Winnipeg

EXECUTIVE POLICY COMMITTEE
DISPOSITION OF ITEMS

SEPTEMBER 3, 2008

MEMBERS PRESENT: His Worship Mayor Katz, Chairperson
Councillor Clement
Councillor O'Shaughnessy
Councillor Steeves
Councillor Swandel

COMMITTEE CLERK: Jo-Ann I. Park, Manager of the Decision Making Process
City Clerk's Department

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Minute	Subject/File	Recommendations	Action Required
		DELEGATIONS	
428	Paul Hiebert, 5456003 Manitoba Inc., and Sasa Radulovic, 5468796 Architectural Firm		See Minute 439
		REPORTS	
429	Zoning Agreement Amendment – 52 Chadwick Crescent Minute 270, EKT CC, 2008 07 07 ZAA 10/2008	The Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and recommends to Council: 1. That the Zoning Agreement under File DASZ 42/1987 dated May 26, 1999 (By-law No. 7450/1999), be amended as follows: A. That Clause 2 be deleted and the following substituted therefore: All habitable building(s) constructed or erected on any lot which backs onto the Perimeter Highway shall provide a minimum rear yard setback of 123 feet. 2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 42/1987 (By-law No. 7450/1999) as approved in aforesaid Recommendation 1. 3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement. 4. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	Council
430	Zoning Agreement Amendment - 137 Scott Street Minute 208, CC CC, 2008 07 14 ZAA 9/2008	The Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and recommends to Council: 1. That Zoning Agreement Caveat 261747 under File DAZ 212/79 dated April 4, 1979, be withdrawn and replaced with a new Zoning Agreement as follows: A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:	Council

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		i. That the following uses shall be prohibited from the land: a. single-room occupancy; b. carrier depot; and c. contractor's establishment. ii. That any use of the subject land must not be open to the public from 10:00 p.m. to 7:00 a.m. iii. That, for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the locations and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, mechanical equipment screening and sound attenuation devices, landscaping and signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. iv. That there shall be no advertising signs, mobile signs, poster signs or A-frame signs on the entire site, except that a mobile sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit. v. That all lighting, including illuminated signage, shall, upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices that would be required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity to the satisfaction of the Director of Planning, Property and Development. vi. That all rooftop equipment generating noise that can be heard from outside the site boundaries are buffered or attenuated to direct noise upward.	

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		vii. That, prior to the issuance of any occupancy permits, all garbage containers be fully enclosed by a brick/concrete and/or wood barrier fence that is at least six (6) inches above the top of the garbage container, and thereafter maintained to the satisfaction of the Director of the Planning, Property and Development Department. 2. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 212/79 dated April 4, 1979 as approved in aforesaid Recommendation 1. 3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement. 4. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
431	Rezoning - 433 River Avenue Minute 213, CC CC, 2008 07 14 DAZ 223/2008	The Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and recommends to Council: 1. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 223/2008 dated July 13, 2008 to an "RMU" Residential Mixed Use District, subject to the following: A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following: i. That any drinking establishment on the subject land has a gross floor area no more than 3,500 square feet. ii. That any drinking establishment on the subject land shall be closed and not operating from 11:00 p.m. to 11:00 a.m. iii. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site, except that a mobile	Council

Minute	Subject/File	Recommendations	Action Required
		sign shall be permitted on the site for a period of thirty (30) days in association with a new occupancy permit. iv. That, for the development of any fencing, landscaping or signage, plans shall be submitted showing the locations and designs of said items to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. v. That all lighting, including illuminated signage, shall, upon the request of the Director of Planning, Property and Development, be equipped with whatever additional shielding, lenses, or cut-off devices that would be required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptual to persons on any street or abutting lot or parcel. In addition, the Director may require that the light trespass and glare be limited to a reasonable level through fixture location, height and intensity to the satisfaction of the Director of Planning, Property and Development. 2. That Caveat No. 88-20726 be withdrawn as it affects Lots 9 and 10, Block 2, Plan 314. 3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 4. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 5. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three	

