CITY CLERK'S DEPARTMENT

DISPOSITION OF ITEMS

COUNCIL MEETING

WEDNESDAY, JULY 27, 2005

MEMBERS PRESENT:

His Worship Mayor Katz
The Speaker Councillor O'Shaughnessy
Deputy Speaker Councillor Lazarenko
Councillor Benham
Councillor Clement
Councillor De Smedt
Councillor Eadie
Councillor Gerbasi
Councillor Lubosch
Councillor Magnifico
Councillor Pagtakhan
Councillor Smith
Councillor Steeves
Councillor Swandel
Councillor Thomas
Councillor Wyatt

ADMINISTRATIVE PERSONNEL:

Mr. R. Kachur, City Clerk
Mr. M. Lemoine, Deputy City Clerk
Mr. W. Gulenchyn, Committee Clerk
Ms A. Stenning, Chief Administrative Officer

COUNCIL MEETING - JULY 27, 2005
DISPOSITION OF ITEMS

REPORT OF THE EXECUTIVE POLICY COMMITTEE dated July 6, 2005

1. Cloutier Drive Trail - Land Dedication Reserve ..... ADOPTED
2. St. Boniface Museum Board - Citizen Member ..... ADOPTED
3. Michael Komenda Memorial Youth Club - Land Dedication Reserve and Recreation and Leisure Facilities Funding ..... ADOPTED

REPORT OF THE EXECUTIVE POLICY COMMITTEE dated July 13, 2005

1. North Kildonan Community Centre - Land Dedication Reserve ..... ADOPTED
2. Brooklands Pioneer Citizens Club - 1960 William Avenue -Amendment to the Lease Agreement ..... ADOPTED

REPORT OF THE EXECUTIVE POLICY COMMITTEE dated July 20, 2005

1. Final Report of the Mayor's Red Tape Commission ..... ADOPTED
2. Exchange District Business Improvement Zone - Land Dedication Reserve ..... ADOPTED
3. Award of Contract for the Provision of Dark Fibre Services ..... REFERRED BACK TO EXECUTIVE POLICY COMMITTEE
4. Sidewalk on Bournais Drive - Land Dedication Reserve ..... EXECUTIVE POLICY COMMITTEE RECOMMENDATION LOST (See Motion 7)
5. Richmond Kings Community Centre (Ryerson Site) - Land Dedication Reserve ..... ADOPTED
6. Plan Winnipeg Amendment - 50 Dunkirk Drive (former Canoe Club) ..... ADOPTED
7. Kirkfield Westwood Community Centre - Land Dedication Reserve ..... ADOPTED
8. Varsity View Community Centre - Land Dedication Reserve ..... ADOPTED
9. North End School Resource Officer Program ..... ADOPTED
10. 2005 Flood Disaster Assistance Relief ..... ADOPTED
11. Canadian Museum for Human Rights ..... ADOPTED
12. Transcona Recreation Park Facility - Proposal from East Winnipeg Sports Association Inc. to construct Sports Facilities ..... ADOPTED
13. CentreVenture Development Corporation Gap Financing of the Heritage Conservation Tax Credit Program ..... ADOPTED

REPORT OF THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES dated July 11, 2005

1. Community Incentive Grant - Good Neighbours Senior Centre ..... GRANT NOT APPROVED
2. Amendments to Winnipeg Arts Council By-law No. 1 ..... ADOPTED

Disposition of Items - Council Meeting - July 27, 2005

REPORT OF THE STANDING POLICY COMMITTEE ON PUBLIC WORKS dated July 12, 2005

1. Award of Contract - Lease of an Asphalt Paver ..... ADOPTED
2. Reporting the operation of pumping stations to the public ..... ADOPTED
3. Local Improvement Projects to be funded and constructed in 2005 - Irving Place ..... ADOPTED
4. Local Improvement Projects to be funded and constructed in 2005 and 2006 ..... ADOPTED

