The Director, the Veterans' Land Act – V.L.A. Agreement with Mr. Michael S. Urban, 427 Berkeley Street.

Assessment: Not apportioned

Zoning: R1-20

Lot Size: 1,681 square feet

Description: Vacant creek bank, incline, creek bed land.

The negotiated purchase price of \$590.00 is considered fair and reasonable. The purchase is subject to the following terms:

1. The City of Winnipeg being responsible for all reasonable legal costs for this transaction.
2. The City will supply or absorb costs of any plan of survey, surveyor's description or any other survey requirements considered necessary by "The Director, Veterans' Land Act".
3. A fence being constructed by the City at no cost to the owner, if the owner deems it necessary to protect his privacy, at such time park construction completed and park opened to the public.

Cost of this acquisition to be charged to Work Order No. 10A-207-502, dated August 20, 1975.

Your Committee recommends that the property described herein be purchased for the sum of \$590.00 in accordance with the terms negotiated.

Your Committee also recommends that the proper officers of the City be authorized to do all things necessary to implement same, including the execution of any documents related thereto.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Expropriation of Property – Portage Drive-In Ltd.,  
South-west corner of Hamilton and Silver Avenues –  
St. James-Assiniboia Community – Sturgeon creek Park  
Waterway. Files PR-7.16 and FI-2(9).

1184 – 7. Council on September 15<sup>th</sup>, 1976, authorized that the entire property owned by Portage Drive-In Ltd. At the south-west corner of Hamilton and Silver Avenues in the St. James-Assiniboia Community required for the Sturgeon Creek Park Waterway be acquired or expropriated.

The Executive Policy Committee at its meeting held February 3<sup>rd</sup>, 1977, was apprised of the fact that it appeared unlikely that the City would be able to negotiate a satisfactory settlement and referred the matter to The Board of Commissioners to initiate expropriation proceedings.

Your Committee therefore submits with a recommendation for approval and adoption by-law to authorize the expropriation of the Portage Drive-In Ltd. Property located at the south-west corner of Hamilton and Silver Avenues in the St. James-Assiniboia Community, required for the Sturgeon Creek Park Waterway.

Your Committee also recommends that the proper officers of the City be authorized to do all things necessary to implement this matter.

Moved by Councillor Gee,  
Adoption of the clause.

The motion for the adoption of the clause was put.

Councillor Steen called for the Yeas and Nays which were as follows:

Yea: Councillors Brunka, Dixon, Ernst, Galanchuk, Gee, Hallonquist, Johannson, Klym, Knight, McGonigal, Mercier, Lazarenko, Penner, Perry, Pierce, Rebchuk, Reese, Rizzuto Ross, Ruta, Kozlowski, Filmon, Wade, Westbury, Wong and Yanofsky.

Nay: Councillors Chernopyski, Ducharme, Eliason, Hudson, Ireton, Jorowski, Skowron, Steen, Johnson, and Zuken.

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

The hour of midnight having arrived Council continues in session.

Thursday June 2<sup>nd</sup>, 1977.

Selling Price of Land in the St. Boniface  
Industrial Park. Files FI-2 and FI-2.2

1185 – 8. Your Committee has been advised that the first phase of Stage One of the St. Boniface Industrial Park comprises 128.2 acres of fully serviced land. The selling price includes the following prepaid City services, namely; storm and sanitary sewers, water, pavement, ornamental lighting, sidewalk and boulevard construction. The cost of municipal services does not include the cost of connection from said sewer and water services in the street to within the desired location within the property owner's site and the cost of said connections are to be borne by the purchaser.

Any additional costs which might arise should the Manitoba Hydro and Manitoba Telephone System facilities be constructed underground will be proportioned on a per acre basis as an additional charge to the purchaser. At the present time consideration is being given to overhead construction.

The City intends to construct rail service to part of the area and the cost thereof is included in the price of \$37,500.00 per acre for those lands so serviced. The cost of the private spur from the main lead to within the property owner's site will be borne by the owner and negotiated directly with the Railway Company. The City will also provide an easement over additional portions of its lands to provide a capability for rail service should a purchaser wish to extend the main industrial lead track at the purchaser's own expense. This latter provision is reflected in the price of \$34,500.00 per acre. The prices quoted do not include annual rail line maintenance charges, if any, which would be charged against the properties benefited by way of agreement.

