REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED SEPTEMBER 4, 2002

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee dated, September 4, 2002, was considered clause by clause.

Moved by His Worship Mayor Murray,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8 and 9 be adopted.

Carried.

Expenditure from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund to the Seven Oaks House Museum Board for the Seven Oaks Children's Craft Barn Project
Files EP-2 (Vol. 29) and PR-9.7 (Vol. 3)

665 - 1. The Executive Policy Committee has been advised that on July 16, 2002, the Lord Selkirk-West Kildonan Community Committee concurred in a request from the Seven Oaks House Museum Board, requesting that funds previously approved for the Children's Craft Barn project be reallocated to the Seven Oaks House Museum restoration project.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $25,000.00 approved by Council from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund, on May 26, 1999, for the Seven Oaks House Museum Children’s Craft Barn project, and the additional sum of $25,000.00 held in abeyance from the same funding source since January 9, 2001 for the same purpose, be reallocated/approved to the Seven Oaks House Museum Board for the Seven Oaks House Museum restoration project.

Adopted by consent.

Community Incentive Grant Application (Expenditure from the Lord Selkirk-West Kildonan Land Dedication Reserve) - William Whyte Residents' Association Inc. (Aberdeen Tot Lot)
File PR-2.6(34) (Vol. 12)

666 - 2. The Executive Policy Committee has been advised that on July 16, 2002, the Lord Selkirk-West Kildonan Community Committee considered an application for a Community Incentive Grant dated April 25, 2002, and evaluation dated April 30, 2002, from the Community Incentive Grant Clerk of the Community Services Department. Community Committee further considered a communication dated July 9, 2002, from the Head of Parks and Greenery Committee, William Whyte Residents' Association, advising that financial support of up to $46,900.00 has been received from the Neighbourhood Renewal Fund of the Province's Neighbourhoods Alive Initiative for the Aberdeen and Alfred Tot Lot park revitalization projects.

Following deliberation, the Lord Selkirk-West Kildonan Community Committee passed the following motion, namely:

"That the sum of $24,995.00 be expended from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund to the William Whyte Residents’ Association Inc. to assist with its Aberdeen Tot Lot project."

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $24,995.00 be approved from the Lord Selkirk-West Kildonan Land Dedication Reserve fund for the project.

Adopted by consent.

Report of the Executive Policy Committee dated September 4, 2002

Community Incentive Grant Application (Expenditure from the Lord Selkirk-West Kildonan Land Dedication Reserve) - William Whyte Residents' Association Inc. (Alfred Tot Lot)

File PR-2.6(34) (Vol. 12)

667 - 3. The Executive Policy Committee has been advised that on July 16, 2002, the Lord Selkirk-West Kildonan Community Committee considered an application for a Community Incentive Grant dated April 25, 2002, and evaluation dated April 30, 2002, from the Community Incentive Grant Clerk of the Community Services Department. Community Committee further considered a communication dated July 9, 2002, from the Head of Parks and Greenery Committee, William Whyte Residents' Association, advising that financial support of up to $46,900.00 has been received from the Neighbourhood Renewal Fund of the Province's Neighbourhoods Alive Initiative for the Aberdeen and Alfred Tot Lot park revitalization projects.

Following deliberation, the Lord Selkirk-West Kildonan Community Committee passed the following motion, namely:

> "That the sum of $21,881.00 be expended from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund to the William Whyte Residents' Association Inc. to assist with its Alfred Tot Lot project."

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $21,881.00 be approved from the Lord Selkirk-West Kildonan Land Dedication Reserve fund for the project.

Adopted by consent.

Delegation of Authority to Approve the Award of Contracts during the Period of September 25, 2002 to November 19, 2002

File GL-9 (Vol. 18) [c/r GC-11 (Vol. 8)]

668 - 4. On February 10, 1988, as amended, the *Policy on Purchasing Procedures and the Disposal of Surplus Supplies* delegated to select members of Civic Administration and Standing Committee(s), the authority to award contracts where certain criteria are met.

The authority to award contracts that exceed one million dollars, where there are sufficient monies in a budget approved by Council, or sufficient available funds can be identified to cover the difference between the budgetary provision and the amount of the contract, is delegated to the appropriate Standing Committee.

Standing Committees and Council are prorogued during the period of October 1, 2002 to October 31, 2002. There are no meetings between the period of September 25, 2002 and November 19, 2002. During this period, there may be contract awards that will require approval. The delegation of authority to the Chief Administrative Officer is in the best interest of the City, as it allows the Administration to carry on the normal business of the City.

The Executive Policy Committee recommends:

I. That Council delegate to the Chief Administrative Officer, the authority to approve the award of contracts that fall under the authority of the Standing Committees, during the period of September 25, 2002 to November 19, 2002.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Adopted by consent.

Report of the Executive Policy Committee dated September 4, 2002

Proposed Closing of Inglewood Street and the Public Lane West of Inglewood Street, North of Silver Avenue

File DAC 12/2000

669 - 5. Council, at its meeting of June 21, 2000, approved the expenditure of $50,000.00 for the development of the East Field in Legion Memorial Park. This development includes the closure of the subject portion Inglewood Street and of the public lane to the west as illustrated on Attachment "A".

On October 17, 2000, the Assiniboia Community Committee approved the closing application.

The documents required to effect the closing have now been prepared and it is appropriate to enact the closing by-law at this time.

The proposal has been circulated to all affected City departments and public utilities. There are no objections to the project.

The Transportation Division of the Public Works Department has advised that a portion of the Inglewood Street and public lane right-of-way is required for the Silver Avenue Corridor Project and that the planning of the Legion Memorial Park expansion should allow for the future corridor. The Design and Project Implementation Branch has confirmed that the Silver Avenue Corridor Project will not affect the park expansion.

The Zoning and Permits Branch has advised that upon being closed, the street and lane will assume the "PR" zoning of the adjoining lands, as is appropriate for their intended use.

Centra Gas, Manitoba Hydro, and MTS will require easements for existing facilities in the street and lane.

This report is submitted in accordance with the provisions of By-law No. 7325/98, a by-law to amend current procedures to allow certain opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee (in this case, the Standing Policy Committee on Property and Development).

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed closing must have been addressed at a public meeting and received approval from the Committee before which the public meeting took place.
2. The proposed closing must have been approved by the Director of Public Works.
3. The proposed closing must have been submitted to all affected City Departments and public utilities with no objections having been received.
4. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
5. The terms and conditions of any easement agreements created by the proposed closing must have been addressed.
6. The proposed closing must have been approved by the affected property owner(s).
7. The terms and conditions of any agreements concerning the proposed closing must have been approved by the Director of the department that requested the closing and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

The street and lane must be legally closed before they may be incorporated into the park. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City's name. The City is not entitled to dispose of the land until this has been done.

The Executive Policy Committee recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the closing in accordance with the Attachment "A", Misc. Plan No. 11010.

Report of the Executive Policy Committee dated September 4, 2002

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Proposed Lane Corner Widening at the Rear of 612 Stewart Street

DAO 14/2002

670 - 6. The residents in the neighbourhood of the subject property have been using a portion of No. 612 Stewart Street as part of the public lane for a number of years. The owners of the land, requested that the City of Winnipeg purchase the property. The Public Works Department confirmed that the property was indeed being used as public lane and directed the Real Estate Division of the Planning, Property and Development Department to enter into negotiations with the owners for the acquisition of the land.

The terms and conditions of the sales agreement have been approved by the Standing Policy Committee on Property and Development (October 4, 2001) and by Council (October 24, 2001).

The City of Winnipeg is now entitled to be the owner of the land required for the corner widening, and it is appropriate at this time to enact the opening by-law.

This report is submitted in accordance with the provisions of By-Law No. 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.

The following criteria must be met before the authority given in the by-law may be exercised:

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

The Executive Policy Committee recommends:

I. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary by-law for submission to Council to effect the lane corner widening in accordance with the Attachment “A”, Misc. Plan No. 11160.

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Report of the Executive Policy Committee dated September 4, 2002

Renaming of the Main Street and Norwood Bridges

File SB-11 (Vol. 6)

671 - 7. The Executive Policy Committee, on September 4, 2002, passed the following motion, namely:

WHEREAS on July 17, 2002, Council approved renaming the bridges between the south end of the Norwood Bridge and the north end of the Main Street Bridge "Queen Elizabeth II Bridges";

AND WHEREAS representatives of Her Majesty have suggested the name "Queen Elizabeth Way".

THEREFORE BE IT RESOLVED THAT the road way over and between the Bridge of the Old Forts and the Norwood Bridge be named the "Queen Elizabeth Way, la Voie Reine Elizabeth" and that the original bridge names remain unchanged;

and submits same to Council for approval.

Adopted by consent.

Appointment of Citizen Members to the Winnipeg Committee for Safety

File GF-2.7. 1 (Vol. 3)

672 - 8. On March 6, 2002, the Executive Policy Committee authorized the Human Resource Services Division to proceed with the process of recruiting a Committee Coordinator for The Winnipeg Committee for Safety, inasmuch as the current coordinator was not renewing her contract.

On April 5, 2002, the Winnipeg Committee for Safety accepted the resignation of Jennifer Chu, and asked the Executive Policy Committee to give favorable consideration to appointing a replacement citizen member for the balance of Jennifer Chu's term, which expires on December 31, 2003.

On April 24, 2002, Council adopted Clause 7 of the Report of the Executive Policy Committee dated April 17, 2002, appointing Linda Williams as the Committee Coordinator for the Winnipeg Committee for Safety for a one year duration.

On June 19, 2002, the City Clerk's Department advertised in the Transcontinental Weekly for citizen members to fill the vacancies on the Winnipeg Committee for Safety.

On September 4, 2002, the Executive Policy Committee considered the applications received from the advertising and recommend:

I. That Greg Slobodeski be appointed to The Winnipeg Committee for Safety for the balance of the three year term to expire December 31, 2003.

II. That Margot Lavoie be appointed to The Winnipeg Committee for Safety for the balance of the three year term to expire December 31, 2004.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Adopted by consent.

Report of the Executive Policy Committee dated September 4, 2002

Heritage Conservation Tax Credit for the new Hargrave Building (former Film Exchange Building) - 365 Hargrave Street
File G-3.1.5 (Vol. 3)

673 - 9. On August 7, 2002, Shelter Canadian Properties Limited (Shelter) as sole shareholder for the Carlton Call Centre Inc. and on the basis of a revised development proposal, re-applied to the Planning, Property and Development Department for a new Heritage Conservation Tax Credit (HCTC) under By-law No. 7155/98 (as amended) for the New Hargrave Building (former Film Exchange Building), 365 Hargrave Street.

Council retains sole responsibility for accepting or rejecting applications and for approving the amount of tax credit to be allocated to each authorized project.

On February 27, 2002, Council approved an HCTC for the heritage portion of the project only (for the adaptive reuse of the former Film Exchange Building itself), for a total estimated HCTC of $136,000.00.

On February 5, 2002, the Standing Policy Committee on Property and Development approved the listing, as a Grade III building, of the New Hargrave Building (former Film Exchange Building), 365 Hargrave Street on the Buildings Conservation List under the Historical Buildings By-law No. 1474/77, with the following element: 1) ramp.

On January 23, 2002, the Report titled, Request for a HCTC for the New Hargrave Building, 365 Hargrave Street, was tabled with the Executive Policy Committee. Executive Policy Committee recommended:

> "That the matter referred back to the Chief Administrative Officer for further analysis from an economic development aspect, including utilization of other programs, and report back to Executive Policy Committee".

Responding to the changes requested by their lead tenant, the Federal Government Department of Indian and Northern Affairs (DIANC), together with the National Resources Canada (NRC), Shelter, have significantly revised their plans for the adaptive reuse of the former Film Exchange Building at 365 Hargrave Street. The new plans call for additional office space to be located within the original heritage building displacing previously planned indoor parking stalls. The building design revisions reflect the tenant's request for an additional 10,000 sq. ft. of leaseable space, which brings the total project to 74,339 sq. ft. leaseable, versus the original submission which proposed 64,000 sq. ft. Shelter have therefore re-applied for a new Heritage Conservation Tax Credit based upon their revised development proposal.

Council had previously approved a total estimated HCTC of $136,000.00 based upon the projected municipal portion of realty taxes for the heritage portion of the total project only. Council exercised its discretion and did not approve any tax credits for the proposed new addition. Council expressed concern that the Federal Government was simply "shuffling" from their current Portage Avenue location, that the City would be, in effect, subsidizing a Federal Government lease, and that this project was essentially a new building built onto an adjacent heritage structure.

Shelter has presented their case that their entire project should be eligible for an HCTC as follows:

- The Federal Government had stated its intention to leave the Kensington Building on Portage Avenue as the property was not adequate for modern office purposes. Although the Federal Government's Expression of Interest required that the accommodation offered must be located within the downtown, in the absence of quality submissions, the Federal Government had the option to re-locate external to the downtown, where it is easier to assemble land for new development, receipt of development approvals is typically easier, and construction is less expensive.

- The Federal Government currently occupies approximately 55,000 sq. ft. within the Kensington Building, while their new premises will be 74,339 sq. ft., approximately 35% larger. The expanded office will allow for an increase in employment for the subject departments.

- Section 6 of the By-law lists eligible renovations, which includes (in subsection 6(c)) "measures to restore, upgrade or convert a designated structure to a functional state for contemporary occupancy and use, including:…(ii) modern additions where the addition is sympathetic to the original historic building; …". HCTC's have been previously awarded to two projects that include substantial new additions including, the Former Free Press Building and the Union Bank Tower. In both cases, the additions are necessary for the new use.

Report of the Executive Policy Committee dated September 4, 2002

By excluding the new addition from tax credits in this circumstance, it creates an environment whereby business does not have a clear understanding of Council's intent under the By-law. Furthermore, the City has been advised that this lack of clarity will hinder both new proposals and downtown development as a result.

- The Federal Government Expression of Interest required a minimum floor plate of 865 useable square meters (approx. 9,300 sq ft). Only a very few buildings within the downtown have floor plates of the size necessary to accommodate modern office use. The costs associated with new construction are excessive and resultant lease rates are unacceptable to virtually all tenants. This is a major reason why 200 Waterfront Drive is one of the only new rental office buildings constructed within the downtown within the last decade. Shelter would not have been able to respond to the Federal Governments Expression of Interest were it not for the proposed addition onto the existing heritage structure.

- Of the seven responses to the Expression of Interest that were received, five proposals were for existing Heritage Structures. It is likely that any of the five would have applied for Heritage Conservation Tax Credits. One of the five proposals (the Union Tower) already had received Council approval for HCTC's.

