

AN ORDER OF THE CLEAN ENVIRONMENT COMMISSION

UNDER THE CLEAN ENVIRONMENT ACT

IN THE MATTER OF THE CLEAN ENVIRONMENT COMMISSION and
THE CITY OF WINNIPEG, Applicant,

WHEREAS pursuant to Section 15.1(1) of The Clean Environment Act, the City of Winnipeg passed a resolution on the 21st day of May, 1975, to authorize an abatement project involving the property located at 1377/1385 Winnipeg Avenue in the City of Winnipeg and described under Certificate of Title #B79956 (Appendix A);

AND WHEREAS the said City applied to The Clean Environment Commission on the 20th day of June, 1975, for an Order declaring that the abatement project is in the public interest and may be proceeded with;

AND WHEREAS the purpose of the said abatement project is to abate an undesirable environmental condition by acquiring the land works and buildings at the said location and rezoning the said property from M2 (light industrial) to R2 (two family dwellings);

AND WHEREAS the said Commission held a public hearing in the City of Winnipeg on the 15th day of December, 1975, and again on the 16th day of February, 1976;

AND WHEREAS at the said hearing, evidence was received to the effect that:

1. The property located at 1377/1385 Winnipeg Avenue, Winnipeg, is owned by Joe's & Company Ltd., 1500 Wall Street, Winnipeg.
2. The two buildings located on the said property are not occupied by the owner but are leased to a variety of industrial operations.

*assigned
to C. Stewart
COO/ed
march 23/76*

3. The said property zoned M2 (light industrial) is bounded on three sides by residential area zoned R2 (two family dwellings) and on the fourth side by a Canadian Pacific Railway right-of-way. Vehicle access is not possible from the Canadian Pacific Railway right-of-way and it is necessary for vehicles to use residential streets and lanes to reach the said property.
4. Various types of industries that have occupied the said buildings and utilized the open areas of the said property, have created nuisance conditions for local residents. These include truck traffic and miscellaneous noises at all hours of the night and the spilling of dirt and gravel on residential streets.
5. The Applicant wishes to acquire the said land, works and buildings and to rezone said property to R2 (two family dwellings).

AND WHEREAS based on the evidence submitted, the said Commission concluded that there will be continuing problems relating to the incompatibility of the present usage of the said property with the greater part of the surrounding area.

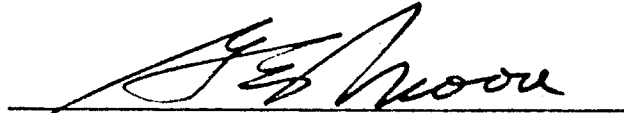
THE CLEAN ENVIRONMENT COMMISSION THEREFORE DECLARES:

THAT it is satisfied that the abatement project is in the public interest and may be proceeded with.

Order No. 547

Dated at the City of Winnipeg

this 18th day of March, 1976.


Chairman,
The Clean Environment Commission.

Attachment forming part of this Order: Appendix A

C-b-1178

APPENDIX A

ORDER NO. 547

ISSUED MARCH 18th, 1976.

JOE'S & COMPANY LTD.

REGISTERED OWNER

CERTIFICATE OF TITLE #B79956

LEGAL DESCRIPTION:

In the City of Winnipeg, in the Province of Manitoba, being in accordance with the Special Survey of said City, and being Parcel One: Lots Seventeen to Twenty-four both inclusive, excepting out of said Lot Twenty-four, the most Westerly Sixteen feet in width thereof, in Block Six, and all of lots Nine to Twenty-four both inclusive, excepting out of said Lots Nine and Twenty-four the most Westerly Sixteen feet in width thereof, in Block Ten, which lots are shown on a plan of survey of part of Lots Six "A" and Seven "A" in the Parish of Saint John, registered in the Winnipeg Land Titles Office as No. 848. Parcel Two: all those portions of Lot Six "A" of the Parish of Saint John, registered in the Winnipeg Land Titles Office as No. 848, which lies between the Western limit of the right of way of the Canadian Pacific Railway as same is shown on a plan filed in the said office as No. 1231, and a Line drawn across said Avenue and Lane parallel with the Western limit of Lot Nine in said Block and perpendicularly distant Easterly Sixteen feet therefrom.