The selling price of these lands includes all costs, as well as a fair return to the City.

Your Committee recommends that the selling price of City-owned industrial land in the St. Boniface Industrial Park be at a rate of \$37,500.00 per acre on such lands serviced by rail, \$34,500.00 on those lands capable of being serviced by rail at the purchaser's expense, and \$33,500.00 on those lands where no trackage is to be provided; such selling prices to include prepaid City services as outlined herein; and that the rates become effective upon approval of

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City Council and good through January 1<sup>st</sup>, 1978; and that with respect to the Order of Council of February 2<sup>nd</sup>, 1977, that the selling price of industrial lands be reviewed twice a year on January 1<sup>st</sup> and July 1<sup>st</sup>, that the July 1<sup>st</sup>, 1977 date be waived during the initial development period of this area.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Tax Exemption – Solar Heating  
Installation. File GG-2

1186 – 9. Your Committee recommends that the Federal Government be urged to exempt both federal sales and excise taxes on components used in construction of solar energy installations.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Approval of Overexpenditures –  
1976. File FE(1976).

1187 – 10. Your Committee has considered a comparison of the 1976 budgeted and actual revenues for the General Revenue fund and for the various utility operations of the City.

Your Committee has been advised that while the General Revenue fund had a surplus in 1976, nevertheless overexpenditures of \$3,538,053.00 were recorded. It should be noted that \$2,176,389.00 of this amount was due to an accounting change in the method of reporting debt charges.

Your Committee recommends approval of the overexpenditures as indicated below:

<u>Tax Supported</u>	<u>Budget</u>	<u>Actual</u>	<u>Overexpended</u>
Playhouse & Velodrome	37,217	50,172	12,955
Libraries – Communities	1,444,191	1,451,451	7,260
Debt Charges (See Note)	25,256,035	28,451,629	3,295,594
Unclassified	29,013,140	29,235,384	<u>222,224</u>
			<u>3,538,053</u>

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Hydro Electric System

Electricity Purchased	10,945,000	12,759,693	1,814,693
Tramway	125,900	130,164	4,264
Steam Turbine Plant	470,550	758,602	288,052
Transmission	250,090	271,335	21,245
Distribution	3,180,920	3,886,600	75,680
Commercial	2,484,680	2,756,968	272,288
Administration & General	1,804,650	1,996,534	<u>191,884</u>

2,668,106

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Steam Heating System

Production	1,302,600	1,330,466	27,866
Distribution	174,990	194,886	19,896
Commercial	9,230	9,554	324
Administration & General	54,650	65,334	<u>10,684</u>

2,668,106

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Waterworks System

Water Supply	3,410,638	3,507,799	97,161
Unclassified	6,084,654	6,434,371	<u>349,717</u>

446,878

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Sewage Disposal System

Unclassified	4,034,853	4,266,009	<u>231,156</u>
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Transit System

Supervisors	701,238	712,146	10,908
Publicity & Information	282,183	283,282	<u>99</u>

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Central Operations

Shops Section	3,706,897	4,230,329	523,432
Primary Materials Section	3,950,304	4,357,148	<u>406,844</u>

930,276

Note: Includes Transfer of Provincial Recovery of Debt Charges (Hospitals, Schools, etc.) previously shown as a Reduction of expenditures, now recorded as Revenue \$2,176,389).

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

Official Delegation to meet with  
The Provincial Government re  
transfer of the Operation of the  
Winnipeg Ambulance Service.  
File GF-3

1188 – 11. Council on May 4<sup>th</sup>, 1977, referred back Clause 5 of your Committee's report dated April 26<sup>th</sup>, 1977, which reads as follows, namely:-

“Your Committee has considered the following resolution referred to it by Council at its meeting held on April 20<sup>th</sup>, 1977, namely:-

‘WHEREAS Ambulance Services are an essential part of the medical and hospital services of the City of Winnipeg and the Province of Manitoba;

AND WHEREAS the Provincial Government has taken on the full responsibilities of essential medical and hospital services in Manitoba through its Health Services Commission;

THEREFORE BE IT RESOLVED that the City of Winnipeg undertake, through its Official Delegation, immediate negotiations with the Province of Manitoba for the Health Services Commission to take over the full operations of the City of Winnipeg Ambulance Service’

Your Committee recommends that no action be taken on the above resolution at the present time and the matter referred back to your Committee with instructions to review same in six months.”

