

Minutes of a Regular Meeting of Council held in the Council Chambers of City Hall on October 22, 2001 at 6:02 p.m.

- PRESENT:** Councillors Brennan, Hamilton Porter, Quinn, Tenszen and Mayor MacKenzie in the Chair.
- ABSENT:** Councillor Allen
- ADOPTION OF MINUTES:** 292/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Minutes of the Regular Meeting of Council held on October 9, 2001, in the Council Chambers of City Hall and the Special Meeting Minutes of October 19th held in the Westward Resort are approved as circulated.
Carried.
- HEARINGS:**
- Application for Rezoning – Della Cogar (Prosvita Hall)**
Duke Andrich was in attendance on behalf of the applicant, Della Cogar, but did not speak. No one else attended in this regard.
- Variation – Portage Garage**
Chris Bures was in attendance but did not speak. No one else attended.
- Variation – Matthew Gray**
Matthew Gray was in attendance at the hearing, but did not speak. No one else attended.
- DELEGATIONS:** None
- CORRESPONDENCE:** The correspondence for this period was reviewed.
- COMMITTEE REPORTS:**
- Finance, Legislative & Property Committee**
- Your Worship, your Finance, Legislative and Property Committee respectfully submits the following reports:
- Adding Unpaid Water & Sewer to Taxes for September, 2001 – By-Law 01-8113 – 2nd & 3rd Reading
- This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to property taxes.
- Nettie* 293/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law 01-8113 being a by-law to authorize unpaid water and sewer charges be added to taxes be read a second time.
Carried.
- RESOLVED THAT By-Law 01-8113 be read a third time, finally passed, signed and sealed.
Carried.
- Insurance Coverage – Mellco/Newton Lawsuit
- Committee reviewed this report in camera.
- Dale* 294/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT Douglas Abra of Hill Abra Dewar be appointed to represent the City with respect to insurance coverage and the Mellco/Newton lawsuit.
Carried.
- CUPE Negotiations
- Committee reviewed the CUPE negotiations in camera.
- Budget Meeting Dates
- Committee set the Budget Meeting dates for November 17 and 18, 2001.

Monthly Activity Reports

Council reviewed the monthly activity reports for September, 2001.

Current Projects List

Council reviewed the Current Projects List in camera.

City Planning & Economic Development

Your Worship, the City Planning & Economic Development Committee respectfully submits the following report:

Application for Variation –
Portage Garage Ltd. 480
Saskatchewan Avenue West

The applicant, Mr. Dennis Thompson, on behalf of Portage Garage Ltd., is applying to vary the rear yard from the required 6.0 meters to .74 meters. The reason for this request for variation is to allow the existing building to be used for Office and/or retail space. As the use of the building is changing, thus the need to have the property conform to the existing zoning standards.

This building is in a C2 – Central Commercial district (fringe area). Public notices have been sent to all property owners within a 100-meter radius, with no objections received.

Dean

295/01

Moved by: Councillor Brennan
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Portage Garage Ltd., c/o Mr. Dennis Thompson to vary the rear yard requirement from 6.0 meters to .74 meters at the property known as 480 Saskatchewan Avenue West which is legally described as Lot 1 to 8, Plan 17, River Lot 62, Parish of Portage la Prairie.
Carried.

Request for Variation –
Matthew Gray – 506-1st
Street NW

The property owner, Mr. Matthew Gray, is applying for a variation to the front yard requirement of 25 feet to 18.55 feet and to the rear yard requirement from 25 feet to 17.55 feet.

This is an existing building (former St. Hyacinth's Church), which has been rezoned from EI – Educational & Institutional to R1 – Single Family dwelling district, as per Resolution No. 234/01, passed by Council of the City of Portage la Prairie on August 27, 2001.

Public notices have been sent to all property owners within a 100 meters (330 foot) radius, with no objections received.

Dean

296/01

Moved by: Councillor Brennan
Seconded by: Councillor Hamilton

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Matthew Gray to vary:

- The front yard requirement from 25 feet to 18.55 feet and;
- The rear yard requirement from 25 feet to 17.55 feet

At the property known as 506-1st Street NW, which is legally described as Lots 752 & 753, Plan 66, Parish Lot 64, Parish of Portage la Prairie.
Carried.

Zoning By-Law Amendment
– By-Law 01-8111 – Della
Cogar (Prosvita Hall)

The applicant, Della Cogar, having received the permission of the owner, The Community Foundation of Portage & District has applied to amend the City of Portage la Prairie Zoning By-Law 7680, to rezone the property located at 525-2nd Street NW from R1 – Single Family Dwelling District – to R3 – Multiple Family Dwelling District to permit the former Prosvita Hall to be converted to a 4 plex apartment type dwelling.

The City of Portage la Prairie Development Plan designates this area R- Residential and Policy 5.6 states that re-development and infill shall be encouraged, since this type of development utilizes existing services.

The application has also been advertised in the Daily Graphic for two consecutive weeks as well as public notices have been sent to all

owners of property within a 300 foot radius of the proposed development. No objections have been received.

