REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED NOVEMBER 24, 1993

On motion of Mayor Thompson, the Report of the Executive Policy Committee, dated November 24, 1993, was considered clause by clause.

Moved by Mayor Thompson,

That the Consent Agenda Items, Clauses 1 and 2 be adopted.

Councillor Murray requested that Clause 1 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clause 2 was put and declared carried.

Her Worship The Mayor and Councillors:

Municipal Tax Credits and Grants on Heritage Buildings File FL-2.2 (Vol. 7)

164 - 1. On November 24, 1993, your Executive Policy Committee considered a report dated November 8, 1993, from the Heritage Support Implementation Task Force relative to the above referenced issue. On September 29 and October 21, 1993, the Task Force discussed the following items:

A. TAX RELIEF DURING RENOVATION

POLICY

Currently under the Municipal Assessment Act there exists tax relief for buildings on the "Buildings Conservation List" undergoing "substantial renovation". The building portion of a vacant heritage property is exempt from municipal taxes during the construction period for up to two years.

DISCUSSION

A "substantial renovation" is determined by Assessor discretion. Extensive upgrade of mechanical, electrical, and interior finish would be determined to be a substantial renovation.

An application is made direct to the Assessment Department, in the form of a letter, requesting an exemption from municipal taxes during construction for a period of up to two years.

The public is not directly informed of any exemption or requests for such. The assessment rolls are open to the public for examination at various locations within the City.

There have only been two building owners apply for the exemption since the M.A.A. was amended in 1990. The old Bank of Montreal at 426 Portage Avenue received an exemption on the building assessment from January 16, 1993, to March 10, 1993, at a cost to the City of approximately $1,000.00. The Johnston Terminal Building at

The Forks has received an exemption on the building since August 1, 1992. To date it has cost the City approximately $26,000.00.

The system is monitored by the Assessment Department by means of a specific exempt code (EC 84) shown on the assessment line of each property. This code is queried and reviewed annually.

The owner can apply after the work is complete in the current year only. Section 208(1) of The City of Winnipeg Act allows changes and alterations to the assessment rolls in the current year tax roll only for buildings under "substantial renovation".

Report of the Executive Policy Committee dated November 24, 1993

B.MUNICIPAL TAX CREDIT

PROPOSED POLICY

That the City of Winnipeg provide a tax credit up to 50% of total costs for eligible conservation work. This credit would be applied over a 10-year period against City business, amusement and realty taxes.

DISCUSSION

Although Section 242, Remission of Taxes, of The City of Winnipeg Act states:

Except for local improvement charges, the council may, by by-law, cancel in whole or in part any taxes or any debt or monies owing to the city' and Section 138, Grants, reads:

The city may, by resolution of the council, make grants of money

a) to any charitable or philanthropic institution that is authorized under The Charities Endorsement Act to canvass or solicit for funds;

b) toward the capital cost of hospitals to be constructed, renovated or improved within the city, but any such grant shall not exceed 20% of the total cost approved by The Manitoba Hospital Commission for land acquisition, buildings to be constructed, renovated or improved and fixtures or other equipment to be installed;

c) for aiding athletic or aquatic sports; and

d) for any other purpose that, in the opinion of the council, may be in the interests or to the advantage of the city or the inhabitants of the city;

the Law Department advises that The City of Winnipeg Act neither specifically provides for grants nor tax credits under the Sections outlined above. If the City wants to implement a program of grants or tax credits, The City of Winnipeg Act must be amended in order that ir provides that specific power to the City.

In a report dealing with "Tax Forgiveness for Home Renovations" the matter is explained in the following way:

The Law Department has advised that a grant program for home renovations may be challenged. Grants are made under Section 138 of The City of Winnipeg Act and each case should be individually reviewed by the granting body. A program may not be legal where a grant is offered because one complies with a certain set of criteria, or conditions and not subject to a review by the granting authority. In addition it may be argued that Section 242 as mentioned earlier provides specific authority and to use the more general authority of Section 138 would be challenged.

It is recommended that the Province provide legislation to allow the City to implement a tax credit. If legislation was provided it would eliminate the possibility of legal challenges and made the authority clear and supportable.

Legal advice points out that while this Section was used by Council to grant tax relief to Ashdown Warehouse, Prairie Housing Co-op and the Ukrainian Canadian Committee Building, a policy to provide grants in lieu of taxes to historical buildings cannot be developed based on this Section.

C.PERFORMANCE GRANTS AND DISCRETIONARY GRANTS

PROPOSED POLICY

That the City of Winnipeg provide cost-share grants on a 50/50 basis for eligible exterior and/or interior conservation work on designated heritage structures (i.e., structures on the City's Buildings Conservation List). Up to a maximum of $35,000 could be available for residential projects and a maximum of $100,000 for commercial projects.

That the City of Winnipeg develop a Discretionary Grant program for heritage conservation. Through this measure, the City could supplement a Performance Grant and/or Tax Relief in response to exceptional priority cases, as determined by need and the significance of the heritage property.

Report of the Executive Policy Committee dated November 24, 1993

DISCUSSION

The Province of Manitoba currently has a grant program for Municipally Designated Buildings with a budget of $600,000 for all of Manitoba. Since 1986 building owners in Winnipeg have received over $1 million for rehabilitation projects.