REPORT OF THE STANDING COMMITTEE ON FISCAL ISSUES dated July 12, 2005

1. Entertainment Funding By-law Exemption ..... ADOPTED

REPORT OF THE STANDING COMMITTEE ON DOWNTOWN DEVELOPMENT dated April 4, 2005

3. Urban Design Advisory Committee (Amendments to the Downtown Winnipeg Zoning By-law No. 100/2004) ..... LAID OVER BY EXECUTIVE POLICY COMMITTEE FOR 90 DAYS

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT dated July 5, 2005

1. Historical Buildings By-law No. 1474/77 - 440-442 Assiniboine Avenue - Chelsea Court Apartments ..... ADOPTED
2. Amendments to Planning, Development and Building Fees By-law No. 166/2004 ..... ADOPTED
3. Waiver of Development Application Fees - Just a Second Store ..... ADOPTED
4. Street Opening - Wihuri Road - DAO 2/2004 ..... ADOPTED
5. Street Closing - Public lane adjacent to 145 Emerson Avenue - DAC 8/2005 ..... ADOPTED
6. Lane Closing - rear of 905 Portage Avenue - DAC 9/2005 ..... ADOPTED
7. Street and Lane Closing - part of Barnes Street and the public lane west of Barnes Street between Comdale Avenue and Colebrook Drive - DAC 10/2005 ..... ADOPTED
8. Rezoning - 1596/1600 Ness Avenue - DAZ 201/2005 ..... ADOPTED
9. Rezoning - 1845 Mathers Avenue - DAZ 210/2005 ..... ADOPTED
10. Rezoning - west side Lagimodiere Boulevard, north side of Leveque Street, east side of Dawson Road - DAZ 215/2005 [c/r DAOC 2/2005] ..... ADOPTED
11. Opening and Closing - parts of Lagimodiere Boulevard and Dawson Road - DAOC 2/2005 [c/r DAZ 215/2005] ..... ADOPTED
12. Subdivision and Rezoning - 111 Eastcote Drive and adjoining public reserve - DASZ 31/2004 ..... ADOPTED
13. Subdivision and Rezoning - 2335 and 2345 St. Mary's Road - DASZ 47/2004 ..... ADOPTED
14. Subdivision and Rezoning - 321 and 345 avenue de la Cathedrale - DASZ 6/2005 ..... ADOPTED
15. Subdivision and Rezoning - north extension of Brittany Drive - DASZ 8/2005 ..... ADOPTED
16. Subdivision and Rezoning - 1390 Grant Avenue - DASZ 15/2005 ..... ADOPTED
17. Subdivision and Rezoning - land located on the north side of Rougeau Avenue east of the CNR tracks - DASZ 17/2005 ..... ADOPTED
18. Subdivision and Rezoning - 2106/2120 Portage Avenue - DASZ 22/2005 ..... ADOPTED
19. Amendment to X-Rated Store Zoning By-Law No. 6087/93 ..... ADOPTED
20. Encroachment Agreement - 131 Provencher Holdings Ltd. for Parking Purposes at Centreville - Encroaching onto the rue Dumoulin Right-Of-Way ..... ADOPTED
21. Sale of a Portion of the public lane south of River Avenue between Scott and Bryce Streets - Vincent Nocita Construction Co. Ltd. ..... ADOPTED

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT dated July 5, 2005 (continued)

22. Sale of City-owned lands - northeast corner of Logan Avenue and King Edward Street.....ADOPTED
23. Sale of City-owned Lands adjoining 468 St. Anne's Road - Sobering Investments Inc.....ADOPTED
24. Encroachment Agreement - Devon Estates Ltd. for Parking Purposes - Public Drain Plan 9191, 1415 Henderson Highway.....ADOPTED
25. Sale of a Portion of Lagimodière Boulevard south of Almey Avenue.....ADOPTED
26. Sale and Exchange - part of Barnes Street (Proposed to be Closed) for Land Owned by Fairfield Properties Ltd. - southwest corner of Comdale Avenue and Shore Street.....ADOPTED
27. Sale/Lease - Portion of Kenaston Boulevard at Lindenwoods Drive East - Hopewell Development Corporation.....ADOPTED
28. Application Process for Establishment of Outdoor Patios within Street Right-of-Way and Rental Rate Structure.....ADOPTED
29. The City's Acceptance of an Ecological Gift of Natural Lands along the LaSalle River.....ADOPTED