- The Federal Government lease represents only 10 years out of the effective 60-70 year lifespan for the building. The property is currently vacant, pays minimal property taxes, and the only other viable option for the site may be demolition of the building to accommodate surface parking (as has happened with the former YMHA building adjacent to this site).

Shelter's proposal calls for the expenditure of $7,980,000, with an estimated $3,800,000 of eligible expenses. The new development will have an estimated assessed value of $4,360,000 for which the municipal portion of realty taxes has been estimated at approximately $84,000 per annum.

Generally, the administration concur with Shelter's case as presented. Furthermore, the proposed office re-location remains convenient to the major downtown retail district (i.e. Portage Place, the Bay). Downtown retail generally must rely on downtown office workers to remain viable.

Should Council choose to exercise its discretion to award an HCTC of less than that recommended based upon its previous decision (tax credits for the existing building and not for the proposed addition), then the administration would recommend that the Heritage Policy and the HCTC By-law be revisited to provide clarification as to Council's intent. The administration and CentreVenture are currently planning a Council Seminar on the subject of Heritage Incentives. This project entails several of the important issues that Council needs to consider in the formulation of new and improved City Policy as well as Heritage Programs that are specifically targetted towards those policy objectives. The Seminar is planned for early within the new Council's mandate.

FINANCIAL IMPACT (Shown on Attachment "A"):

Phase 1- Existing Structure (former Film Exchange Building)

33,797 sf Leaseable

13 Parking Stalls

Realty Assessment $1,800,000 @ 65 % portioning = $1,170,000.00

Municipal Portion of Realty Taxes $ 34,732.00

PHASE 2- NEW ADDITION

40,988 sf Leaseable

35 Parking Stalls

Realty Assessment $2,560,000 @ 65% portioning = $1,664,000

Municipal Portion of Realty Taxes $49,398.00

Report of the Executive Policy Committee dated September 4, 2002

Total Municipal Portion of Realty Taxes = $84,130.00 (say $84,000.00)

Maximum HCTC over ten years would be $84,000 X 10 years = $ 840,000.00

Assumptions and Limiting Conditions:

2002 Value estimates are given without review of detailed construction plans, projected cost information, rental information, and property inspection. Values are subject to change upon actual completion and subsequent inspection of property.

Presently, the municipal portion of taxes for this property are approximately $4,700 annually. There are no business taxes currently being assessed on this property. The current assessment on this property is $226,000 for 2002.

Shelter have estimated the total project cost to be $7,980,000 with total eligible heritage expenses of $3,800,000. Based upon their estimates, Shelter would be eligible for a maximum $1,900,000 HCTC at 50% of eligible expenditures.

The Administration recommends a significantly lower HCTC (than the project's eligibility would allow), that is equal to Shelter's request and marginally less than the projected municipal portion of taxes over a ten year period. The recommended HCTC of $800,000 represents approximately 10 % of the total value of the project. The HCTC therefore levers a private investment of almost 10 : 1. This leverage is within the more favourable range as compared to other HCTC projects.

The property taxes attributable to this project will largely be new (incremental) revenues to the City of Winnipeg. Council policy requires that incremental taxes attributable to this project be redirected to the Heritage Investment Reserve until it's capacity is restored. As such, the HCTC recommended within this Report can be accommodated within the Heritage Investment Reserve.

Should Council approve a new HCTC for this property, it would not be in addition to the previously approved HCTC on the property. The existing $136,000 HCTC would be rescinded and replaced with the new HCTC based upon Council's direction.

The project will have a positive economic impact on the property within the immediate vicinity of 365 Hargrave Street. However, as a result of the Federal Governments move from their current Portage Avenue location, unless the owners of the property are successful in backfilling the vacancy, the increase in assessed values around the 365 Hargrave Street site will likely be offset somewhat by the potential for reduced assessed values on Portage Avenue.

The Executive Policy Committee recommends:

I. That Council approve a new Heritage Conservation Tax Credit to Carlton Call Centre Inc. to a maximum of $800,000.00 for rehabilitation work and construction of an addition onto the New Hargrave Building (former Film Exchange Building), subject to the owner retaining and preserving original and significant material.

II. That the application for tax credits be subject to further approval by the Historical Buildings Committee and Downtown Design Board on the exact means for repairing the building's exterior deficiencies and the proposed design for the addition.

III. That no work may proceed without design / heritage approval and / or prior to the issuance of all relevant development permits.

IV. That Council approve the Heritage Investment Reserve as the source of the project funding

V. That the Chief Administrative Officer be authorized to finalize and approve the terms and conditions of all agreements required to implement matters as directed by Council.

VI. That the Proper Officers of the City do all things necessary to effect the intent of the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED SEPTEMBER 18, 2002

On motion of His Worship Mayor Murray, the Report of the Executive Policy Committee dated, September 18, 2002, was considered clause by clause.

Moved by His Worship Mayor Murray,
That the Consent Agenda, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19 and 20, be adopted.

Councillor Timm-Rudolph requested that Clause 2 be pulled from the Consent Agenda.

Councillor Smith requested that Clause 14 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,3,4,5,6,7,8,9,10,11,12,13,15,16,17,18,19 and 20 was put and declared carried.

Proposed Widening of the East Side of Main Street between Rupert and Pacific Avenues and Proposed Closing of the Public Lane East of Main Street between Rupert and Pacific Avenues
File DAOC 2/2002

674 - 1. In June of 2001, the Public Works Department advised the Planning, Property and Development Department that a widening of the east side of Main Street between Rupert and Pacific Avenues was required for the 2001 Main Street Reconstruction Project and instructed the Real Estate Division to initiate negotiations for an exchange of the public lane east of Main Street as identified as “Proposed Closing” on Attachment “A” for the Manitoba Centennial Centre Corporation lands required for the street widening as identified as “Proposed Opening” on Attachment“A”.

The widening will provide an additional northbound lane to facilitate bus service from Main Street onto the Disraeli Freeway. The lane, which has been used as part of the parking area for the Manitoba Museum and Planetarium for a number of years, is not required for public purposes.

On May 9, 2002 the Manitoba Centennial Centre Corporation agreed to the land exchange.

On May 30, 2002, the Standing Policy Committee on Property and Development approved the terms of the exchange of lands.

On July 9, 2002, the City Centre Community Committee approved the opening and closing.

The additional traffic lane has been paved and is in use today.

All affected City departments and public utilities have considered the proposal. There are no administrative objections to the opening and closing.

The lane must be legally closed before it may be exchanged. Title to all public rights of way in Manitoba is vested in the name of the Province. The registration in the Winnipeg Land Titles Office of a closing by-law removes the public right of way status from the land and vests the ownership of the property in the City’s name. The City is not entitled to dispose of the lane until this has been done.

This report is submitted in accordance with the provisions of By-law No. 7325/98, a by-law to amend current procedures to allow certain street opening and closing applications to be submitted to the Executive Policy Committee for report to Council without the requirement to be reviewed by a Standing Policy Committee.
The following criteria must be met before the authority given in the by-law may be exercised:

Report of the Executive Policy Committee dated September 18, 2002

OPENINGS

1. The proposed opening and acquisition must have been approved by the Director of Public Works.
2. The proposed opening must have been submitted to all affected City Departments and public utilities with no objections having been received.
3. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
4. The affected property owner(s) must have agreed to the terms and conditions of the acquisition of the land required for the proposed opening.
5. The terms and conditions of any agreements concerning the proposed opening and acquisition must have been approved by the Director of the department that requested the opening and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

CLOSINGS

1. The proposed closing must have been addressed at a public meeting and received approval from the Committee before which the public meeting took place.
2. The proposed closing and sale must have been approved by the Director of Public Works.
3. The proposed closing must have been submitted to all affected City Departments and public utilities with no objections having been received.
4. Any conditions regarding engineering aspects (i.e. relocation of facilities) must have been mutually agreed to.
5. The terms and conditions of any easement agreements created by the proposed closing and sale must have been addressed.
6. The proposed closing must have been approved by the affected property owner(s).
7. The terms and conditions of any agreements concerning the proposed closing and sale must have been approved by the Director of the department that requested the closing and either the Standing Committee on Fiscal Issues, the Standing Policy Committee on Property and Development, or the Director of the Planning, Property and Development Department, as is appropriate.

All of these criteria have been met.

The Executive Policy Committee recommends:

I. That the City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the opening and closing in accordance with Attachment “A”, Misc. Plan No. 10861/4.

II. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Relocation of Winnipeg Intermodal Terminal
File SC-4 (Vol. 4)

675 - 2. The Winnipeg Intermodal Terminal (WIT) was established by CN at Wilkes Avenue and Kenaston Boulevard in 1977. Recently, CN has indicated that it would be undertaking a relocation of the WIT from its current location on Kenaston Boulevard to Plessis Road (Symington Yard) and has requested financial assistance from the City of Winnipeg.

A. BENEFITS OF WIT RELOCATION

The relocation of the WIT will have several quantitative and qualitative benefits for the City of Winnipeg:

1. Reduction in truck traffic activity on Kenaston Boulevard

Report of the Executive Policy Committee dated September 18, 2002

Based on field observations undertaken in March, 2002, an average of 273 trucks entered/left the WIT during the 7 a.m. to 7 p.m. time period. Relocation of WIT will result in an elimination of this truck traffic, a reduction of 11% of the trucks on this section of Kenaston Boulevard during that time period. In addition, elimination of the WIT trucking activity will result in safer operating conditions for all traffic on this section of Kenaston Boulevard due to the removal of the need to accommodate large trucks turning into and out of the current WIT approach.

2. Reduction in the Number of Trains / Time of Crossing Closure

According to information provided by CN, currently, there are an average of 34 scheduled train crossings of Kenaston Boulevard at the CN Mainline in a typical day.

CN estimates that the total time that these trains currently occupy the crossing is 129 minutes per day

CN is also indicating that the relocation of WIT will result in the number of scheduled train crossings being reduced from 34 to 26 (a reduction of 24%), with an estimated total time occupying the crossing of 78 minutes per day.

Therefore, based on the CN data, the total time the crossing will be occupied will be reduced from 129 minutes to 78 minutes per day, a decrease of 40%.

It should also be noted that CN has stated that, based on the needs of their customers, an additional unscheduled 5 to 10 train crossings per week currently occur. These crossings will continue post WIT and will result in the crossing being occupied an additional 15 to 30 minutes per week or an average of approximately 2 to 4 minutes per day.

3. Underpass Project Cost Reductions

There will be a reduction in the cost of the railway structure because the number of tracks will be reduced to 2 from the 3 or 4 that were included in the original 1992 estimates.

It should be noted that that there may also be a reduction in the cost of the road works which will be required in conjunction with the underpass. The extent of such a reduction will be dependent on the road configuration required to adequately maintain traffic flow in this area with the implementation of the underpass.

4. Reduction in Impact on South Tuxedo Residential Area

Residents of South Tuxedo who are in proximity to the WIT have periodically expressed concerns regarding noise related to train activity associated with the facility. These concerns will be reduced if not eliminated with the relocation of WIT. In addition, if residential development is proposed for the south portion of the DND property, it would not be constrained by the WIT operation.

5. Reduction in Delay for Traffic on Wilkes Avenue and Shaftsbury/McCreary

There is currently a spur track providing access into the WIT which crosses Wilkes Avenue west of Kenaston Boulevard. This track is used to shunt rail cars to and from WIT and results in the Wilkes Avenue crossing being occupied for several minutes per train periodically throughout the day. The frequency of train activity varies and is dependent upon the amount of activity associated with the WIT however the resultant delays create considerable inconvenience for vehicles on Wilkes Avenue and also vehicles entering Wilkes Avenue via Shaftsbury Boulevard/McCreary Road. This delay will be eliminated with the relocation of the WIT.

It is the understanding of the Public Works Department that any costs associated with the removal of this spur would be the responsibility of CN.

B. IMPACT OF WIT RELOCATION ON PLESSIS ROAD

Plessis Road south of St. Boniface Road is a two-lane asphalt road with ditch drainage which carries an average of 9,400 vehicles per day. The relocation of the WIT to Symington Yard results in the transfer of the truck traffic that currently utilizes Kenaston Boulevard (an average of 273 trucks in the 7 am to 7 pm time period) to Plessis Road.

Report of the Executive Policy Committee dated September 18, 2002

Following discussions with representatives from the Public Works Department, CN has determined that they will be using the existing channelized approach as the main entrance for intermodal truck traffic. This approach serves as an entrance/exit for the existing businesses and includes a median, a southbound right turn deceleration lane and a northbound left turn lane. A new gated intermodal truck exit will be constructed south of this approach. This configuration is adequate for the additional traffic to be generated by this facility. The internal road network will include two stacking lanes approximately 250m long. It is not expected that traffic signals will be warranted based upon the additional intermodal traffic.

Therefore, no geometric modifications to Plessis Road in the vicinity of the Symington Yard access will be required to accommodate this additional truck activity.

The Plessis Road pavement was rehabilitated (asphalt overlay and drainage improvements) in 1999. As a result, it is not anticipated that any major road rehabilitation work will be required on Plessis Road as a result of the relocation of the WIT.

CN has indicated that the majority of truck traffic will utilize Fermor Avenue (Trans-Canada Highway) to access Plessis Road and the relocated WIT. Therefore the impact on the residential area of Plessis Road north of Camiel Sys Street will be minimal.

It should also be noted that the site of the relocated WIT is zoned for heavy industrial use (M3) and is designated industrial in Plan Winnipeg.

C. CN REQUESTS

CN has recently approached the City of Winnipeg to assist in the relocation of the WIT. Said assistance to include:

- Road work improvements on Plessis Road that may be required for the new access into the relocated WIT, if any.

- Forgiveness of the property taxes (municipal only) for 2003/2004 at the current WIT site.

In light of the significant benefits (both quantifiable and qualitative) to the City of Winnipeg of the relocation outlined in B. above, it is recommended that the necessary funds for a grant to offset the 2003/2004 property taxes (municipal only), estimated to be $220,000, be provided from the Economic Development Reserve in 2003. No road works are necessary on Plessis Road and therefore no funds are required.

In preparing the report, there was consultation with the Property Assessment and Planning, Property and Development Departments, the Chief Financial Officer, as well as CN.

On September 18, 2002, the Executive Policy Committee considered representation from Mr. Jim Vena, General Manager, Prairie Division, accompanied by Brad Bodner, Business Manager, Canadian National Railway, who provided a copy of their recent news release on the relocation of the Winnipeg Intermodal Yard, statistical highlights in Manitoba and a relocation schematic.