Your Committee has further considered this matter and is of the opinion that this service is a health service, and therefore recommends that the City's Official Delegation be authorized to undertake negotiations with the Provincial Government to take over the full operation of the Winnipeg Ambulance Service.

Moved by Councillor Gee,  
Adoption of the clause.

Carried.

(Sgd.) C. John Gee, Chairman

MOTIONS

Moved by Councillor Hudson,  
Seconded by Councillor Bockstael,  
1189 – WHEREAS

- (a) Pursuant to its By-law No.1049/76 The City of Winnipeg authorized the expropriation of the land described therein and executed a Declaration of Expropriation, dated February 24<sup>th</sup>, 1977; and
- (b) Notice of Intended Expropriation was served by the City on the only interested party of the land intended to be expropriated and published in the newspapers, pursuant to Section 2(1) of Schedule A to the Expropriation Act; and
- (c) No Notice of Objection to the Intended Expropriation has been served upon the confirming authority by the only interested party pursuant to Section 3 of Schedule A to The Expropriation Act;

BE IT RESOLVED that the Declaration of Expropriation, dated February 24<sup>th</sup>, 1977, executed pursuant to said By-law No. 1049/76 and expropriating the following lands:

FIRSTLY: All that portion of Parcel Three which Parcel is shewn on a plan of survey of part of Lots Seventy-two to Seventy-five and Park Lot “A” and Lots Seventy-two “A” and Seventy-three “A” in the Outer Two Miles of the Parish of Saint Boniface, in Manitoba, filed in the Winnipeg Land Titles Office as No. 8150 shewn bordered pink on a plan of survey of part of Lots Seventy-four and Seventy-five in the Outer Two Miles of said Parish and part of Lot “A”, Roman Catholic Mission Property, Plan No. 433, and prepared by Joseph Henry Wilson, Manitoba Land Surveyor, and sworn to by him on the sixteenth day of April, Nineteen Hundred and Seventy-four;

SECONDLY: All that portion of Block lettered “A” which Block is shewn on a plan of survey of the Roman Catholic Mission Property, Plan No. 433 and contained within the limits of the lands plan filed in the said Office as No. 5151 and shewn bordered pink on said Plan;

THIRDLY: All that portion of Parcel lettered "G" which Parcel is shewn on a plan of said Lot "A" of the said Roman Catholic Mission Property filed in the said office as No. 8888 and shewn bordered pink on said plan.

be and the same is hereby confirmed.

Carried.

Moved by Councillor Westbury,

Seconded by Councillor Smith,

1190 - WHEREAS members of the Manitoba Handball Association participated in the Canadian Open Tournament held in Winnipeg, April 28<sup>th</sup> to May 1<sup>st</sup>, 1977, inclusive;

AND WHEREAS 130 competitors, representing every Province in Canada, excepting Prince Edward Islnd, including some from the United States of America, competed in the tournament;

THEREFORE BE IT RESOLVED that His Worship the Mayor be requested to suitably honour the following Winnipeggers who won events at the tournament:

Merv Deckert won the Canadian Closed Singles Handball Championship,

Harry Sirett and Syd Glenesk won the Consolation Section of the Canadian Open Masters Doubles Handball Championship,

Ed Gilroy and Bob Whitlaw won the Consolation Section of the Canadian Open Doubles Handball Championship.

Carried.

Moved by Councillor Galanchuk,

Seconded by Councillor Hallonquist,

1191 - That Councillor Ross be appointed as a member of the Board of the Winnipeg Ambulance Service in place of Councillor Ducharme, resigned.

Carried.