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		(3) readings. 6. That the rezoning by-law shall come into effect when the Zoning Agreement has been registered by caveat against the subject land at the Winnipeg Land Titles Office, provided that the said effective date occurs within twenty-four (24) months from the date that the said rezoning by-law is adopted by Council. 7. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement. 8. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
432	Rezoning - 730 - 740 Century Street Minute 119, ASSIN CC, 2008 07 08 DAZ 216/2008	The Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and recommends to Council: 1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 216/2008 dated June 17, 2008 to an "M1" Manufacturing Light District subject to the following: A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following: i. That the following uses shall not be permitted on the land: a. Cultural centre b. Auditorium/concert hall/theatre/cinema c. Hall rental d. Private club, not licensed e. Personal services f. Cheque cashing facility g. Supermarket h. Contractor's establishment ii. That retail sales uses on the land shall not exceed a maximum floor area of 3,000 square feet per unit.	Council

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		iii. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, lighting, landscaping and signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. iv. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site. 2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings. 5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed. 6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement.	

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		7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
433	Zoning Agreement Amendment - 94 McGregor Street Minute 263, LSWK CC, 2008 07 15 ZAA 12/2008	The Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends to Council: 1. That Zoning Agreement Caveat 1639186 under File DAZ 233/92 dated October 14, 1992 (By-law No. 6041/92) be withdrawn. 2. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	Council
434	Rezoning - 329 and 357 Oak Point Highway Minute 265, LSWK CC, 2008 07 15 DAZ 221/2008	The Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends to Council: 1. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 221 /2008 dated July 1, 2008 to an "M1" Industrial District. 2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twelve (12) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council. 4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings. 5. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	Council

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435	Rezoning - 871 Redwood Avenue Minute 266, LSWK CC, 2008 07 15 DAZ 222/2008	The Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommends to Council: 1. That The Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 222/2008 dated July 1, 2008, to a "C1" Commercial District subject to the following A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following: i. That only the following uses shall be permitted on the land: a. Retail sales b. All uses permitted or conditional in the "R1-S" Residential District ii. That the height of all buildings be limited to 35 feet (10.668 metres) iii. That the following signage shall not be permitted: a Internally illuminated signage b. Freestanding signage c. Buntings d. Advertising, mobile, poster, balloon, banner, A-frame, inflatable, electronic message centre, flashing, animated, and scintillating signs iv. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. 2. That a ten percent (10%) dedication be made by a payment of a sum of	Council

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		money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings. 5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed. 6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement. 7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
436	Subdivision and Rezoning - 4 St. Mary's Road and 288 Lillian Avenue Minute 232, RIEL CC, 2008 07 14 DASZ 15/2008	The Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommends to Council: 1. That the plan of subdivision under File DASZ 15/2008 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" dated July 7, 2008, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office. 2. That The Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 15/2008 dated July 7, 2008, to a "C2" Commercial District subject to the following:	Council

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		A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter to include the following conditions: i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. 3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith. 5. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 6. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary by-law in accordance with the above. 7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office. 8. That the zoning section of the by-law comes into force when the plan of subdivision is registered in the Winnipeg Land Titles Office and the	

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		Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date the by-law is passed. 9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time. 10. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
437	Rezoning - 340 Provencher Boulevard Minute 235, RIEL CC, 2008 08 05 DAZ 207/2008	The Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommends to Council: 1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 207/2008 dated July 30, 2008, to a "C2" Commercial District subject to the following: A. That the applicant enter into a zoning agreement with the City of Winnipeg pursuant to Subsection 240(1) of The City of Winnipeg Charter to provide for the following: i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, landscaping and signage to the Director of Planning, Property and Development and the Riel Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. 2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.	Council

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		3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 4. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary rezoning by-law and forward same to Council for all three (3) readings. 5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed. 6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement. 7. That the City Solicitor/Manager of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
438	Citizen Equity Committee - Terms of Reference - Chairperson and Vice-Chair Minute 19, CEC, 2008 07 14 E-File CR-1	The Executive Policy Committee concurred in the recommendation of the Citizen Equity Committee and recommends to Council: 1. That the current Terms of Reference for the Citizen Equity Committee be amended to allow Council to appoint one Chairperson from Council, and that a Vice-Chair be elected by committee members. 2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	Council
439	Heritage Conservation Tax Credit - Frost and Wood Warehouse, 230 Princess Street Report 2008 07 03 E-File G-3.1.5	The Executive Policy Committee laid the matter over to its meeting on September 17, 2008, and in the interim, directed the Winnipeg Public Service to investigate with the Province of Manitoba other opportunities to provide financial support to this (downtown) housing project.	Director of Planning, Property and Development

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In Camera 440			