For the information of Council, the Executive Policy Committee has requested the Administration to report back to the committee on acceleration/deceleration lane requirements on Plessis Road and cost implications to the City.

The Executive Policy Committee recommends:

I. That the City of Winnipeg support the relocation by CN of the Winnipeg Intermodal Terminal (WIT) from its current location to Symington Yard (Plessis Road) as it will reduce trucking activity on Kenaston Boulevard, reduce train activity/vehicular delay at the Kenaston Boulevard/CN Mainline crossing, and the Wilkes Avenue spur, and reduce the cost of a future underpass structure at the Kenaston Boulevard/CN Mainline crossing.

II. That a grant from the Economic Development Reserve be provided to CN in 2003 to offset the property taxes (municipal only, estimated to be approximately $220,000) payable on the current WIT site at Kenaston Boulevard and Wilkes Avenue for the years 2003/2004.

III. That the City of Winnipeg enter into discussions with the Province of Manitoba for participation costs in the relocation of the CN Intermodal Terminal (WIT) to Symington Yard (Plessis Road), including Provincial School Taxes.

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IV. That the City of Winnipeg enter into negotiations with the CNR regarding cost sharing with the City for an over/under pass at Kenaston Boulevard and Wilkes Avenue.

V. That regardless of a cost sharing agreement, the City of Winnipeg prepare cost estimates for the over/under pass at Kenaston Boulevard and Wilkes Avenue for inclusion in the City's Five Year Capital Forecast.

VI. That the costing estimate be prepared for consideration of Council in the 2003 Capital Budget.

VII. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Award of Contract for the Provision of Security Services - RFP No. 927-2001
File GL-9 (Vol. 18) [c/r GP-1.29 (Vol. 1)]

676 - 3. The Executive Policy Committee has been advised that a Request for Proposals is issued triennially by the Materials Management Division of the Corporate Finance Department for the Provision of Security Services for various City departments.

Final receipt of Offers took place on August 2, 2002 with Offers being received from three (3) Offerers.

The Request for Proposal specified that this contract may be awarded as a whole, or separately in sections. The recommended Offerers received the highest evaluation for each applicable section.

All offers were evaluated on a pass/fail and point system basis, for qualifications of the offerer and conformance of the RFP package.

All bids were in accordance with the requirements of the Proposal package.

Bids were evaluated in accordance with the specified criteria and the results are shown in Attachment "B" - Evaluation of Bids.

The requirements for Bid and Performance Securities, and the execution of a formal contract were waived for this purchase in accordance with the authority delegated to the Director of Purchasing on April 9, 1992 and February 9, 1995.

Rentokil Initial Canada Limited, one of the recommended Offerers is the current Contractor and has, by successfully performing previous work similar in nature, scope and value, demonstrated that they have the necessary qualifications and resources to perform the work of this contract.

Securitas Canada Limited, one of the recommended Offerers has, by successfully performing previous work similar in nature and scope, demonstrated that they have the necessary qualifications and resources to perform the work of this contract.

Proposals are valid for acceptance until October 31, 2002.

The Executive Policy Committee recommends:

I. That sections A, C & D of the contract for the provision of security services for the period of January 1, 2003 to December 31, 2005 be awarded to Initial Security Services, a Division of Rentokil Initial Canada Limited, the Offerer who submitted the proposal deemed most advantageous to the City in the total conditional amount of $1,241,641.92, plus GST.

II. That section B of the contract for the provision of security services for the period of January 1, 2003 to December 31, 2005 be awarded to Securitas Canada Limited, the Offerer who submitted the proposal deemed most advantageous to the City in the total conditional amount of $115,656.84, plus GST.

Report of the Executive Policy Committee dated September 18, 2002

III. That the Manager of Materials be authorized to issue Purchase Orders for the above Contracts

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Accessibility Program
File CR-3 (Vol. 5)

677 - 4. The Executive Policy Committee, on September 18, 2002, considered the following motion from the Access Advisory Committee:

WHEREAS in 1998, the Winnipeg Development Agreement Program 5C funded a project which allowed an outside organization, under the supervision and guidance of the Access Advisory Committee (AAC) to audit the civic properties defined by the Centre Plan boarders for accessibility;

AND WHEREAS the results of the accessibility audit were presented to the Public Works Department in 1999 and identified accessibility priorities for civic property maintenance and repair;

AND WHEREAS only a marginal percentage of the projects identified as accessibility priorities in the downtown area have been completed to date;

AND WHEREAS the 'Plan Winnipeg 2020 Vision' identifies that 'The City shall encourage accessibility to and within the downtown….';

THEREFORE BE IT RESOLVED THAT the Access Advisory Committee requests that the Executive Policy Committee give favourable consideration to approving, in principle, a City-wide Accessibility Program that:

1. Prioritizes the uncompleted projects identified in the 1998 Accessibility Audit.

2. Expands the Audit process city wide to encompass all properties owned or leased by the City;

3. Addresses new issues reported through the current means (existing call centres, administration and the Access Advisory Committee) more quickly and efficiently.

4. That the Accessibility Program include a Capital Estimates budget for the Public Works Department of $250,000.00 annually for the next three years, 2003, 2004 and 2005, to complete currently identified access issues from the Centre Plan Accessibility.

5. That the Universal Design Team assist in prioritizing the Accessibility Program projects.

The Executive Policy Committee concurs with the above and recommends that Council approve, in principle, a City-wide Accessibility Program that:

I. Prioritizes the uncompleted projects identified in the 1998 Accessibility Audit.

II. Expands the Audit process city wide to encompass all properties owned or leased by the City.

III. Addresses new issues reported through the current means (existing call centres, administration and the Access Advisory Committee) more quickly and efficiently.

IV. That the Accessibility Program include a Capital Estimates budget for the Public Works Department of $250,000.00 annually for the next three years, 2003, 2004 and 2005, to complete currently identified access issues from the Centre Plan Accessibility.

Report of the Executive Policy Committee dated September 18, 2002

V. That the Universal Design Team assist in prioritizing the Accessibility Program projects.

Adopted by consent.

Request for the City of Winnipeg to Endorse Federation of Canadian Municipalities Resolution – Kyoto Protocol
File E-7 (Vol. 2)

678 - 5. Council on July 17, 2002, ruled automatic referral of the following motion to the Civic Environmental Committee, namely:

WHEREAS the International Panel on Climate Change (IPCC) has observed that global average surface temperature has increased over the 20th Century by about 0.6 degrees Celsius, that snow cover and ice extent have decreased, that global average sea level has risen and ocean heat content has increased;

AND WHEREAS the IPCC concludes in its 2001 Third Scientific Assessment that "there is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities";

AND WHEREAS the IPCC projects that temperatures will increase between 1.4 to 5.8 degrees Celsius by 2100 if current trends in greenhouse gas emissions continue;

AND WHEREAS federal and provincial costs related to extreme weather events in Canada increased from $500 million in 1980-1984 to $5.3 billion in 1995 – 1999, exclusive of enormous municipal costs not yet measured on a national basis. Federal drought-related crop insurance costs now regularly exceed $1 billion annually;

AND WHEREAS economic activity in rural and northern communities relying on fisheries, tourism, forestry and agriculture will be disrupted by climate change;

AND WHEREAS municipal investments in building retrofits, community energy systems, water conservation, renewable energy technologies, waste reduction, landfill gas capture, fleet management and public transit reduce operating costs, help maintain community services and protect public health while cutting greenhouse gas emissions contributing to climate change;

AND WHEREAS forestry and agriculture sectors can expand business opportunities by increasing the capacity of trees and soils to absorb carbon dioxide and by developing renewable fuels like ethanol, bringing new economic activity to rural and remote communities;

AND WHEREAS fossil fuel producers are increasing investments in renewable energy like wind power, wood burning power plants and alternative fossil fuel technologies that store carbon dioxide in aquifers or depleted oil and gas fields to reduce the amount of carbon dioxide going into the air; and

AND WHEREAS 78 percent of Canadians (according to poll results from Decima Research Inc., March 2002) want the Kyoto Protocol ratified;

BE IT RESOLVED THAT the City of Winnipeg endorses the Federation of Canadian Municipalities (FCM) resolution for the ratification of the Kyoto Protocol by the Government of Canada if the following conditions are met:

- No region of the country bears an unreasonable cost related to reducing greenhouse gas emissions;
- Greenhouse gas emissions related to producing oil and gas and electricity are allocated to consuming jurisdictions and sectors, rather than producing jurisdictions;
- Sinks in the forest and agriculture sectors, particularly Western Canada, are pursued as part of a national strategy to diversify rural economies through development of a bio-economy;
- Investment in research and development, pilots and commercialization of technologies and processes that remove carbon dioxide from waste streams (i.e., coal gasification, injection into reservoirs); and that

Report of the Executive Policy Committee dated September 18, 2002

- Canada's action plan to meet the Kyoto target maximize improvements in productivity and competitiveness.

AND BE IT FURTHER RESOLVED THAT this resolution be communicated to our Member of Parliament, provincial environment and energy Ministers, federal and provincial opposition leaders, community media and the Federation of Canadian Municipalities.

On September 9, 2002, the Civic Environmental Committee concurred in part with the motion referred to it by City Council on July 17, 2002 and recommended that the resolution read as follows:

BE IT RESOLVED THAT the City of Winnipeg endorses the Federation of Canadian Municipalities (FCM) resolution for the ratification of the Kyoto Protocol by the Government of Canada;

AND BE IT FURTHER RESOLVED THAT this resolution be communicated to our Member of Parliament, Provincial Environmental and Energy Ministers, Federal and Provincial Opposition Leaders, community media and Federation of Canadian Municipalities;

and forwarded to the Executive Policy Committee.

The Executive Policy Committee has considered the resolution by the Civic Environmental Committee and recommends:

I. That the original motion considered by Council on July 17, 2002 be approved with the following additions, namely:

a) That a new WHEREAS clause be added which reads as follows:

"AND WHEREAS all Canadians need to know how the Government of Canada intends to implement the terms of the Accord and how Canada's participation in the Accord will be carried our fairly and with the least possible impact, before Parliament is asked to vote on the Accord on behalf of all Canadians";

b) That an additional condition be added to the resolve, namely:

"- the Government of Canada tables in Parliament, a complete implementation plan and impact analysis of the Accord, before any vote is taken by Parliament on the ratification."

Adopted by consent.

Rental of Photocopiers - RFP No. 602-2002
File GL-9 (Vol. 18) [c/r GP-1 (Vol. 20)

679 - 6. The Executive Policy Committee has been advised that a Request for Proposals is issued triennially by the Materials Management Division of the Corporate Finance Department for the Rental of Photocopiers for various City departments.

Final receipt of offers took place on August 16, 2002, with the bids being received from seven (7) bidders. A tabulation of these bids is outlined in Attachment "A" – Summary of Bids.

The RFP Package specified that this contract shall consist of supply, delivery, installation and successful start-up of new or re-manufactured photocopying machines at various City locations. Each machine is in place for a thirty-six (36) month period from placement of machine. Installation dates vary throughout the contract.

All bids were in accordance with the requirements of the RFP package.

The requirements for Bid and Performance Securities, and the execution of a formal contract were waived for this purchase in accordance with the authority delegated to the Director of Purchasing on April 9, 1992, and February 9, 1995.

Report of the Executive Policy Committee dated September 18, 2002

The recommended bidder is the current contractor and has, by successfully performing previous work similar in nature, scope and value, demonstrated that they have the necessary qualifications and resources to perform the work of this contract.

Proposals are valid for acceptance until November 14, 2002.

The Financial Impact Statement is outlined in Attachment "B".

The Executive Policy Committee recommends:

I. That the contract for the Rental of Photocopiers for the period starting December 1, 2002, for a three-year period from the date of photocopier placement, be awarded to Pitney Bowes of Canada Ltd., whose proposal has been determined to be the most advantageous to the City, based on Option 1 of their bid submission.

II. That the Manager of Materials be authorized to issue a Purchase Order in the total conditional amount of $2,174,508.00 GST and PST extra.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Proposed Amendments to the 2003 Home Renovation Tax Assistance Program
File FL (Vol. 9)

680 - 7. On November 28, 2001, the Executive Policy Committee considered a report dated November 5, 2001, from the Director of Planning, Property and Development and specifically administrative recommendation 2. a), b) and c), which Executive Policy Committee had referred for review, namely:

2. Should a decision be made to renew the Home Renovation Tax Assistance (HRTA) Program for 2002, it is recommended that the following amendments be incorporated:

   a) a new program goal and objectives statement;
   b) the list of eligible renovations be amended by deleting the construction of greenhouses, gazebos and sunrooms;
   c) the authority to deal with appeals be delegated to the Director of Planning, Property and Development.

On September 4, 2002, the Executive Policy Committee referred the following recommendations from the Civic Environmental Committee with respect to the 2003 Home Renovation Tax Assistance Program to the Chief Administrative Officer for review and report back, namely:

That the following revisions be included in the eligibility criteria and promotion for the proposed City of Winnipeg 2003 Home Renovation Tax Assistance Program:

1. Increase the tax credit from fifteen percent (15%) to twenty-five percent (25%) for eligible retrofit work that improves energy efficiency and/or reduces greenhouse gas emissions (i.e. insulation of attics, walls and foundations; installation of energy efficient windows; installation of heat recovery ventilation systems; replacement of furnaces or boilers with high efficiency units, etc…).

2. Cooperate with Manitoba Hydro to encourage residents who express an interest in the City of Winnipeg 2003 Home Renovation Tax Assistance Program to also investigate Manitoba Hydro’s Power Smart residential programs and services (i.e. energy audits, loan programs, renovation booklets and guidelines, etc…).

Report of the Executive Policy Committee dated September 18, 2002

3. Harmonize, to the maximum extent feasible, the technical requirements (i.e. minimum insulation levels, window performance requirements, minimum furnace and boiler efficiencies, etc…) for energy efficiency work covered by the City of Winnipeg 2003 Home Renovation Tax Assistance Program with the technical requirements used by Manitoba Hydro for their Power Smart loan and finance programs.

4. Track and then report to the Civic Environmental Committee on the number of files processed and total tax credits issued for energy retrofit work completed under the City of Winnipeg 2003 Home Renovation Tax Assistance Program during 2003.

On September 18, 2002, the Executive Policy Committee considered the following motion passed by the Standing Policy Committee on Property and Development at its meeting on September 10, 2002, namely:

"1. That the Standing Policy Committee on Property and Development recommend to Executive Policy Committee that a Home Renovation Tax Assistance Program be implemented for the year 2003.