Dean

297/01

Moved by: Councillor Brennan
Seconded by: Councillor Hamilton

THAT By-Law No. 01-8111 be read a second time to rezone the property known as 525-2nd Street NW and legally described as: being Lots 807, 808, 809, Plan 66, PLTO in River Lot 64, Parish of Portage la Prairie from R1 – Single Family Dwelling District to R3 – Multiple Family Dwelling District to permit the conversion of the former Prosvita Hall building into a 4-plex dwelling.
Carried.

THAT By-Law No. 01-8111 be read third time, finally passed, signed and sealed.
Carried.

Encroachment Agreement –
Portage Garage

This property is legally described as at Portage la Prairie and being Lots 1 to 8, both inclusive, Plan 17, as shown on a plan of subdivision as River Lot 62 of the Parish of Portage la Prairie. The encroachment involves a fascia sign which encroaches onto Saskatchewan Avenue West 0.7 feet.

The owner has also stated that the overhead sign that encroaches onto Saskatchewan Avenue West will be removed when the existing business moves to its new location.

Dean

298/01

Moved by: Councillor Brennan
Seconded by: Councillor Hamilton

RESOLVED THAT the Council of the City of Portage la Prairie enter into an agreement with Portage Garage Ltd. to allow the fascia sign on the front of the building located at 480 Saskatchewan Avenue West to encroach onto Saskatchewan Avenue West.
Carried.

Tourism Awareness Week
Final Report – For
Information Only

Committee reviewed the Tourism Awareness Week Final Report.

Tourism Awareness Week
Awards – For Information
Only

In order to encourage customer service skills in the local businesses of Portage la Prairie, the City created two motivational programs in conjunction with the Tourism Awareness Week; the Smile Campaign and Service Distinction Award.

The Smile Campaign and Service Distinction Awards have ended for 2001 and are considered a resounding success:

June Winners

Portage Toyota – Service Distinction

Shirley Howard, Portage Supermarket – Smile Campaign

July Winners:

Canadian Tire – Service Distinction

Margaret Schapansky, Schapansky Florists – Smile Campaign

August Winners:

Westward Resort and Conference Centre – Service Distinction

Dolores Gobin, Toronto Dominion Bank – Smile Campaign

Both award programs accomplished their goal of creating awareness in the community through both the businesses and the local consumers.

2002 Planning District
Conference – For
Information Only

The Economic and Community Development Department had contacted the organizing committee for the 2002 Planning District Conference early in 2001 and indicated our willingness to work with them on hosting the event in Portage la Prairie. After some consideration, the Committee has decided to bring the event to our City.

March 2 & 3, 2002; the City of Portage la Prairie will be home to the 2002 Planning District Conference. This province – wide event will host over 250 delegates consisting of municipal councilors, civil servants, regional health authority representatives and various other provincial department staff.

Monthly Activity Reports Committee reviewed the monthly activity reports for September, 2001.

Public Safety Committee Your Worship, your Public Safety Committee respectfully submits the following report:

Monthly Activity Reports Council reviewed the monthly activity reports for September, 2001.

Waterworks Committee Your Worship, the Waterworks Committee respectfully submits the following report:

Parrheim Wastewater Billings Council reviewed this report in camera.

Nettie Kelly 299/01 Moved by: Councillor Hamilton
Seconded by: Councillor Porter

RESOLVED THAT Administration be authorized to adjust Parrheim's 2000 and forward reconciled billings to the intent of the industrial services agreement and not to the letter of the agreement, and for the City to pay any difference to McCain Foods, with calculations for McCain done according to the letter of the Industrial Services Agreement, until such time as the agreements are amended. Carried.

Island Park Water & Sewer Servicing *Kelly* 300/01 Council reviewed this report in camera.
Moved by Councillor Hamilton
Seconded by Councillor Porter

RESOLVED THAT the City of Portage la Prairie proceed with the design and tendering for sewage lift stations at the new Outdoor Leisure Water Park and Oak Island Homes and that a meeting be arranged with Massey Crescent and Brandon Avenue Residents to advise them of water and sewer service options. Carried.

Monthly Activity Report Council reviewed the monthly activity reports for September, 2001.

Transportation Committee Your Worship, the Transportation Committee respectfully submits the following report:

Monthly Activity Reports Council reviewed the monthly activity reports for September, 2001.

Community Services Committee Your Worship, your Community Services Committee has nothing to report.

Monthly Activity Reports Council reviewed the monthly activity reports for September, 2001.

DEFERRED BUSINESS: None

OLD BUSINESS:

Sale of Former Calwest Land and Building On September 10, 2001 the City obtained title to the Calwest property via the tax sale process.

The reserve bid at tax sale time was \$222,163.33, as well, the 2001 taxes for \$51,295.49 were also in arrears.

On September 11, 2001, Shindico Realty forwarded the City an offer to purchase the former Calwest land and property, on behalf of their client, Pro Body Auto Parts for \$205,000.