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT dated July 18, 2005

1. Subdivision and Rezoning - east of Main Street, south of Commonwealth Avenue [Greenview Homes (Manitoba) Ltd.] - DASZ 10/2005.....ADOPTED
2. Subdivision and Rezoning - east side Main Street, north and south of Commonwealth Avenue (Coral-Reef Holdings Ltd.) - DASZ 11/2005.....ADOPTED
3. Lease Agreement - Nijimahkwa School.....ADOPTED
4. Amendment to Development Agreement 15/95 and Installation of a Pedestrian Corridor at 1970 Henderson Highway (Kildonan Personal Care Home) - DASZ 15/95.....ADOPTED
5. Amendment to the Approval of DASZ 12/2003 (Paul Martin Drive) - DASZ 12/2003.....ADOPTED
6. Street Closing - part Ebby Avenue east of Pembina Highway - DAC 13/2005.....ADOPTED
7. Subdivision and Rezoning - 586 Ellice Avenue, 457 and 459 Sherbrook Street - DASZ 23/2005 [DAC 16/2005].....ADOPTED
8. Closing - part of the public lane east of Sherbrook Street, south of Ellice Avenue - DAC 16/2005 [c/r DASZ 23/2005].....ADOPTED
9. Zoning Agreement Amendment - 484 Wellington Crescent - ZAA 2/2005 [c/r DAZ 203/92]..... NOT PROCEEDED WITH
10. Zoning Agreement Amendment - 905 Waverley Street - ZAA 6/2005 [c/r DASZ 18A/84].....ADOPTED
11. Zoning Agreement Amendment - 596 Burnell Street - ZAA 7/2005 [c/r DAZ 238/85].....ADOPTED
12. Rezoning - 710 Warsaw Avenue - DAZ 266/2004.....ADOPTED
13. Rezoning - 1291 McGillivray Boulevard - DAZ 218/2005.....ADOPTED
14. Rezoning - 135 Bannerman Avenue - DAZ 228/2005.....ADOPTED
15. Subdivision and Rezoning - 444 Grassie Boulevard - DASZ 21/2005.....ADOPTED
16. Subdivision and Rezoning - 1 Flora Place - DASZ 24/2005 [c/r DAZ 232/2005].....ADOPTED
17. Rezoning - west side of Sinclair Street, south of Selkirk Avenue - DAZ 232/2005 [c/r DASZ 24/2005].....ADOPTED
18. Construction - Use of Temporary Structures on The Forks Rail Bridge - Charter Requirement for By-Law.....ADOPTED
19. Transcona Yards Secondary Plan.....ADOPTED
20. Encroachment - Storm Water Relief Forcemain - Wellington Avenue - Winnipeg Airports Authority Inc.....ADOPTED

Disposition of Items - Council Meeting - July 27, 2005

REPORT OF THE ALTERNATE SERVICE DELIVERY COMMITTEE dated May 17, 2005

1. Solid Waste Collection Services Business Plan ..... AMENDED BY EXECUTIVE POLICY COMMITTEE RECOMMENDATION AND ADOPTED

REPORT OF THE ALTERNATE SERVICE DELIVERY COMMITTEE dated July 18, 2005

1. Annual Selection Report 2005: Fleet Management Agency (SOA) .....ADOPTED

Disposition of Items - Council Meeting - July 27, 2005

NOTICE OF MOTION		
MOVER & SECONDER	**SUBJECT**	**DISPOSITION**
Benham / Smith	That City Council urge the Mayor to attend at the next annual general meeting of the Federation of Canadian Municipalities, to be held in Montreal from June 2 to 5, 2006.	LOST