2. That in response to the administrative Recommendation 2 c), the Executive Policy Committee be advised that the Standing Policy Committee on Property and Development recommends that the 2003 Home Renovation Tax Assistance Program include provision for the Chief Administrative Officer to be delegated the authority to hear and decide appeals against the decision of the Designated Officer of the Program, and to include provision for appeals against the decision of the Chief Administrative Officer to be heard and decided by the Standing Policy Committee on Property and Development.

3. That the administrative Recommendations 2 a) and b) be referred to the Standing Policy Committee on Property and Development meeting in November 2002."

The Executive Policy Committee concurs in the recommendation from the Standing Policy Committee on Property and Development and recommends:

I. That a Home Renovation Tax Assistance Program be implemented for the year 2003.

II. That the 2003 Home Renovation Tax Assistance Program include provision for the Chief Administrative Officer to be delegated the authority to hear and decide appeals against the decision of the Designated Officer of the Program, and to include provision for appeals against the decision of the Chief Administrative Officer to be heard and decided by the Standing Policy Committee on Property and Development.

III. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing.

For the information of Council, Recommendations 2. a) and b) of the Report dated November 5, 2002, from the Director of Planning, Property and Development, have been referred to the meeting of the Standing Policy Committee on Property and Development scheduled for November, 2002.

Adopted by consent.

Expenditure from the Lord Selkirk-West Kildonan Land Dedication Reserve - The Hindu Society of Manitoba

File EP-2 (Vol. 30)

681 - 8. The Executive Policy Committee has been advised that on September 10, 2002, the Lord Selkirk-West Kildonan Community Committee considered a communication from The Hindu Society of Manitoba requesting additional funding to offset the costs of the construction of the Hindu Centre.

Following deliberation, the Lord Selkirk-West Kildonan Community Committee passed the following motion, namely:

That an expenditure in the amount of $20,000.00 from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund be approved to The Hindu Society of Manitoba to offset the costs of the construction of the Hindu Centre.

Report of the Executive Policy Committee dated September 18, 2002

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $20,000.00 be approved from the Lord Selkirk-West Kildonan Land Dedication Reserve fund for the project.

Adopted by consent.

Community Incentive Grant Application (Expenditure from the Lord Selkirk-West Kildonan Land Dedication Reserve) - Riverbend Residents Association
File PR-2.6(34) (Vol. 12) [c/r EP-2 (Vol. 30)]

682 - 9. The Executive Policy Committee has been advised that on September 10, 2002, the Lord Selkirk-West Kildonan Community Committee considered an application for a Community Incentive Grant dated September 30, 2001, to assist with the Kirkham Bay Park development project, and evaluation dated October 1, 2001, from the Community Incentive Grant Clerk of the Community Services Department. Community Committee further considered a report dated October 1, 2001, from Urban Designer, Planning, Property and Development Department, providing a summary of the Kirkham Bay Park development history relative to the issue of sodding the north portion of the park, as requested by Councillor Lazarenko.

Following deliberation, the Lord Selkirk-West Kildonan Community Committee passed the following motion, namely:

> "That an expenditure in the amount of $45,931.00 from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund be approved to the Riverbend Residents Association to offset the costs of the Kirkham Bay Park Development Project."

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $45,931.00 be approved from the Lord Selkirk-West Kildonan Land Dedication Reserve fund for the project.

Adopted by consent.

Community Incentive Grant Application (Expenditure from the Lord Selkirk-West Kildonan Land Dedication Reserve) - Champlain School Parent Teacher Council
File PR-2.6(34) (Vol. 12)[c/r EP-2 (Vol. 30)]

683 - 10. The Executive Policy Committee has been advised that on September 10, 2002, the Lord Selkirk-West Kildonan Community Committee considered an application for a Community Incentive Grant dated January 28, 2002, to assist with the play structure replacement project, and evaluation dated February 1, 2002, from the Community Incentive Grant Clerk of the Community Services Department. Community Committee also considered a communication dated September 4, 2002, from a member of the Champlain School Parent Council confirming funding for the play structure project to date, and advising that the Champlain School Parent Teacher Council will once again apply to the Community Places Program for funding next year for its play structure project.

Following deliberation, the Lord Selkirk-West Kildonan Community Committee passed the following motion, namely:

> That an expenditure in the amount of $40,000.00 from the Lord Selkirk-West Kildonan Land Dedication Reserve Fund be approved to the Champlain School Parent Teacher Council on a matching funds basis to offset the costs of the play structure replacement project.

The Executive Policy Committee concurs with the above and recommends that funds in the amount of $40,000.00 be approved from the Lord Selkirk-West Kildonan Land Dedication Reserve fund for the project.

Adopted by consent.

Report of the Executive Policy Committee dated September 18, 2002

Transfer of funds from The Gail Parvin Hammerquist Fund to the CentreVenture Downtown Heritage Program
File EP-1.2.3 (Vol. 4)

684 - 11. The Executive Policy Committee, on September 18, 2002, passed the following motion, namely:

WHEREAS on May 24, 2000, Council passed The Gail Parvin Hammerquist Fund By-law No. 7633/2000;

AND WHEREAS the grants from The Gail Parvin Hammerquist Fund are distributed through a CentreVenture Downtown Heritage Program and a City-Wide Heritage Program;

AND WHEREAS the purpose of the CentreVenture Downtown Heritage Program is to fund innovative measures to attract new investment, occupants, and uses for heritage buildings, as well as to conserve the heritage character, architectural elements, and detailing of designated buildings;

AND WHEREAS CentreVenture Development Corporation has established a successful Program whereby these heritage funds have levered significant private investment in heritage structures within the downtown and, more specifically, the Exchange District;

AND WHEREAS the sum of Three Hundred and Eighty-Three Thousand Four Hundred and Twenty-Three Dollars ($383,423.00) was available through The Gail Parvin Hammerquist Fund funded through five (5%) per cent of City of Winnipeg Land Sales in 2000;

AND WHEREAS although allocations have been provided to this Program in 2000 and 2002, Council had not been asked to approve an allocation in 2001 based upon the available funding;

THEREFORE BE IT RESOLVED THAT Council approve:

I. That the allocation and transfer of an additional Three Hundred Thousand ($300,000.00) Dollars from The Gail Parvin Hammerquist Fund be committed to the CentreVenture Downtown Heritage Program.

II. That The Gail Parvin Hammerquist Fund By-law No. 7633/2000 be amended as necessary.

III. That the existing program criteria and procedures for the CentreVenture Downtown Heritage Program under The Gail Parvin Hammerquist Fund By-law No. 7633/2000 continue to apply.

IV. That the Proper Officers of the City be authorized to do all things necessary to effect the intent of the foregoing,

and submits same to Council for approval.

Adopted by consent.

"Getting Down to Business" Report
File GP-1 (Vol. 19)

685 - 12. On July 17, 2002, Council adopted the Report titled “Toward an Integrated Planning Model”, as well as approved an increase in the annual departmental operating budgets of both the Planning, Property, and Development and the Community Services Departments in order to implement the recommendations as contained within the Report.

On June 20, 2002, the Downtown Initiatives Committee endorsed the “Getting Down to Business” Report.

In December of 2001, Council adopted Plan Winnipeg 2020 Vision, which establishes a “Downtown First” policy in recognition that a healthy and vibrant downtown is key to the health and vibrancy of the City as a whole.

Report of the Executive Policy Committee dated September 18, 2002

On September 4th, 2001, the Downtown Initiatives Committee endorsed the document entitled, "Strategy to Improve City Processes in Downtown".

Downtown Initiatives Committee

The Downtown Initiatives Committee was established during the summer of 2001. Comprised of some of the City's most senior politicians and administrators, the Committee has worked to hasten the pace of reform of the City's downtown review and approval mechanisms. The Committee considers, prioritizes, and directs strategic initiatives in order to achieve the stated goal of making the downtown the best place to invest and conduct business.

"Strategy to Improve City Process in Downtown" - The Downtown Initiatives Committee endorsed the Strategy in September of 2001. The Strategy has three major components:

- political leadership to address fundamental changes that are necessary;
- external communication to build community (stakeholder) support for those changes, and;
- internal communication to build commitment to generate process improvements.

Beginning in the fall of 2001, CentreVenture, supported by administrators within the CAO Secretariat as well as the Planning, Property, and Development Department, undertook an extensive internal and external consultation process in order to generate discussion regarding the rules, regulations, and processes that face the development industry within the downtown. This consultation process provided for an appropriate balance of perspective with regard to the development industry's expectations for speed and simplicity versus the administration's responsibility of safeguarding the public good and protecting investment.

The "Getting Down to Business" Report - The Report summarizes the results of that stakeholder consultation process, identifies six (6) Strategies and nineteen (19) detailed Recommendations going forward for Council consideration. The Report also provides the policy foundation for this undertaking, as well as provides an historical perspective of previous downtown initiatives.

How does this Report Compliment the Integrated Planning Model?

Approved by Council in July of 2002, the Integrated Planning Model addresses structural problems within the organization, redresses resource deficiencies, and responds to specific issues related to development and building approval processes. The Model provides for 3 major recommendations including:

- Strengthening of the planning function in order to coordinate overall city planning more effectively
- Enhancement of the role that Community Resource Coordinators play within neighbourhoods
- Improvements in the permits and inspections areas in order to provide faster response to development applications

In addition, the Director of Planning, Property, and Development will be responsible for the provision of broader long range planning and development leadership within the City. Among other things, the Model recommends the stronger integration of land use and transportation planning.

While the Integrated Planning Model addresses the planning, building permits, and inspections functions at the macro level, the "Getting Down to Business" Report makes more specific recommendations that would:

- Clarify the plan for the downtown;
- Make the rules (regulations and procedures) match the plan;
- Streamline the development application process;
- Build staff commitment;
- Provide the resources to deliver on expectations, and;
- Maintain communications (both internally and externally).

Financial Implications - Several of the recommendations contained within the "Getting Down to Business" Report having specifically to do with enhanced communications may have financial implications that are not known at this time. Further more detailed analysis and reporting is required. The administration will endeavor to contain these costs within existing budgets.

Report of the Executive Policy Committee dated September 18, 2002

Some of the recommendations require an assessment of the existing financial and staff resources within service areas, and may lead to a redistribution of these resources in order to better reflect Council's priorities. These areas include existing maintenance and capital program budgets, and may be the subject of future reports for the respective Standing Committees consideration.

Some of the recommendations represent significant improvements that may result in additional costs beyond existing budgets and will need to be considered further by Council. These recommendations include the development and implementation of Small Area (or Secondary) Plans, as well as the potential conversion of one way to two way streets within the downtown.

This Report, and its six (6) Strategies and nineteen (19) Recommendations, represents a portion of the work as endorsed by the Downtown Initiatives Committee as identified within its "Strategy to Improve City Processes in Downtown" Document. In order to ensure the effective implementation of these Strategies and Recommendations, the Downtown Initiatives Committee wish that the "Getting Down to Business" Report be considered and endorsed by City Council.

The Executive Policy Committee recommends:

I. That the report outlined as Attachment "A", entitled "Getting Down to Business", Final Draft, dated September 6, 2002, be adopted by Council, including the nineteen recommendations contained within it as summarized on Pages 4 through 6 of the Report.

II. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

Transmission Line Relocation and Burial along Waterfront Drive and through North St. Boniface

File HG (Vol. 5)

686 - 13. On June 9, 1995, the Riel Community Committee forwarded to the Committee on Planning and Community Services a motion by the Old St. Boniface Residents Association, "That the Hydro lines in North St. Boniface be dismantled and placed underground". Initial estimates for the project were approximately $3.0 million, with Manitoba Hydro originally committing only $450,000.00 to assist with relocation costs.

On April 9, 2002, Manitoba Hydro in a letter addressed to Councillor Vandal committed to fund this project on a 50/50 cost sharing basis. Subsequently, on July 19, 2002, Mr. Bob Brennan, President & CEO of Manitoba Hydro, stated that the estimated cost of the project is $2.5 million, excluding environmental and easement issues, and confirmed Manitoba Hydro's commitment to share the cost of the project on a 50/50 basis.

The estimated cost involves burying two 66 kV circuits from the intersection of St. Joseph Street and Darveau Road under the Red River to Winnipeg Hydro's No. 6 substation ($1,625,000.00) and relocating the overhead portion along the railway line to Provencher Boulevard ($875,000.00). This estimate does not include the costs associated with environmental or easements issues. An amount of $150,000.00 has been included in the $1.4 million estimate to accommodate these and other possible contingencies.

The Financial Impact Statement is outlined on Attachment "A".

Completion of this project will eliminate any risk of having to proceed independently to bury/relocate the existing transmission line on the west side of the Red River running parallel to Waterfront Drive. Although a detailed estimate has not been completed for burying/relocating only this portion of the line, the cost for this portion of the work could exceed $2.0 million and would not address any of the concerns of the St. Boniface residents.

Relocation of the line in North St. Boniface cannot be completed without relocation of the line on the west side of the Red River.

Report of the Executive Policy Committee dated September 18, 2002

The Executive Policy Committee recommends:

I. That Council approve, in principle, on a 50/50 cost sharing arrangement with Manitoba Hydro, a project to relocate and bury a portion of the Manitoba Hydro high voltage transmission line emanating from Winnipeg Hydro Substation No. 6, running south along Waterfront Drive and easterly through North St. Boniface.

II. That a request for new funding for this project for up to $1.4 million be referred to the 2003 budget process.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Adopted by consent.

Downtown Development Review and Approval Process

File EP-1 (Vol. 21)

687 - 14. The Executive Policy Committee has been advised that on July 5, 2001, the Standing Policy Committee on Property and Development recommended that the Planning, Property and Development Department review the Downtown Winnipeg Zoning By-law and the Development Procedures By-law, so as to streamline development regulations and approval processes in the Downtown.

On December 11, 2001, the Standing Policy Committee on Property and Development laid over, pending a Council Seminar, consideration of a report from the Planning, Property and Development Department which outlined the proposed direction for the establishment of a new Downtown Zoning By-law and for the streamlining of development review through the establishment of a new hearing body focused only on downtown.

On January 21, 2002, a Council seminar was held to discuss the approach for development of a new Downtown Zoning By-Law and options for streamlining development review.

On July 17, 2002, Council adopted a report titled “Toward an Integrated Planning Model” including the twenty-four recommendations contained therein. Recommendation 3.4 states that:

> "The number of decision-making bodies and processes involved in planning and development issues should be simplified, using the downtown as a pilot, by having a single political body assume responsibility for zoning approval, design review, approaches, encroachments, etc. with administrative reports coordinated and submitted by the Director of Planning, Property and Development.”