Moved by Councillor Gee,

Seconded by Councillor Rebchuk,

1192 - WHEREAS the Committee of Finance at its meeting held on May 17<sup>th</sup>, 1977, considered matters concerning the acquisition of certain property in the St. Vital Community Area for the St. Vital /Fort Garry Transportation Corridor, as more particularly set out below, subject to Provincial Government approval of cost sharing;



Parcel 1:

Location: South St. Vital between St. Mary's and River Roads  
Address: 1150 St. Mary's Road  
Description: Part River Lot 47 St. Vital as shown hatched on Plan 51/76  
Certificate of Title: 671082, 655216, 675262, A22516  
Owner: Guenther Rudolph Salzman, 1150 St. Mary's Road  
Assessment: Land - \$2,940.00  
Building - \$4950.00  
Zoned: RA  
Site Size: 64 feet frontage x irregular depth for a total of approx. 8.44 acres  
Improvements: One single family dwelling built in 1919 and containing approximately 720 square feet in poor condition. An unfinished single family dwelling started in 1960 containing approximately 1,400 square feet. This dwelling is unoccupied and is approximately 50% complete.

The cost of acquisition may be charged to Account No. 10A-101-602

Parcel 2:

Location: East of St. Mary's Road, South of Rose Avenue  
Address: 1151 St. Mary's Road  
Description: As shown hatched on Plan 463a/75  
Certificate of Title: 837568  
Owner: Elizabeth Margarethe McDougall, 22237-26<sup>th</sup> Avenue, Langley, British Columbia  
Assessment: Land - \$2,050.00  
Building - \$9,250.00  
Zoned: RA  
Site Size: Three parcels containing a total of 2.05 acres  
Improvements: The property is improved with a 1,620 square foot bi-level dwelling and attached three car garage built in 1967.

The cost of acquisition may be charged to Account No. 10A-101-601

AND WHEREAS your Committee has now been advised that the Provincial Government approval has been obtained as more particularly set out in letters dated May 13<sup>th</sup>, 1977, from the Deputy Minister of Highways of the Province of Manitoba, copy of which is on file in the office of the City Clerk;

AND WHEREAS Council at its meeting held March 16<sup>th</sup>, 1977, confirmed the Declaration of Expropriation dated January 27<sup>th</sup>, 1977, pursuant to By-law No. 1405/76, which, in part, included the subject property;

NOW THEREFOR BE IT RESOLVED that the City Solicitor be authorized to make offers of compensation in the amount of \$150,000.00 for the Salzmans property and \$85,000.00 for the McDougall property for acquisition by the City under expropriation proceedings, of the property described herein, on a 50/50 cost sharing basis with the Province of Manitoba;

AND BE IT FURTHER RESOLVED that the Proper Officers of the City be authorized to do all things necessary to implement this matter.

Carried.

Moved by Councillor Ducharme,  
Seconded by Councillor Pierce,  
1193 - WHEREAS

- (a) Pursuant to its By-law No. 1554/77 the City of Winnipeg authorized the expropriation of the land described therein and executed a Declaration of Expropriation, dated May 13<sup>th</sup>, 1977, and
- (b) Notice of Intended Expropriation was served by the City on all parties interested in the land intended to be expropriated and published in the newspapers, pursuant to Section 2(1) of Schedule A to The Expropriation Act; and
- (c) The Lieutenant-Governor-in-Council deeming it necessary or expedient in the public interest to do so in the circumstances has by Order-in Council numbered 614, dated June 1<sup>st</sup>, 1977, directed the confirming authority to make its order confirming the Declaration without an inquiry being conducted;

NOW THEREFORE BE IT RESOLVED that the Declaration of Expropriation, dated May 13<sup>th</sup>, 1977, executed pursuant to said By-law No. 1554/77, and expropriating the following lands:

All that portion of River Lot Forty-seven, according to the Dominion Government Survey of the Parish of Saint Vital, in Manitoba, which lies between the Western limit of Sainte Annes' Road, as the same is shewn on a plan filed in the Winnipeg Land Titles Office as No. 1871, and the straight production Southerly of the Eastern limit of Eric Street as the same is shewn on a plan of survey of part of said lot, registered in the said Office as No. 2040; excepting thereout; FIRSTLY: The most Northerly One Hundred and Fifty-four feet in perpendicular width of

said lot; SECONDLY: The most Southerly Three Hundred and Ninety-eight feet in perpendicular width of said lot; THIRDLY: All that portion thereof taken for the Right-of-Way of the North-Western Power company, as the same is shewn coloured pink on a Plan filed in the said Office as No. 3460, and FOURTHLY: All that portion thereof lying to the East of a straight line drawn Northerly at right angles to the Northern limit of the most Southerly Three Hundred and Ninety-eight feet in perpendicular width of said lot, from a point in the same distant Easterly thereon Thirteen Hundred and fifty-Five feet from the Western limit of the land above described;

for the public purposes of the City of Winnipeg, that is, to assist in the assembly of land for the proposed Fort Garry-St. Vital corridor, in the City of Winnipeg, pursuant to Sections 147 (3) and 148 of The City of Winnipeg Act and By-law No. 1554/77 of the City of Winnipeg;

be and the same is hereby confirmed.