COUNCIL MOTIONS			
MOTION	**MOVER & SECONDER**	**SUBJECT**	**DISPOSITION**
1	De Smedt / O'Shaughnessy	That Council reconsider Item 2 of the Report of the Standing Policy Committee on Property and Development dated June 7, 2005, as adopted by Council on June 29, 2005 and; That Council rescind that portion of its decision of June 29, 2005, with respect to Item 2 of the Report of the Standing Policy Committee on Property and Development dated June 7, 2005, as follows: 1. Delete Recommendations 2A., 2B. and 2C. in their entirety and replace them with the following: "2A. That the Developer grant, in perpetuity to the City, an Easement or other such appropriate legal instrument, as determined by the City Solicitor/Manager of Legal Services, for the maintenance and perpetuation of Wellington Crescent across the subject property in general accordance with Schedule "B" for File DAZ 235/2004 dated April 1, 2004, to the satisfaction of the Director of Public Works. 2B. That the Developer grant, in perpetuity to the City, an Easement or other such appropriate legal instrument, as determined by the City Solicitor/Manager of Legal Services, for the maintenance and perpetuation of Wolseley Avenue West across the subject property in general accordance with Schedule "D" for File DAZ 235/2004 dated April 1, 2004, to the satisfaction of the Director of Public Works. 2C. That the Developer provide and legally open, at no cost to the City, property required for a widening to the north side of the Academy Road right-of-way as illustrated on Schedule "C" for File DAZ 235/2004 dated April 1, 2004, to the satisfaction of the Director of Public Works." 2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	CARRIED

Disposition of Items - Council Meeting - July 27, 2005

2	Lazarenko / Smith	That Council review the current governance and administrative structure in comparison with that adopted in October 1997.	NOTICE OF MOTION
3	Lazarenko / Pagtakhan	That Council request the City Administration to provide the answers to the following questions: 1. Who gave the directive not to release the mosquito trap counts? 2. Who decided not to take immediate action to fog when trap counts exceeded an average of 25 mosquitoes on three consecutive nights and why? 3. Why were the trap counts for West Kildonan not released when the counts rose on June 13 from 43 to the highest count of 512 on June 27? 4. Who decided not to take action in West Kildonan and why?	AUTOMATIC REFERRAL TO THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
4	Benham / Thomas	That Item 1 of the Report of the Alternate Service Delivery Committee dated May 17, 2005, the Solid Waste Collection Services Business Plan, be referred back to the Alternate Service Delivery Committee.	LOST
5	Benham / Gerbasi	That City Council establish a Blue-Ribbon Panel of Experts to review the scientific literature and report on the safety, efficacy, costs and benefits of Malathion for mosquito adulticiding in the Winnipeg context and; That the panel shall consist of: 1. The City of Winnipeg entomologist 2. A senior administrator from the Community Services Department; 3. A chairperson who is not employed by the City of Winnipeg, and; That the following organizations be invited to nominate one representative each to the panel: 1. The Province of Manitoba 2. The University of Manitoba 3. The University of Winnipeg 4. The Manitoba Eco-Network, and; That the panel shall report its preliminary findings, based on the scientific literature, to Council before December 31, 2005, and; That the panel shall then hold public hearings on its findings with at least one public hearing to be held in each of the community committee areas before March 31, 2006, and; That the panel shall then make a final report to Council before April 30, 2006.	AUTOMATIC REFERRAL TO THE STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES
6	De Smedt / O'Shaughnessy	That the Standing Policy Committee on Property and Development act as the Appeal Committee to hear the appeal against City Centre Community Committee Variance Order DAV 120642/2005D, affecting 710 Warsaw Avenue.	CARRIED

Disposition of Items - Council Meeting - July 27, 2005

7	Wyatt / Swandel	That the cost to construct a 5 (five) foot concrete walk on Bournais Drive from Dugald Road to Hatcher Drive, in the amount of $24,319.60, be allocated from the East Kildonan-Transcona Land Dedication Reserve and; That the criteria of the Council Policy for the Land Dedication Reserve Fund be waived for any expenditures which do not qualify and; That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	CARRIED

Disposition of Items - Council Meeting - July 27, 2005

BY-LAWS RECEIVING FIRST READING ONLY		
BY-LAW NO.	**SUBJECT**	**DISPOSITION**
131/2005	To amend By-law No. 7630/2000, a by-law establishing Plan Winnipeg, being a statement of the City's policy and general proposals in respect of development or use of land in the City (50 Dunkirk Drive - former Canoe Club). File EP-1.1 (PW 02/05)	RECEIVED FIRST READING ONLY
141/2005	To adopt a secondary plan for the Transcona Yards Industrial Neighbourhood, File EP-1.2	RECEIVED FIRST READING ONLY