In August, 2002, CentreVenture Development Corporation and the City completed a report titled “Getting Down to Business” which recommends, among other things, the establishment of a single decision making authority for all downtown development applications, either through the creation of an independent planning commission or a specially designated standing committee of Council.

The Province of Manitoba has enacted the new City of Winnipeg Charter Act. The proposed legislation provides the City with greater flexibility with respect to development review and approval processes and would enable the establishment of a Planning Commission that might include appointment of citizen representatives.

Recent initiatives and consultation processes have highlighted the need for improvements to the Downtown development review process. The goal is to ensure reasonable time lines, clear and easily understood processes, while still providing appropriate opportunities for public input, and ensuring that development meets long range planning policy and objectives and community expectations. This report discusses two alternatives for concentrating development review and approval processes (before one decision-making body) to make the system simple, understandable, focused, accountable and timely.

In general, development review processes relate to the following issue areas: design, heritage designation and grants, zoning matters such as variances, conditional uses, rezonings, and text amendments, subdivisions, licenses, street and lane openings and closings, real estate matters, such as land sales, leases, encroachments and access issues such as private approaches. Appendix A details the estimated number of downtown applications.

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In accordance with the Organizational By-law and the Development Procedures By-law, at the present time, a specific development proposal in Downtown Winnipeg may be subject to review by a number of civic departments and hearing bodies to deal with a variety of specific by-law requirements. Administrators or hearing bodies tend to focus on their area of specific expertise or on a specific aspect of a development. The multiplicity of administrative and political reviews tends to fragment development review, resulting in independent components of a proposal being reviewed in virtual isolation from other components of the proposed development. Recent experience indicates the current processes are isolated, cumbersome and difficult to navigate for applicants. There is logic to considering an entire proposal at one time before one decision making body, especially when development proposals are complex or innovative. To be credible, such a focused hearing body requires sufficient expertise, which may include roles for political, administrative and citizen representation within a new hearing body.

In exploring alternatives for new Downtown Winnipeg development review processes, there is a need to consider the legislative constraints, the political structure and the possibility of delegation to the administration, the intent of the review and its value. The City of Winnipeg Charter Act provides the overall legislative framework and the authority for specific by-laws. In some instances, The Act establishes limits on delegation of authority to the administration, to a Planning Commission or to a Committee of Council.

Currently, the following approvals are delegated to administration: variances, design review, (except new buildings, major additions, new streetscaping elements and major public works initiatives), complying private approaches and encroachment approvals. The newly established City of Winnipeg Charter Act will also allow conditional use approvals to be delegated to the Administration. In order to ensure that decisions are made in a timely manner, it is important that all minor applications, falling within established parameters, continue to be delegated to the Directors of relevant departments.

In general, the City has substantial latitude to determine its own development review process. The City of Winnipeg Charter Act is prescriptive in some areas, most notably in articulating appropriate processes to allow public notification and input and in ensuring accountability of Council.

A number of alternatives for achieving a more comprehensive integration of City decisions were explored. Establishing a new Committee of Council or a Commission focused on downtown would satisfy the stated objectives. The key issues to be determined are the scope of jurisdiction, the level of authority, and the committee composition (political, citizen and/or administration).

Two options discussed in this report are:

- Establishment of a Downtown Standing Committee of Council
- Establishment of a Downtown Planning Commission

OPTION 1: A NEW DOWNTOWN STANDING COMMITTEE

Committee Composition

A committee comprised of four elected City Councillors, (three Councillors and a Chair) with the Mayor as an ex officio member would be consistent with current Standing Policy Committee structures.

Mandate

It is envisioned that this Committee would be the single hearing body for the review of most downtown development applications, would function as the Downtown Design Board, and that downtown real estate, transportation planning, and policy matters would also be within the committee's mandate. Advisory Committees could be established to provide expertise on issues such as design or heritage. Appendix B provides more detail on the Committee mandate.

OPTION 2: A NEW DOWNTOWN PLANNING COMMISSION

Committee Composition

- Chair
- Three Councillors (possibly the Chairs of the Standing Policy Committees on Property and Development and Public Works, and One Downtown Ward Councillor), and the Mayor as an ex officio member,
- Four Citizen appointees chosen as representatives of design and planning professions or Downtown stakeholder organizations (such as CentreVenture).

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Mandate

Typically a Planning Commission integrates political representation with administrative and community expertise. The scope of jurisdiction varies widely. In some cities, Planning Commissions act in an advisory capacity only, and in others, the Commission has substantial decision-making authority. The extent of involvement in policy development also varies widely. Some Planning Commissions are divorced from policy development and are involved only in interpretation and implementation of policy, while some Planning Commissions are appointed, and others are elected.

The City of Winnipeg Charter Act allows Council to establish a Commission comprised of political, administrative and community representatives as a decision-making body on certain designated development issues. It is envisioned that a Planning Commission would take a leadership role in Downtown Planning issues, and not just be focused on development applications. The Charter tends to focus the role of a Commission on development review, but also stipulates that certain development issues can only be dealt with by a Standing Committee of Council. The problem with the limited jurisdiction on development review could be handled by specifying that for these issues only the elected representatives (Councillors or the Mayor) sit in a voting capacity and that they do so as the Downtown Standing Committee. Future amendments to the Charter Act should be requested to expand the jurisdiction of Planning Commissions.

Advantages and Disadvantages of these options:

Both options provide for focused and comprehensive review of complex or significant proposals. Development proposals would be reviewed as a whole rather than a series of parts. Processes are simplified and more easily understood and there is potential for improved integration of policy and development decisions. The Downtown Planning Commission would provide the advantage of broader expertise within the committee and greater community input in decisions.

However, coordination of administrative input is more complex, and fewer opportunities exist for formal public input. Land use standards may be compromised to accomplish other objectives (such as economic development). Under the Planning Commission option, the decision-making process may not be as clear as under the Standing Committee option, and appointed representatives may not be viewed as accountable to citizens or Council. Also, there would be added costs involved for compensation of members.

Coordination of Administrative Support Services

In order for a new downtown committee to function effectively it is important that improvements be made in the coordination of administrative input on development issues. Under the Integrated Planning Model it is proposed that a new Downtown Branch be formed, thereby providing a single point of contact for Downtown planning issues.

In addition, the establishment of a Downtown Design Centre to function in an advisory capacity to the new Downtown Committee or Commission is being explored. This group would be comprised of City staff and appointed design professionals.

Initially, the role of the Downtown Design Centre would be focused on providing advice within the Downtown Design Review process. Additional roles for a design centre commonly include community advocacy and the ability to provide design services. Partnerships with the Manitoba Association of Architects, other design and planning associations, and the University of Manitoba will be explored to expand the capacity of the Design Centre.

Implementation

The City's Organizational By-law and the Development Procedures By-law would require amendment to reflect the proposed committee structure. It is assumed that any new committee will focus on the geographic area described as Downtown Winnipeg consistent with CentreVenture's mandated area and the boundaries of the proposed new Downtown Zoning By-law. This area is comprised of portions of the Fort Rouge, Daniel McIntyre and Point Douglas Wards and is split between two Community Committees, City Centre and Lord Selkirk - West Kildonan.

Other by-laws, such as the Downtown Winnipeg Zoning By-law and the private approaches by-law, and certain Council delegations will also require review and possible amendment.

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Conclusion

The Downtown Standing Committee and the Downtown Planning Commission both provide for consolidated and coordinated consideration of development proposals in Downtown Winnipeg. Both development review and approval models will enhance more focused and timely decision-making. The Downtown Standing Committee model has the advantage of being more consistent with the City's organizational structure. As such, it can be implemented more readily and expeditiously, with amendments to the Development Procedures and Organizational by-laws. Because the Downtown Planning Commission is more of a departure from standard operating procedures, to implement this model at this time may compromise its full potential as a decision-making model for Downtown Winnipeg. In order to implement at this time, the Downtown

Planning Commission, as defined and described in this report, must initially take on a hybrid form until such time as the City of Winnipeg Charter Act can be amended. Though many amendments would be of a minor nature, more significant debate regarding the direct role of appointed citizens and administrators in financial decisions would be beneficial but - due to the more significant shift in procedures - may also require additional time to realize.

The Planning, Property and Development Department recommended that the Downtown Standing Committee model be endorsed at this time. Council will recognize this as the more cautious approach, but in endorsing the report's three recommendations will also be directing administration to further pursue the Downtown Planning Commission (in its fully realized form) as the optimum approach to downtown decision-making.

It is estimated that an additional appropriation of $12,000.00 for the Downtown Standing Committee option will be required since the Chairperson would be entitled to compensation ($12,000.00). Under the Planning Commission option, it is assumed that the Chairperson would be entitled to compensation and that the four citizen appointees to the Commission would be paid for their time. It is estimated this would require an additional appropriation of $24,000.00.

The Financial Impact Statement dated September 13, 2002, is outlined on Attachment "C".

The Executive Policy Committee recommends:

I. That Council endorse a Downtown Standing Policy Committee as the immediate option for improving Downtown Winnipeg development review and approval processes, with input from downtown stakeholders and partners.

II. That the Administration be directed to further investigate the viability of a Downtown Planning Commission as the preferred option for improving these processes, in consultation with the Province of Manitoba, regarding future amendments to the City of Winnipeg Charter Act and with input from downtown stakeholders and partners.

III. That the Administration be directed to do all things necessary to implement the recommended option.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

The Speaker called Councillor Eadie to the Chair and left the Chamber.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Memorandum of Understanding (MOU) between the City of Winnipeg and The Manitoba Housing and Renewal Corporation on Affordable Housing Programs
File EX-1 (Vol. 8)

688 - 15. Council, in October of 1999, endorsed the Winnipeg Housing Policy to address the serious decline in housing conditions in inner city neighbourhoods. The City provided funding to support housing initiatives through the establishment of a $7 million Housing Investment Reserve Fund.

Report of the Executive Policy Committee dated September 18, 2002

In May of 2000, a three-year Memorandum of Understanding (MOU) was approved between Canada, Manitoba and the City of Winnipeg establishing a tripartite partnership to address homelessness and declining housing stock through revitalization of older neighbourhoods.

The tripartite partnership opened a Single Window Office on May 15, 2000, as the Winnipeg Housing and Homelessness Initiative (WHHI). The City's funding assistance is being delivered through this single window office. The City's Housing Initiative will expire in 2004, unless extended either independently or in cooperation with other levels of government through the Affordable Housing Initiative (AHI).

As a result of the City's ongoing partnership with the Federal and Provincial governments through the WHHI, discussions occurred regarding the City's participation in the Federal/Provincial Affordable Housing Initiative and City staff were requested to meet with provincial representatives in order to develop a Memorandum of Understanding (MOU) for a joint provincial/municipal Affordable Housing Initiative.

City and Provincial staff, following the terms and framework of the Federal/Provincial (CMHC/MHRC) Bilateral Agreement on the Affordable Housing Initiative, developed the "Memorandum of Understanding in Consideration of the Development of Affordable Housing in Winnipeg" outlined on Attachment "B". The significant components of the MOU are as follows:

- The MOU on Affordable Housing will focus on housing which is modest in terms of floor area and amenities, based on household needs and community norms, and, is priced at or below average market housing rents or prices for comparable housing in a community.

- Programs developed by the City and the Province will contribute to the development of a new affordable rental housing supply or a new affordable homeownership supply, to the rehabilitation/repair of the existing housing supply, and/or to the affordability of any newly constructed or rehabilitated housing supply, pursuant to the AHI Bilateral Agreement.

- There is recognition of "in kind" contributions by the City which can include land, costs incurred to prepare land for development, applicable grants provided under the Winnipeg Housing Initiative, tax credits, tax increment financing, services and delivery of the initiative, or a combination of cash and in-kind contributions, and policy coordination.
- Provision exists in the MOU for "Mixed Affordable Housing Projects" in order to assist in the development of projects planned in the Downtown.
- Provision is made for Winnipeg's co-operation in strategic planning for future land development in and adjacent to Winnipeg, including but not limited to MHRC parcels situated in Fort Garry, St. Vital and North Winnipeg.
- Affordable Housing Programs may initially focus on specific areas of the City, including the Major Improvement Areas and Rehabilitation Neighbourhoods identified by the City of Winnipeg, but the focus of housing initiatives may expand to include other/all areas of Winnipeg.
- The proposed housing initiative will be co-ordinated through the WHHI, and will complement existing housing initiatives and programs.
- Winnipeg's Funding, including contributions in cash and in kind, pursuant to City Council's approval, will be equal to approximately one-third of the total of CMHC Funding, MHRC Funding and Winnipeg's Funding contributed overall for Programs undertaken in the City of Winnipeg, over the duration of the AHI Bilateral Agreement.

It is estimated that Winnipeg will receive approximately $35 to $40 million in Federal and Provincial funds under the Affordable Housing Initiative. The City of Winnipeg's contribution, pursuant to the proposed MOU, would be equal to approximately one-third, to a maximum of $17.5 million, of the total of CMHC Funding, MHRC Funding and Winnipeg's Funding contributed overall for Programs undertaken in the City of Winnipeg, over the duration of the AHI Bilateral Agreement.

The Federal/Provincial Bilateral Agreement recognizes, as matching contributions, those commitments made by the Provincial government and third parties for eligible programs, retroactive to January 1, 2001. In this context, the City's current and projected eligible contributions for land, WHHI grants, and administration are approximately $8.753 million.

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Consequently, additional direct funding in an amount of $8.747 million would be required by the City to fulfill it's funding commitments under the MOU.

Implementation of the Winnipeg Housing Policy and the Winnipeg Housing Initiative through the WHHI has significantly improved the physical, social and economic environment in the City's Housing Improvement Zones.

Total public and private investments of $16.3 million have been made in housing development projects in Winnipeg through the WHHI to date. This translates into a leveraging ratio of 10.2 for the City of Winnipeg, that is, for every $1.00 of City funding committed, an additional $10.20 has been invested by other public/private sources.

An analysis of property assessment data in the Spence and West Broadway areas has demonstrated that assessments on new infill and renovated homes have increased considerably as a result of the tri-level WHHI investments.

These enhanced assessments have increased municipal tax revenue for the City, which is fully recovered by the City within a period of 30 years. Because the lifespan of new and renovated homes extends well beyond 25 years, the City's housing renewal investments made through the WHHI partnership are ultimately returned to the City through municipal tax revenue. These housing investment funds have contributed not only to the renewal of homes and confidence in Housing Improvement Zones, but also to the City long-term tax base.