At time of receipt, Administration advised Shindico that there was a 30 day appeal period concerning the tax sale and that any transaction could not occur prior to that point. There have been no appeals to the tax sale so the City has retained clear title to the property.

The offer from Shindico was brought before Council on September 24, 2001 for consideration and because of this, a counter offer was made and subsequently accepted by Shindico on behalf of their client. We did advertise the facility publicly and this offer was the only one provided to the City for consideration.

Shindico's client, Pro Auto Body Parts intends to use the facility as a location to distribute replacement auto parts. Warehouse operations are a permitted use in a M2 zoning district.

The assets left behind by Calwest Textiles are currently being disposed of by the Receiver and should be completed by the November 1, 2001 sale closing date.

At closing date, approximately \$35, 500 in taxes will be cancelled.

Dean

301/01

Moved by: Councillor Brennan
Seconded by: Councillor Quinn

RESOLVED THAT Council accept the offer to purchase the former Calwest Textile property, legally described as Lot 1, Plan 35006, PLTO in RL: 57, Parish of Portage la Prairie for \$205,000 plus GST as presented by Shindico Realty Inc. , on behalf of their client, Pro Auto Body Parts with the following conditions:

- That the building and property be sold "as is, where is"
- That both parties be responsible for their own costs related to the sale and transfer of title.
- That all references in the Shindico offer to purchase identifying the City of Winnipeg be changed to read "The City of Portage la Prairie"
- That clause 3.0.1 (a) of the Shindico offer to Purchase be deleted
- That the purchaser be advised that there is a right of way caveat registered against the property by Arnold William Bachalo
- That closing, adjustment and possession date is November 1, 2001.

Carried.

Amendment to Driving
Range Lease

On October 9, 2001, Council approved a lease agreement with Portage Family Golf Land Ltd that defined the conditions of use and development of a driving range and family golf playground within the Republic of Manitobah Park.

After the lease agreement was approved, it was learned that a portion of land that was negotiated for was unintentionally excluded from the legal description of the property.

The amendment to the master lease as prepared by the City, will be more accurately describe the lands that PFGL will be developing and further includes provisions for access to some private properties within the development area.

Dean 302/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Council of the City of Portage la Prairie approve the signing of the amending agreement with Portage Family Golf Land Ltd. for the purchase of operating a golf driving range practice facility and family golf playground, on city property legally described as:
Parcel 1 Lots 22-37, Block 3, Plan 354 PLTO
Parcel 2 – Lot 1-10, Block 4, Plan 354, PLTO
Parcel 3 – Lots 16-27, Block 4, Plan 354, PLTO
Parcel 4 – Lots 33/34, Block 4, Plan 354, PLTO
Parcel 5 – The 66 foot Right of Way between Parcels 1 and 2 described above
Parcel 6 – All that portion of Oxford Street outlined in red on Schedule A, lying immediately to the North of Lot 22, Block 3, Plan 354, PLTO and extending Easterly along Oxford Street to the Western limit of Wardlaw Avenue as shown on Schedule A.
Carried.

NEW BUSINESS:

November 12th Council Meeting The November 12th Council Meeting falls on the Remembrance Day Statutory Holiday. One suggested solution is to move the November 12th meeting to November 13th. This alternative would provide for no disruption in the Council process. To move the Council meeting ahead one week would result in meeting two weeks in a row.

Jodi 303/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Council meeting of November 12th, 2001 be rescheduled to Tuesday, November 13th, 2001.
Carried.

Award of Wastewater Tender - 12th Street SW Lane – Wastewater Sewer Renewal. The tender was advertised in the Winnipeg Free Press and The Daily Graphic. The tender opening was Tuesday, October 16, 2001.

The work includes the replacement of existing wastewater sewer mains in the north section of the rear lane and up to Saskatchewan Avenue on 11th Street S.W. The project also includes the addition of 4 water and wastewater sewer services to service the new lots created at the old West End Community Club site. All restoration work will also be completed under this tender.

This section of wastewater sewer has experienced several blockages in the past due to broken and collapsed pipes. Televising of the wastewater sewer mains has revealed badly deteriorated pipes.

The utility budget contains \$207,000 for water and wastewater renewals. The Tupper Street N. watermain renewal cost \$107,246, leaving \$100,000 for wastewater work. The cost of this project is \$48,089.67 net of GST rebate. Therefore overall we are \$52,000 under budget. The pipe work is scheduled for completion by November 30, 2001 and restoration will be completed in the spring of 2002.

Kelly 304/01 Moved by: Councillor Hamilton
Seconded by: Councillor Porter
RESOLVED THAT the City of Portage la Prairie award the tender of 01 OPS 022 to Towle Construction Ltd. for the tendered price of \$49,957.23.
Carried.

ADJOURNMENT 305/01 Moved by: Councillor Quinn
Seconded by: Councillor Porter
RESOLVED THAT the Council Meeting be adjourned at 6:32 p.m.
Carried.

Mayor

Manager of Administration