BY-LAWS PASSED (RECEIVED THIRD READING)		
BY-LAW NO.	**SUBJECT**	**DISPOSITION**
46/2005	To amend By-law No. 7630/2000, a by-law establishing Plan Winnipeg, being a statement of the City's policy and general proposals in respect of development or use of land in the City (North of Swailes Avenue Right-of-Way). File EP-1.1 (PW 1/2005)	PASSED
67/2005	To amend the X-Rated Store Zoning By-law No. 6087/93 in order to clarify existing provisions relating to proximity of X-Rated Stores to residential and park uses. File EZ (DAZ)	PASSED
132/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 450 Youville Street in the Riel Community. File DASZ 11/2004	PASSED
133/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 290 Jacques Avenue in the East Kildonan-Transcona Community. File DASZ 14/2005	PASSED
134/2005	To amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 1596/1600 Ness Avenue in the Assiniboia Community. File DAZ 201/2005	PASSED
135/2005	To amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the west side of Lagimodiere Boulevard, north of Leveque Street, east of Dawson Road in the Riel Community. File DAZ 215/2005	PASSED
136/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 111 Eastcote Drive in the Riel Community. File DASZ 31/2004	PASSED
137/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 321 and 345 avenue de la Cathedrale in the Riel Community. File DASZ 6/2005	PASSED
138/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on Brittany Drive, west of Elmhurst Road, east of Laxdal Road and south of Beiko Avenue in the Assiniboia Community. File DASZ 8/2005	PASSED
139/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 2106/2120 Portage Avenue in the Assiniboia Community. File DASZ 22/2005	PASSED
140/2005	To authorize the construction of temporary buildings on a pedestrian bridge spanning the Assiniboine River at the Forks. File SB	PASSED
142/2005	To close parts of Parker Avenue and Pembina Highway. File DAC 9/98	PASSED
143/2005	To add the Brooklands Pioneer Senior Citizens Club to By-law 89/2005 and to cancel its taxes for 2005. File FI-2.2(31)	PASSED
144/2005	To amend The Heritage Conservation Tax Credit By-law No. 7155/98. File G-3.1.5	PASSED
145/2005	To amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 710 Warsaw Avenue in the City Centre Community. File DAZ 266/2004	PASSED
146/2005	To amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the west side of Sinclair Street south of Selkirk Avenue in the Lord Selkirk-West Kildonan Community. File DAZ 232/2005	PASSED

Disposition of Items - Council Meeting - July 27, 2005

147/2005	To amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 1291 McGillivray Boulevard in the City Centre Community. File DAZ 218/2005	PASSED
148/2005	To amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 135 Bannerman Avenue in the Lord Selkirk-West Kildonan Community. File DAZ 228/2005	PASSED
149/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located at 2005 St. Mary's Road in the Riel Community. File DASZ 12/2005	PASSED
151/2005	To amend the Entertainment Funding By-law No. 7710/2000. File FL-6	PASSED
152/2005	To cancel taxes owing to the City of Winnipeg with respect to events previously held by the Sarasvati Dramatic Theatre Productions and Repertory Inc. File FL-6	PASSED
153/2005	To close the Road Allowance south of Jefferson Avenue. File DAC 1/2004.	PASSED
154/2005	To close parts of Kenaston Boulevard and Government Road Allowance north of McGillivray Boulevard. File DAC 21/2004	PASSED
155/2005	To open and close parts of Lagimodiere Boulevard and Dawson Road north of Leveque Street. File DAOC 2/2005	PASSED
156/2005	To approve a Plan of Subdivision and to amend Zoning By-law No. 6400/94 for the enactment of a zoning change on land located on the north side of Rougeau Avenue south of the CNR Railway in the East Kildonan-Transcona Community. File DASZ 17/2005	PASSED
157/2005	To amend the Planning, Development and Building Fees By-law No. 166/2004. File EP-1	PASSED