Approval of the City/Provincial MOU on the Affordable Housing Initiative would ensure that Winnipeg's participation and involvement in housing renewal initiatives continues and further enhances the health and vitality of the City.

The total additional costs to the City of implementing the recommendations are outlined in Recommendation 3 as follows:

Additional City funding required over and above its defined eligible contributions to the affordable housing initiative	$8.747 million
Additional funding needed to complete the implementation of the $7 million Winnipeg Housing Initiative approved in principle by Council	$2.7 million
Market value of surplus City-owned land to be contributed to the affordable housing program (See Note)	$3.2 million
Total	$14.647 million

Note: The $3.2 million is the combined assessed value of City-owned residential parcels considered immediately useable plus a number of similar lots expected to be received in tax sale in the near future. For the purposes of this analysis, it is assumed that the City's combined carrying costs that will have to be written off when the properties are transferred to the Province are roughly equal to the assessed values.

A Financial Impact Statement dated September 13, 2002, prepared with respect to the MOU is attached as Attachment "A".

The Executive Policy Committee recommends:

I. That Council be requested to approve the "Memorandum of Understanding in Consideration of the Development of Affordable Housing in Winnipeg" outlined on Attachment "B" for the creation of affordable housing programs in Winnipeg.

II. That Council allocate a maximum of $17.5 million to the implementation and delivery of housing programs under the Affordable Housing Initiative, inclusive of program funding, in-kind contributions and policy coordination, through to expiration of the Initiative on January 1, 2008.

III. That, in addition to the remaining $2.7 million required to fully implement the $7 million Winnipeg Housing Initiative, Council allocate:

1. Additional funds of $8.747 million to the Housing Investment Reserve Fund.

2. Surplus City owned land assessed at $3.2 million to new affordable housing programs to be delivered cooperatively with the Provincial Government.

IV. That the Director of Planning Property and Development be authorized to implement existing housing programs where applicable, and develop new complementary affordable housing programs for approval by the Housing Steering Committee.

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V. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing recommendations.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

The Winnipeg Private Refugee Sponsorship Assurance Program

File G-8 (Vol. 6)

689 - 16. In June 2002, Council approved the Homegrown Economic Development Strategy (HEDS), which identified "closing the skills gap and enhancing immigration" as one of its three priority policy foundations and issues and stressed that the City must "play a leadership role in supporting enhanced immigration sponsorship programs".

The Executive Policy Committee has been advised that the Manitoba Interfaith Immigration Council (MIIC) has requested the City of Winnipeg to consider acting as a guarantor in support of "family linked" (individuals with relatives or friends in Manitoba) refugee sponsorship.

Numerous individuals, including a provincial government representative and a respected refugee advocate, have characterized the need for family linked sponsorships as "huge". It is predicted that Manitoba will begin to lose population at an accelerating rate, with associated difficulties. Winnipeg, with two-thirds of the provincial population, will share proportionately in this slide and predicament. At this point the City of Winnipeg plays no role in an issue that is fundamental to its future.

On July 17, 2002, the Executive Policy Committee passed the following motions:

- That the Mayor, supported by the Executive Policy Committee Secretariat, enter into negotiations with relevant parties to carry out a pilot project in support of increasing immigration to Winnipeg by supporting family linked refugee sponsorship.

- That the Mayor, supported by the Executive Policy Committee Secretariat, enter into negotiations with the Governments of Manitoba and Canada in support of developing a broad tri-level agreement towards building innovative immigration partnerships in favour of growing Winnipeg's population.

- That the Mayor submit any draft agreements to Executive Policy Committee and City Council for approval.

- Concurred in a recommendation that "the City … enter into negotiations" as outlined above and that "a negotiated pilot project be brought back to the Executive Policy Committee and Council for approval."

The Manitoba Interfaith Immigration Council (MIIC) presented a relatively simple and potentially low-risk, but effective, high profile opportunity for the City of Winnipeg. The proposal suggests partnerships between refugee sponsoring groups and the City of Winnipeg be formed "to substantially increase the number of refugee family members settling in Winnipeg". These groups would "work with local community and family members to priorize refugees with appropriate skills, language abilities and family supports. Sponsoring groups, constituent groups and Winnipeg family members would take responsibility for providing for the needs of the family members when they arrive and helping them to settle successfully."

The City of Winnipeg's role would be to provide funds to ensure that there would be no dependency on the Government of Canada for the first year of the sponsorships, and to provide for settlement costs where resources are not available.

The basic proposal is that the City of Winnipeg approve a grant of $250,000.00 for the fund. The nature or intent of the fund is to guarantee, or "underwrite", the sponsorship of refugees by sponsor groups. It can therefore be expected that the majority of the funds will roll over from year to year. A minimum of draw down may be required to cover settlement costs, in the unlikely event of breakdowns in sponsorships.

Executive Policy Committee Secretariat staff have met and entered into negotiations with representatives of relevant parties, including:

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- Manitoba Labour and Immigration
- Citizenship and Immigration Canada (CIC)
- Manitoba Refugee Sponsors (MRS)
- Manitoba Interfaith Immigration Council
- Winnipeg Foundation

The parties' negotiations have resulted in a Draft Agreement identified on Appendix "B".

A tri-level agreement has not yet been concluded, however, negotiations continue in this regard. In reference to the Program, Federal Minister Coderre, in his August 15, 2002, letter to the Mayor suggests the Program "represents an innovative partnership… and has the potential to contribute to Winnipeg's growth and by accepting refugees who do not have family in Winnipeg but are interested in making Winnipeg their home, you will be… expanding the base for future immigrant and refugee sponsorships." The latter point is in reference to the Program and Draft Agreement including, at CIC's request, "community-linked" (that is, not just "family-linked") sponsorships. This allows for identification by CIC missions abroad of potential sponsored persons – so-called "unnamed" refugees that CIC has requested be included in the Program.

In her August 14, 2002, letter to the Mayor, Provincial Minister Barrett suggests the program is "an important tool to support the humanitarian immigration stream that has been so successful due to local leadership and dedication."

An Advisory Board should be established, comprising representatives from the City of Winnipeg, Province of Manitoba, Government of Canada, and MRS. The Board would be responsible for oversight and/or implementation of the intent of the Program. It could serve a number of longer-term purposes, including laying the foundation for further business and government collaboration.

Attached as Attachment "A" is a Financial Impact Statement dated September 17, 2002, which outlines the costs involved with the Program.

The Executive Policy Committee recommends:

I. That the City of Winnipeg approve The Winnipeg Private Refugee Sponsorship Assurance Program according to the principles outlined in the Draft Agreement identified on Attachment "B".

II. That an additional appropriation be approved for the 2002 Adopted Tax Supported Budget to provide a grant to the Manitoba Refugee Sponsors (MRS) or its agent for the purpose of establishing an assurance fund of $250,000.00 and $7,500.00 related to administrative support.

III. That ongoing funding of $30,000.00 for 2003 and beyond, for a maximum total of five years, related to administrative support, be referred to the administration for recommendation and review during deliberation on the 2003 Current Estimates process.

IV. That an Advisory Board be established to monitor the operation of the Agreement and the Program for measuring success, and to provide oversight to this sponsorship guarantor project.

V. That the Mayor be authorized to appoint the City's representative to the Advisory Board.

VI. That the project be reviewed after twelve (12) months of activity.

VII. That the Executive Policy Committee Secretariat work with the Proper Officers of the City to do all things necessary to implement the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Adopted by consent.

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New Business Improvement Zone By-law
File FL-7 (Vol 5.)

690 - 17. The Executive Policy Committee has been advised that The City of Winnipeg Act contained provisions setting out procedures for the creation of Business Improvement Zones by the City, and, the process for approving Business Improvement Zone budgets.

The new City of Winnipeg Charter has eliminated these provisions and assigns to Council the task of creating a by-law that will govern Business Improvement Zones.

In designing this new general by-law, the Business Improvement Zone Liaison Officer for the City provided a summary of the proposed changes to every Business Improvement Zone in the City and invited comments and suggestions. A meeting was held to hear from the Business Improvement Zones and written comments were welcomed. The By-law No. 8111/2002 as outlined on Attachment "A", was redrafted to incorporate these suggestions.

Although the By-law retains the core of the current Business Improvement Zone structure, it also contains several provisions that differ from the provisions in The City of Winnipeg Act. Some key changes are as follows:

Format

- The By-law combines the common provisions that regulate all Business Improvement Zones into a single, general by-law. Only items unique to a particular Business Improvement Zone (such as the description of its area and the number of Board members) would be contained in an individual Business Improvement Zone by-law.

Creation, termination and boundary alteration

- Currently, a Business Improvement Zone can be formed or a new area added to a Business Improvement Zone if ten (10%) per cent of businesses in an area petition for this change. The new By-law raises this to one-third (1/3) of businesses representing one-third (1/3) of the total business assessment in the area, thereby ensuring that a significant level of support is achieved before an area becomes part of a Business Improvement Zone. As is currently the case, written objections filed by one-third (1/3) of the businesses representing one-third (1/3) of the total business assessment in the area can defeat a petition.
- For the first time, rules are established for withdrawal from a Business Improvement Zone. A petition from at least fifty (50%) per cent of the businesses representing at least fifty (50%) per cent of the business assessment in the area to be withdrawn is required and one-third (1/3) of businesses in the area to be withdrawn can veto the withdrawal by objecting in writing. Council is given the final say about a request to alter the boundaries of a Business Improvement Zone and may refuse to do so if it is not beneficial to the businesses within the new boundaries.
- For the first time, rules about termination are set out. Certain events trigger Council consideration of termination (for example, a request by fifty (50%) per cent of Business Improvement Zone members, failure to produce a budget for two consecutive years) but Council has the final say about termination.

Budget approval

- Rather than going to a Community Committee, then Executive Policy Committee and then Council for approval, as is the case currently, a budget approved at a Business Improvement Zone's Annual General Meeting would be sent directly to Council for approval or rejection.
- As is the case currently, Council would approve the vast majority of budgets without controversy. However, under the new system, if one-third (1/3) of Business Improvement Zone members representing one-third (1/3) of the total business assessment in the zone send written objections to the budget to Council, the budget is automatically rejected and sent back to the Business Improvement Zone. The Business Improvement Zone could hold another General Meeting to get a second budget passed and then submit that budget to Council.
- When considering a subsequent budget adopted by a Business Improvement Zone, Council may approve the budget regardless of the fact that one-third (1/3) of member businesses have objected to it.

Board empowerment

- Business Improvement Zones would be allowed to enter into long-term leases or debt obligations so long as this is explicitly noted in their budgets.
- Additional flexibility would be given to Business Improvement Zone boards to attract business and new businesses to their zone.

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Financial issues

- At the request of the Board, a Business Improvement Zone could receive up to fifty (50%) per cent of its total budget from the City prior to June 30. (The current maximum is five (5%.) per cent. Interest at the City's rate of borrowing plus one (1%) per cent would be charged on any advance payment.

- A Business Improvement Zone could choose its own fiscal year, subject to Council approval.

Annual General Meeting, board meetings and procedures

- Some minor changes are proposed to procedures for electing new board members and for approving a budget at an Annual General Meeting, or to board meetings and procedures. In general, the changes will give Business Improvement Zone boards greater flexibility and authority to manage their own affairs.

For the information of Council, a Financial Impact Statement prepared and dated September 12, 2002, indicates that based on a review of procedural changes that the new by-law would generate, it has been determined there are no apparent financial impacts to the City related to such changes.

The Executive Policy Committee recommends:

I. That Council enact By-law No. 8111/2002 to establish general procedures relating to all Business Improvement Zones, as well as the necessary corresponding by-laws for each existing Business Improvement Zone to achieve consistency with the general provisions.

II. That Clause 3(1) (a) of By-law No. 8111/2002 be amended by deleting the words "at least one-third" wherever they appear and replacing them with the words "more than fifty per cent".

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachment referred to in the clause is on file in the office of the City Clerk.

Adopted by consent.

Kinsmen Reh-Fit Centre

File S-7 (Vol. 5)

691 - 18. The Executive Policy Committee, on September 18, 2002, passed the following motion, namely:

WHEREAS the Kinsmen Reh-Fit Centre is developing a 20,000 sq. ft. addition and renovation project to their main facility located at Taylor Avenue and Waverley Street, which is land that has been leased from the City of Winnipeg since 1979;

AND WHEREAS the estimated cost of this proposed expansion is $4,000,000.00

AND WHEREAS the Kinsmen Reh-Fit Centre is raising one-third of this cost on its own, and has applied to the governments of Canada and Manitoba for funding support for the remaining two-thirds of the project cost, said funding to be derived from the strategic investment funds in the Canada-Manitoba Infrastructure Agreement and does not involve any further funding contributions from the City of Winnipeg;

AND WHEREAS the Kinsmen Reh-Fit Centre has asked the City of Winnipeg to endorse this expansion project in order to indicate to the other two governments that this project will have significant benefits city-wide in participation, health promotion teaching/education, employment, and in developing a stronger healthier community;

THEREFORE BE IT RESOLVED THAT the Council of the City of Winnipeg hereby indicates its endorsement of the Kinsmen Reh-Fit Centre's Proposed Expansion Project and wishes the Centre every success in achieving their goal;

and submits same to Council for approval.

Adopted by consent.

Report of the Executive Policy Committee dated September 18, 2002

Naming of the Provencher Pedestrian Bridge
File SB-13 (Vol. 6)

692 - 19. The Executive Policy Committee, on September 18, 2002, passed the following motion, namely:

WHEREAS the Provencher Pedestrian Bridge will be a unique construction project and will be a regional attraction;

AND WHEREAS it is desirous of choosing a name for the pedestrian bridge which will properly commemorate our cities' rich history;

AND WHEREAS it is desirous of soliciting public input for the eventual name;

THEREFORE BE IT RESOLVED THAT the City of Winnipeg in partnership with the Riel Development Corporation and the CentreVenture Development Corporation embark on a "Bridge naming" competition, which will solicit suggestions from the public;

and submits same to Council for approval.

Adopted by consent.

Appointment of Members to CentreVentre Board
File EP-1.2.3 (Vol. 4)

693 - 20. The Executive Policy Committee has been advised by the President and CEO of CentreVenture Development Corporation, that the terms of two of their Directors, Ms. Ida Albo and Mr. Lloyd McGinnis, expired on June 30, 2002,.

The Executive Policy Committee has also been advised that Mr. David Asper submitted his resignation to The Board of Directors on March 2, 2002 leaving another citizen vacancy on the board. Mr. Asper's term also expired on June 30, 2002.