Carried.

Moved by Councillor Rebchuk,  
Seconded by Councillor Brunka,

1194 - WHEREAS the Committee on Finance at its meeting held on May 17<sup>th</sup>, 1977, considered a matter concerning the acquisition of certain property in the St. Vital Community Area for the St. Vital/Fort Garry Transportation Corridor, as more particularly set out below, subject to Provincial Government Approval of cost sharing:

<u>Location:</u>	Rearage lands West of St. Anne's Road and East of the southerly extension of Eric Street
<u>Address:</u>	538 St. Anne's Road, 201 Rose Avenue
<u>Description:</u>	As shown shaded on Plan 450/76
<u>Certificate of title:</u>	Part of C23098
<u>Owner:</u>	Behnkes Greenhouses and Florists Limited, 201 Rose Avenue.
<u>Assessment:</u>	Not apportioned
<u>Zoned:</u>	RA-Suburban
<u>Site Size:</u>	74.5 feet <sup>±</sup> x 1,355 feet for a total area of approximately 2.4 acres
<u>Improvements:</u>	Vacant land only

The cost of acquisition may be charged to Account No. 10A-101-605

AND WHEREAS your Committee has now been advised that the Provincial Government approval has been obtained as more particularly set out in letter dated May 13<sup>th</sup>, 1977, from the Deputy minister of highways of the Province of Manitoba, copy which is on file in the office of the City Clerk;

AND WHEREAS council at its meeting tonight confirmed the Declaration of Expropriation, pursuant to By-law No.1554;

NOW THEREFORE BE IT RESOLVED that the City Solicitor be authorized to make an Offer of Compensation in the amount of \$36,000.00 for acquisition by the City, under expropriation proceedings, of the property described herein, on a 50/50 cost sharing basis with the Province of Manitoba;

AND BE IT FURTHER RESOLVED that the proper officers of the city be authorized to do all things necessary to implement this matter.

Carried.

### CONSIDERATION OF BY-LAWS

1195 - On motion of Councillor Gee the following By-laws were each read a first, second and third time, the rule being suspended for the third reading of each By-law, and were passed and ordered to be signed and sealed, namely:-

By-law 1614/77, a By-law of the City of Winnipeg to acquire by expropriation certain lands in the Community of West Kildonan, in the City of Winnipeg, in the Province of Manitoba, required to enable the establishment of a centralized Works and Operations Department, Operations Division, District #3 Facility;

By-law No. 1615/77, a By-law of the City of Winnipeg to acquire by expropriation certain lands it requires for transportation right-of-way and for its land drainage system in the Community of East Kildonan, in the City of Winnipeg, in the Province of Manitoba;

By-law No. 1616/77, a By-law of the City of Winnipeg to expropriate lands in the St. James-Assiniboia Community of The City of Winnipeg for parks and waterway system purposes;

By-law No. 1644/77, a By-law of the City of Winnipeg to amend By-law No. 260/72, being the License By-law of the said City.

Moved by Councillor Brunka,  
That Council do now adjourn.

The Clerk called the roll.

Present: Councillors Bockstael, Brunka, Chornopyski, Dixon, Ducharme, Eliason, Ernst, Galanchuk, Gee, Hallonquist, Hudson, Ireton, Johannson, Jorowski, Klym, Knight, McGonigal,

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Mercier, Lazarenko, Penner, Perry, Pierce, Rebchuck, Reese, Rizzuto, Ross, Kozlowski, Skowron, Filmon, Wade, Smith, Westbury, Johnson, Wong, Yanofsky and Zuken.

The motion to adjourn was put and carried and Council adjourned at 12:18 a.m.