The Board of Directors recommends to the Executive Policy Committee that Ms. Daphne Petrakos be appointed to replace Mr. David Asper for a three-year term to expire on June 30, 2005.

The Board of Directors also recommends to the Executive Policy Committee the renewal of Ms Ida Albo and Mr. Lloyd McGinnis for an additional three-year term to expire on June 30, 2005, and also to extend their appointments as Chair and Vice-Chair respectively, for a second year.

The Executive Policy Committee concurs with the recommendations from The Board of Directors of CentreVenture Development Corporation and recommends:

I. That Ms. Daphne Petrakos be appointed for a three-year term to The Board of Directors of CentreVenture Development Corporation to expire on June 30, 2005.

II. That Ms Ida Albo and Mr. Lloyd McGinnis be re-appointed for an additional three year term to The Board of Directors of CentreVenture Development Corporation to expire on June 30, 2005, and also to extend their appointments as Chair and Vice Chair respectively for a second year.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED SEPTEMBER 24, 2002

On motion of His Worship Mayor Murray, the rule was suspended and the Report of the Executive Policy Committee, dated September 24, 2002, was considered clause by clause.

Supply and Delivery of Diesel Fuel, Furnace Fuel and Gasoline - Tender No. 394-2002
File GL-9 (Vol. 18)

694 - 1. The Executive Policy Committee has been advised that an Invitation to Tender is issued triennially by the Materials Management Division of the Corporate Finance Department for the supply and delivery of diesel fuel, furnace fuel and gasoline for various City departments and cooperative purchase participants on an "as-required" basis.

Final receipt of bids took place on August 7, 2002, with bids being received from five bidders. A summary of these bids is outlined in Attachment "B".

The Tender Package specified that contract prices were to be adjusted

(a) monthly during the three-year term of the contract in direct proportion to a reference crude oil price index or to reference fuel price indices (commonly known as "rack prices") specified by the Bidder on Form N of the Tender Package; or

(b) in accordance with an index and formula specified by the Bidder provided that the index and formula met specified criteria, and that the bid contained sufficient information to reasonably enable the City to judge their merits.

Shell Canada Products Limited

The bid submitted by Shell Canada Products Limited stated on Form N that prices were indexed to "average Shell at Winnipeg as reported by Bloomberg Oil Buyer (sic) Guide weighted average for the month of July".

The proposed price index could not be precisely as stated because *Bloomberg Oil Buyer's Guide* (OBG) does not report a monthly average. Instead, each Friday it reports the spot reference prices in effect the day prior.

Shell has clarified their bid by stating that Shell calculates the average of the 4 or 5 weekly spot prices reported by OBG for each month and provided supporting evidence that the values submitted on Form N were consistent with their clarification.

Despite the need for the clarification, the bid is responsive because there is no effect on the requisite calculation and the clarification cannot reasonably prejudice another bidder.

Imperial Oil Limited

The bid submitted by Imperial Oil Ltd. was in accordance with the requirements of the Tender Package.

Although the bid submitted by Imperial Oil included a letter of clarification, none of the clarifications is contrary to any express term of the Tender Package.

Petro-Canada Limited

The bid submitted by Petro-Canada Ltd. was in accordance with the requirements of the Tender Package.

The Tender Package specified that the contract could be awarded as a whole or by sections, and Petro-Canada bid only on Section B.

Report of the Executive Policy Committee dated September 24, 2002

Husky Oil Marketing Co., A Division Of Husky Oil Limited

The bid submitted by Husky Oil Marketing Co., a Division of Husky Oil Limited included additional terms and conditions, of which two are noteworthy:

1. Husky Oil reserved the right to "change prices to allow for any changes in taxes or freight rates in effect at the time of delivery." While the Tender Package stipulates that prices are subject to adjustment for tax changes and in accordance with one of the specified price adjustment mechanisms, no other adjustments are permitted. This condition makes the total value of the contract indeterminate and is prejudicial to the other bidders who have, in their bids, allowed for changes in freight rates during the term of the contract.

2. Husky Oil exempted itself from liability for non-performance resulting from "failure of Husky's usual supplier … to supply the product" or "shortage of the product … for any reason". This exemption is substantially more extensive than allowed by the General Conditions of the Tender Package and is too broad to be acceptable.

In addition, Husky Oil failed to provide the reference prices used to calculate the bid prices. Instead of entering the required values on Form N of the Tender Package, Husky Oil stated "See Form B". Since the bid prices on Form B were to be calculated from the values which should have been entered on Form N, the circular reference is inexplicable. There was, however, a sufficient description of the proposed reference price index that the missing information might, if deemed necessary, be obtained from information published by other parties.

Clause B14.2 of the Tender Package stated "the Award Authority may reject a Bid as being non-responsive if the Tender Submission is incomplete, obscure or conditional, or contains additions, deletions, alterations or other irregularities".

The bid should be determined to be non-responsive as it is both incomplete and contains unacceptable conditions.

Federated Cooperatives Limited

Although the Tender Package specified that the contract could be awarded as a whole or by sections, Federated Cooperatives bid on only part of Section B.

Clause B14.2 of the Tender Package stated "the Award Authority may reject a Bid as being non-responsive if the Tender Submission is incomplete, obscure or conditional, or contains additions, deletions, alterations or other irregularities".

The bid should be determined to be non-responsive as it is incomplete.

The Tender Package specified that:

(a) the evaluated Bid Price would be the sum of the approximate annual quantities multiplied by the City's estimate of unit prices during the term of the Contract; and

(b) the City's estimate of unit prices during the term of the Contract would be based on the unit prices bid and the price adjustment mechanism(s) proposed by the Bidder; and

(c) price adjustment mechanisms would be evaluated by comparison of the data and/or resultant extrapolation for the proposed indices with the data and resultant extrapolation for a reference crude oil price index selected by the City.

Responsive bids were evaluated in accordance with the specified criteria and the estimated total three-year contract amount for each responsive bid is shown in Attachment "C".

Bid prices were normalized for two major factors:

1. Rack prices for diesel fuel are escalating at a rate of approximately $0.0327 per litre per year while rack prices for gasoline are escalating at a rate of approximately $0.0370 per litre per year.

2. Rack prices exhibit seasonal variations that differ by product. Typically, diesel fuel peaks in the late fall while gasoline peaks in the summer. In addition, gasoline exhibits significantly more seasonal variation than diesel fuel.

The estimated total contract amount for each bid was calculated considering both effects.

Report of the Executive Policy Committee dated September 24, 2002

The lowest evaluated responsive bid is the bid submitted by Shell Canada Products Ltd. for Alternative 1 – Award as a Whole.

The requirements for Bid and Performance Securities, and the execution of a formal contract were waived for this purchase in accordance with the authority delegated to the Director of Purchasing on April 9, 1992 and February 9, 1995.

The recommended bidder has demonstrated to the satisfaction of the Contract Administrator that they have the necessary qualifications and resources to perform the work of this contract.

Tenders are valid for acceptance until November 5, 2002.

A Financial Impact Statement dated August 20, 2002, prepared with respect to Tender No. 394-2002 is attached as Attachment "A".

The Executive Policy Committee recommends:

I. That the bid from Husky Oil Marketing Company, a Division of Husky Oil Limited be deemed non-responsive in accordance with clause B14.2 of the Tender Package.

II. That the bid from Federated Cooperatives Limited be deemed non-responsive in accordance with clause B14.2 of the Tender Package.

III. That the contract for the supply and delivery of diesel fuel, furnace fuel and gasoline for the period of January 1, 2003 to December 31, 2005 be awarded to Shell Canada Products Limited, the bidder who submitted the lowest evaluated responsive bid, and that the Manager of Materials be authorized to issue a Purchase Order to Shell Canada Products Limited.

IV. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Impartial Review of the North End Water Pollution Control Centre
File WS-7.1 (Vol. 3)

695 - 2. The Executive Policy Committee, on September 24, 2002, passed the following motion, namely:

WHEREAS a mechanical failure at the City of Winnipeg's North End Water Pollution Control Centre resulted in untreated sewage being discharged into the Red River;

AND WHEREAS the City of Winnipeg has made the repair of the mechanical failure to stop the untreated sewage from discharging into the Red River its first priority;

AND WHEREAS the Water and Waste Department will be conducting a full investigation of the incident;

AND WHEREAS the City of Winnipeg will cooperate with Federal and Provincial investigations into the incident;

AND WHEREAS it is the duty of Council to ensure that the public is completely satisfied as to why the incident occurred;

AND WHEREAS it is the duty of Council to ensure that the public is completely satisfied that the City's response to the incident was immediate and comprehensive;

AND WHEREAS it is the duty of Council to maintain public confidence in the safety standards at the City's treatment facilities;

Report of the Executive Policy Committee dated September 24, 2002

THEREFORE BE IT RESOLVED THAT Council instruct the Chief Administrative Officer to retain an independent engineering firm to conduct an impartial review of the incident to determine the cause of the accident and to make recommendations to prevent similar accidents from occurring in the future,

and submits same to Council for approval.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

The Restructuring of the City of Winnipeg Employees Benefits Program and the Implementation of the Civic Employees Benefits Program Pension Trust Agreement
File GU-3.9 (Vol. 17)

696 - 3. The Executive Policy Committee has been advised that The City of Winnipeg and the Unions commenced negotiations in 1998 for purposes of determining a process for allocating surpluses in the City of Winnipeg Employee Benefits Program (EBP) and changes to the structure, governance and funding requirements of the EBP. In November of 1999, the parties agreed to ratify the new pension plan restructuring the EBP, with July 1, 2000, being the anticipated implementation date.

Council, on November 22, 2000, owing to the complexity of the arrangement, the need for amendments to legislation, the required Court approval, the approval of the Manitoba Pension Commission and, in order to gain an immediate benefit from the current surplus, approved an interim arrangement which the Unions and the City had agreed to which will end December 31, 2002. That agreement allows both the City and the Unions to utilize up to $150 million of the existing surplus for the purpose of improving benefits and allowing the City of Winnipeg to continue with a contribution holiday in year 2000 and subsequent years until fully utilized.

Since the adoption of that interim agreement, appropriate amendments have been made to The City of Winnipeg Act and the approval of the Manitoba Court of Queen's Bench has been obtained. The Unions and the City are now able to continue with their application to the MPC for its consideration and approval of the restructuring of the EBP pursuant to The Manitoba Pensions Act.

The new plan is now scheduled to come into effect on January 1, 2003.

The Chief Financial Officer is of the view that it is in the best interests of the City of Winnipeg that the Trust Agreement be executed and is recommending the City of Winnipeg's appointees to the Board of Trustees. This will allow the City to benefit as soon as possible from the funding structure of the new pension plan, assure that the City has taken all necessary steps to facilitate the Unions and the City obtaining the approval of the Manitoba Pensions Commission so that the new pension plan can be implemented as intended on January 1, 2003.

There is no financial impact associated with the restructuring of the City of Winnipeg Employees Benefits Program and the implementation of the Civic Employees Benefits Program Pension Trust Agreement.

The Executive Policy Committee recommends:

I. That Council, in accordance with the terms of the Trust Agreement which implements the new pension plan, appoint the following as the City of Winnipeg members of the Board of Trustees for the assigned terms:

Bob Pruden	3 year term
David Shepherdson	1-year term
Bob Gannon	2-year term
Jo-Anne Ferrier	3-year term
Rick Borland	1-year term
Barry MacBride	3-year term
Ursula Stelman	2-year term

II. That Marshall G. Smith's and Scott Penman's terms on the Employee Benefits Investment Committee, which expire on October 31, 2002, be extended to December 31, 2002.

Report of the Executive Policy Committee dated September 24, 2002

III. That the Proper Officers of the City be authorized do all things necessary to effect the intent of the foregoing including the execution of the Trust Agreement**.**

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Memorandum of Understanding (MOU) between the City of Winnipeg, the Province of Manitoba and the Government of Canada on Immigration
File EX-1 (Vol. 8)

697 - 4. The Executive Policy Committee, on September 24, 2002, passed the following motion, namely:

WHEREAS on July 17, 2002, the Executive Policy Committee mandated the Mayor to enter into negotiations with the Governments of Manitoba and Canada in support of developing a broad tri-level agreement towards building innovative immigration partnerships in favour of growing Winnipeg's population;

AND WHEREAS the Mayor has now negotiated a Memorandum of Understanding (MOU) with the Governments of Manitoba and Canada;

THEREFORE BE IT RESOLVED THAT the Memorandum of Understanding (MOU) outlined in Attachment "A" between The City of Winnipeg, The Province of Manitoba and The Government of Canada be forwarded to Council for approval.

Copy of attachment referred to in the above clause is on file in the office of the City Clerk.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Citizen Equity Committee - Contract Renewal for the Outreach Coordinator
File CR-1 (Vol. 4)

698 - 5. The Executive Policy Committee has been advised by the Citizen Equity Committee that the personal services contract with Carole Fréchette for the provision of administrative support services for the committee expired on September 23, 2002.

On August 26, 2002, the Citizen Equity Committee concurred in the recommendation of the Chairperson, namely, that the Executive Policy Committee give favourable consideration to the renewal of Carole Fréchette's contract as the Outreach Coordinator for the Citizen Equity Committee, for a one-year duration, at the current salary level.

The Executive Policy Committee concurs with the recommendation of the Citizen Equity Committee and recommends:

I. That the City of Winnipeg enter into a personal services contract extension with Carole Fréchette for the provision of administrative support services to the Citizen Equity Committee, as follows:

a) the contract to be a one-year duration commencing September 25, 2002 to September 24, 2003;
b) the fee for service be $40,000.00 per annum all-inclusive, utilizing funding from the existing Citizen Equity Committee budget allocation.

II. That the City Solicitor/Manager of Legal Services be instructed to prepare the necessary contract between The City of Winnipeg and Carole Frechette.

Report of the Executive Policy Committee dated September 24, 2002

III. That the Proper Officers of the City be authorized to do all things necessary to implement the foregoing.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

CentureVenture Land Assembly Associated with the Former Capital Theatre Site, 313 Donald Street
Files G-3.1.1 and FE-1 (Vol. 31)

699 - 6. The Executive Policy Committee has been advised that On June 5, 2001, the Standing Policy Committee on Property and Development concurred with a Report from the Historical Buildings Committee that, among other things, recommended the de-listing and approval to demolish the Capitol Theatre.

On September 17, 2002, CentreVenture advised the Planning, Property, and Development Department of a plan for a potentially significant land assembly, demolition and development project, allowing for a superior expanded development that will result in higher assessed property values and increased municipal tax revenues.

CentreVenture has identified their strategy with regard to a project associated with the Former Capitol Theatre Site, which requires the acquisition and demolition of the adjacent property at 329 Donald Street. The expanded site would then be available for a significantly larger and more desirable development.

The building located at 329 Donald Street was originally owned by the City and Optioned to CentreVenture as a part of the Council approved CentreVenture Asset Agreement. CentreVenture subsequently sold the property to a party who was interested in developing the property for residential purposes. At the time of sale, the decision was sound because the Capitol Theatre was still deemed to be of value for adaptive re-use. However, the circumstances changed significantly once the environmental liabilities and the physical limitations with regard to the Capitol Theatre were fully assessed and understood, and the decision was made to de-list and demolish the Capitol Theatre and option the vacant site to CentreVenture.

While the necessary due diligence was undertaken prior to the demolition of the Capitol Theatre, a series of unfortunate and unforeseen discoveries took place. Firstly, it was discovered that the owner of the property at 329 Donald Street had attached portions of the roof and floor systems to the exterior wall of the Capitol Theatre so that the wall was, in effect, acting as a party wall between the buildings. There were no party wall agreements or caveats on the Title of either property and the situation came to light when the owner of 329 Donald Street began extensive renovations of the property.

Secondly, it was discovered that the façade of 329 Donald Street encroached onto the Capitol Theatre site once a legal survey was conducted to determine where the property line was between the two properties.

Thirdly, while excavation of the Capitol Theatre was taking place, it was discovered that unusually extensive underground foundations were present along the property line between the two properties. Some of these foundations were left in place because their removal would undermine the adjacent property foundations at 329 Donald Street, potentially causing its wall system to fail. Additional below ground foundations from the Capitol Theatre were also left in place to ensure that the adjacent back lane and Donald Street would not slump into the Theatre's excavation.

Now knowledgeable as to the extent of the former Capitol Theatre site's liabilities, CentreVenture, together with City officials, met with the potential developer of the site and reviewed the implications of these unforeseen impediments to their proposed development plans. It was the developer's opinion that the liabilities greatly affected his ability to construct, and he was, therefore, looking for concessions to assist with the amelioration of the impediments.

During this period of demolition and unforeseen discoveries, the owner of 329 Donald Street had continued to slowly renovate his property. While the interior of the property has been significantly altered, the exterior remains in very poor condition and there are no plans by the owner to improve on the aesthetics of the Donald Street façade.

The CentreVenture Board suggest that the best overall financial scenario and the best professional advice is to re-acquire the property at 329 Donald Street, have the building demolished, and the site consolidated and prepared for new development. The larger site has fewer liabilities, presents improved use, architectural and building program opportunities, as well as a much improved aesthetic appeal that will result in a higher and better use of the land, increased assessed values and higher property tax revenue from the development.

Report of the Executive Policy Committee dated September 24, 2002

The consolidated site will represent approximately 23,200 square feet (19,066 square feet at the former Capitol Theatre Site and 4,200 square feet at the 329 Donald Street Site). The expanded site represents a significant opportunity for development because of its prominent location immediately adjacent to Portage Avenue and the True North Project. The site is also mid point to the Downtown's newest and most promising retail development strip including the Mountain Equipment Co-Op, A & B Sound, and the soon to be opened Giant Tiger Store. Programming for the consolidated site may include the possibility of a multi-use development incorporating structured parking.

On the basis of the known information, it is estimated that an additional $80,000.00 is required in order to achieve the CentreVenture strategy. CentreVenture has requested a grant of $80,000.00 to proceed as planned. There is no ready source of funding for this purpose. Accordingly, the administration requests that Council consider an additional appropriation in the amount of $80,000.00 to be granted to CentreVenture to accomplish their strategy. As the nature and type of agreements that may be required with CentreVenture in order to facilitate this action is not as yet known, it is recommended that Council authorize the Chief Administrative Officer to approve the final terms and conditions of any necessary agreements. The Administration will also assess the feasibility of further expansion of the development site by utilizing a portion of the back lane between Donald and Smith Streets. A very preliminary and cursory analysis of this feasibility is that it appears promising.

A Financial Impact Statement dated September 19, 2002, prepared with respect to the assembly outlined on Attachment "A".

The Executive Policy Committee recommends:

I. That City Council approve an Additional Appropriation of $80,000.00 and grant to CentreVenture in order to assist the Downtown Development Corporation with the land assembly, associated demolition and development of the former Capitol Theatre site and its adjacent privately owned property located at 329 Donald Street.

II. That the Chief Administrative Officer be delegated the authority to approve the final terms and conditions of all agreements with CentreVenture, as may be necessary to facilitate the aforementioned land assembly, site preparation and development.

III. That the Proper Officers of the City be authorized do all things necessary to effect the intent of the foregoing.

Copy of attachments referred to in the above clause are on file in the office of the City Clerk.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

Analysis of Gateway Industries Ltd. Properties
File FE-1 (Vol. 31)

700 - 7. The Executive Policy Committee, on September 24, 2002, passed the following motion, namely:

WHEREAS Gateway Industries Ltd. has indicated that certain of its properties in the Point Douglas area are available for sale to the City;

AND WHEREAS on September 12, 2002, the Standing Policy Committee on Property and Development requested the Administration to investigate the issues with the owner of the property and, subject to an approved funding source, engage external consultants to conduct a thorough analysis;

AND WHEREAS a funding source has to be identified for this analysis;

Report of the Executive Policy Committee dated September 24, 2002

THEREFORE BE IT RESOLVED THAT Council approve an additional appropriation in the amount of $100,000.00 for engaging external consultants to conduct a thorough analysis of the Gateway Industries Ltd. properties.

Moved by His Worship Mayor Murray,
Adoption of the clause.

Carried.

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Eadie,
Seconded by Councillor Vandal,
701 - WHEREAS the Civic Election will be held on October 23, 2002, and the election headquarters will be located in the City Clerk's Central office;

AND WHEREAS the Returning Officer will be using the Council Building on election evening to inform the media, candidates and interested citizens of the election results and would like to offer parking in the Civic Centre Parkade at no cost during the evening;

THEREFORE BE IT RESOLVED that parking in the Civic Centre Parkade be offered free of charge to all persons using the facility during the hours of 7:00 p.m. to 11:00 p.m. on Election Day, October 23, 2002.

Carried.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

702 - On motion of His Worship Mayor Murray, the following by-laws were 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. 8099/2002, a by-law of The City of Winnipeg to widen the public lane at the southwest corner of 612 Stewart Street. File DAO 14/2002

By-law No. 8103/2002, a by-law of The City of Winnipeg to widen the public lane on the east side of Donald Street between Cumberland Avenue and Notre Dame Avenue. File DAO 7/2002

By-law No. 8104/2002, a by-law of The City of Winnipeg to close part of Inglewood Street and the public lane west of Inglewood Street, north of Silver Avenue. File DAC 12/2000

On motion of His Worship Mayor Murray, the rule was suspended and the following by-laws were read a first time, second and third time, the rule being suspended for the third reading, and were passed and ordered to be signed and sealed, namely:

By-law No. 8111/2002, a by-law of The City of Winnipeg to establish policies and procedures for Business Improvement Zones within the City of Winnipeg. File FL-7

By-law No. 8112/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Academy Road Business Improvement Zone" and to facilitate its continued operation.
File FL-7.11 (Vol. 2)

By-law No. 8113/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Corydon Avenue Business Improvement Zone" and to facilitate its continued operation.
File FL-7.2 (Vol. 5)

Executive Policy Committee - Consideration of By-laws (continued)

By-law No. 8114/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Downtown Winnipeg Business Improvement Zone" and to facilitate its continued operation.
File FL-7.4 (Vol. 8)

By-law No. 8115/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Exchange District Business Improvement Zone" and to facilitate its continued operation.
File FL-7.1 (Vol. 5)

By-law No. 8116/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Grosvenor Square Business Improvement Zone" and to facilitate its continued operation.
File FL-7.16 (Vol. 2)

By-law No. 8117/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Mosaic Market" Business Improvement Zone" and to facilitate its continued operation.
File FL-7.10 (Vol. 3)

By-law No. 8118/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Norwood Grove Business Improvement Zone" and to facilitate its continued operation.
File FL-7.6 (Vol. 3)

By-law No. 8119/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Old St. Vital Business Improvement Zone" and to facilitate its continued operation.
File FL-7.13 (Vol. 2)

By-law No. 8120/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Osborne South Business Improvement Zone" and to facilitate its continued operation.
File FL-7.9 (Vol. 3)

By-law No. 8121/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Osborne Village Business Improvement Zone" and to facilitate its continued operation.
File FL-7.3 (Vol. 5)

By-law No. 8122/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "St. James Village Business Improvement Zone" and to facilitate its continued operation.
File FL-7.14 (Vol. 2)

By-law No. 8123/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Selkirk Avenue Business Improvement Zone" and to facilitate its continued operation.
File FL-7.5 (Vol. 3)

By-law No. 8124/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "Transcona Business Improvement Zone" and to facilitate its continued operation. File FL-7.12 (Vol. 2)

By-law No. 8125/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "West Broadway South Sherbrook Business Improvement Zone" and to facilitate its continued operation. File FL-7.8 (Vol. 3)

By-law No. 8126/2002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "West End Business Improvement Zone" and to facilitate its continued operation. File FL-7.7 (Vol. 4)

By-law No. 8127/002, a by-law of The City of Winnipeg to maintain a Business Improvement Zone known as the "ZAC Quartier Français – French Quarter Business Improvement Zone" and to facilitate its continued operation. File FL-7.17 (Vol. 2)

By-law No. 8136/2002, a by-law of The City of Winnipeg to change the names of certain highways in The City of Winnipeg. Files SC-3.14(32) (Vol. 2) and SB-11 (Vol. 6)

By-law No. 8138/2002, a by-law of The City of Winnipeg to authorize the borrowing of money by the issue and sale of Debentures of the City in the aggregate principal amount of $97,180,000.00 for the purpose of repaying principal amounts of debentures issued and sold pursuant to By-law Nos. 5552/90, 5553/90 and 5838/92. File FC-2

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

703 - Councillor Lubosch questioned if His Worship Mayor Murray supported a total smoking ban for all enclosed public places in Winnipeg; to which His Worship indicated that he supported the current by-law and noted that the matter would go to public hearings early in 2003, following the one-year review period.

In reference to red light cameras, Councillor Lubosch questioned if any revenue was expected to be collected from the red lights cameras before the upcoming Civic Election, to which His Worship clarified that red light cameras were installed to protect public safety and not to collect revenue. He added that the Province had yet to set up their processing system in court but stated that revenue was expected to flow early in 2003 or the year after; noting that revenue generated would go back into safety initiatives, police and other first responder and traffic improvements that relate to public safety.

In reference to the recent release of the Assessment Task Force Report, Councillor Steek quoted from the report about the confrontational attitude and lack of informational response from City Assessors, and further questioned if His Worship would speak to that and the idea that a province-wide assessment authority would be established.

His Worship replied that he had committed to develop a strategy to move the city into current year assessments and to create a simple assessment system. He indicated that the development of a single tier assessment, that other provinces have, was a good idea and the report suggested that the idea be investigated in more detail and a specific model be developed. He further noted that there was needless duplication and that Winnipeg had one of the most expensive assessment systems in the country. He stated that a lot of the suggestions involved legislative changes to the Assessment Act and advised that the City was hoping to hear a positive response from the Province. He added that the report was well done and encouraged Council to fully support it. In reference to the City Assessors themselves, he stated that he was very proud of the Assessment Department and that some of the comments in the report were unfortunate, noting that the vast majority of Assessors were hard working people who tried to do the best job they could with some very dated and backward legislation.

Councillor Steek questioned if Councillor O'Shaughnessy, Chair of the Assessment Task Force, would advise why there was a specific reference to an assessment decision on one of the hotels in the city, and if it was cited as an example of a more wide-spread problem; to which Councillor O'Shaughnessy advised that the members of the Committee felt that the current challenge to assessments, by virtually every hotel in Winnipeg, was worthy of mention and that it was singled out simply because it was the only current decision from the Municipal Board that showed a huge variance from the original assessment.

Councillor Steek further noted that a key recommendation of the report was that there be an independent review to look at the concept of a singular Assessment Authority solely under provincial jurisdiction for all municipalities in Manitoba, including the City of Winnipeg, and requested Councillor O'Shaughnessy to address the importance and timeframe that would be optimum for establishment of this entity.

Councillor O'Shaughnessy replied that the task force felt that all of its recommendations were important but some were of a higher priority than others and a singular Assessment Authority, under provincial jurisdiction, was one of the priorities.

In reference to the Audit Department's review of the Winnipeg Police Service and the Communications Centre, Councillor Steek questioned if His Worship would be supportive during budget deliberations of additional hiring in the Communications Centre; to which His Worship responded in the affirmative.

Councillor Steek questioned if His Worship was supportive of the initiative being brought forward by the Chief of Police to have the Winnipeg Police Service reorganized from a six division model to a four division one and noted the fact that there are significant capital budget requirements for upgrading current police facilities.

His Worship advised that he supported the long term direction set out by the Chief Administrative Officer, the Chief Financial Officer and the Chief of Police in the Winnipeg Police Services business plan, which included the integration of some of the units and the movement to a five division model.

Councillor Steek questioned if His Worship had received a copy of the economic development analysis of the City of Winnipeg that was funded by the City of Winnipeg and Western Economic Diversification.

His Worship advised that he has seen some early drafts but not the final version, noting that Destination Winnipeg had ownership of the document and was working on a comprehensive strategy that should be brought forward imminently.

Executive Policy Committee - Question Period (continued)

Councillor Lubosch questioned if His Worship supported increasing the Winnipeg Arts Council cultural grant funding to represent a five dollar per capita contribution versus the three dollar and three cent per capita contribution presently realized to which His Worship replied that he was committed to doubling arts funding.

Councillor Lubosch requested His Worship to clarify his position on the issue of the use of exotic animals in circuses and other traveling performing acts that come to Winnipeg, to which His Worship agreed that the treatment of animals should be investigated and noted that there was new legislation pending at the Federal level regarding animal treatment as well as a new pending provincial law, and stated that the City had a responsibility to understand what other governments were doing before boldly going where no city had gone before.

Councillor Lubosch questioned if His Worship was prepared to eliminate the amusement tax; to which His Worship replied in the affirmative.

Council recessed at 12:00 p.m., and reconvened at 1:37 p.m., the Speaker in the Chair, same members present.