The City of Winnipeg does not have the legal basis to provide grants to owners of historical buildings under the existing terms of The City of Winnipeg Act.

Your Executive Policy Committee has concurred in the recommendations of the Heritage Support Implementation Task Force and recommends;

I. That the City establish a formal procedure for dealing with tax relief during renovation of a vacant or partially vacant building that can be promoted as one method of promoting the re-use of historical buildings;

II. That the issue of exemptions to the land and building portions of the assessment for tax relief during renovations be referred to the Land Surveys and Real Estate and Assessment Departments for analysis and recommendation;

III. That City Council request the Province of Manitoba to amend The City of Winnipeg Act to enable the City to exempt a portion or all of the property taxes to historical buildings based on eligible conservation work;

IV. That the Administrative Working Group prepare a report outlining the legal status of the existing applications for tax relief during the post-renovation period which include the following:

1. Sam Katz, Necessities of Life Inc.
   Walker Theatre, 364 Smith Street, February, 1991.
2. Anhang, Walsh & Company
   Bank of Montreal, 426 Portage Avenue, 1991.
3. Aboriginal Centre of Winnipeg Inc.
   C.P.R. Station, 181 Higgins Avenue, August, 1991.
4. Birks Building, 276 Portage Avenue, October, 1991.
5. Marwest
   Canadian Bank of Commerce, 389 Main Street, February, 1992.
6. Marwest
   Johnston Terminal, The Forks, July, 1992.
7. The Prairie Partnership
   141 Bannatyne Avenue, May, 1993.

If an application is invalid, the applicant should be advised.

V. That the Administration examine the options of transferring tax credits to another building and/or of even selling the tax credits;

VI. That City Council request the Province of Manitoba to amend The City of Winnipeg Act to enable the City to provide grants (performance and discretionary) for buildings on the "Buildings Conservation List";

VII. That the Administration continue to prepare a discussion paper outlining points for clarification, policy decisions and procedures for tax relief and grants by the City of Winnipeg;

VIII. That the Proper Officers of the City do all things necessary to implement the foregoing.

Moved by Mayor Thompson,
Adoption of the clause.

Carried.

Report of the Executive Policy Committee dated November 24, 1993

Appointments to the Management Board of the Osborne South Business Improvement Zone File FL-7.9 (Vol. 1)

165 - 2. On November 17, 1993, Council passed the following motion:

"Moved by Councillor Murray,
Seconded by Councillor Hyman,

WHEREAS Council on July 21, 1993, adopted By-law No. 6201/93, a By-law of The City of Winnipeg to designate a Business Improvement Zone to be known as the "Osborne South Business Improvement Zone" and establish a Management Board for the Zone;

AND WHEREAS Section 6(1)(b) of the By-law provides that the membership shall consist of seven (7) members who each shall be from a business which is located in the Zone, and who shall be appointed in accordance with the process provided in Sections 8 to 11 inclusive of By-law No. 6201/93;

AND WHEREAS nominations for Zone Board members were received in the Office of the City Clerk from eight (8) persons from amongst the businesses in the Zone;

AND WHEREAS Section 10 of the By-law provides for a selection process if the number of persons nominated is greater than seven (7);

AND WHEREAS the initial term of office of the seven Zone Board members shall be as follows:-

1. Four (4) Zone Board members shall hold office from the date of appointment to the first meeting of Council in January, 1996;

2. Three (3) Zone Board members shall hold office from the date of appointment to the first meeting of Council in January, 1995;

THEREFORE BE IT RESOLVED that Council appoint the four (4) nominees with the highest number of votes to hold office from the date of appointment to the first meeting of Council in January, 1996, namely:-

(1) WILSON, Lindsay
(2) LYSECKI, Burton
(3) MARTIN, Judy
(4) TOPOROWSKI, Bryan

AND THEREFORE BE IT FURTHER RESOLVED that the three (3) nominees with the second highest number of votes be appointed to hold office from the date of appointment to the first meeting of Council in January, 1995, namely:-

(5) PAULS, Al
(6) BURLOCK, Herb
(7) COSTA, Luciano

AND BE IT ALSO FURTHER RESOLVED that the matter of appointment of a Member of Council to the Management Board of the Osborne South Business Improvement Zone be referred to the Executive Policy Committee for recommendation to Council in accordance with Section 6 of By-law No. 6201/93."

Your Executive Policy Committee recommends that Councillor Murray be appointed as the Council Member to the Management Board of the Osborne South Business Improvement Zone in accordance with Section 6 of By-law No. 6201/93.

Adopted by consent.

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED DECEMBER 8, 1993

On motion of Mayor Thompson, the Report of the Executive Policy Committee, dated December 8, 1993, was considered clause by clause.

Moved by Mayor Thompson,

That the Consent Agenda Items, Clauses 1,2,3,4,5,6,7,8,9,10,11 and 12 be adopted.

Councillor Fraser requested that Clause 2 be pulled from the Consent Agenda.

Councillor Hyman requested that Clauses 3 and 6 be pulled from the Consent Agenda.

Councillor Golden requested that Clauses 4,5,10 and 12 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,7,8,9 and 11 was put and declared carried.

Her Worship The Mayor and Councillors:

Shoal Lake Indian Band #40 Tripartite Agreement File WW-3 (Vol. 10)

166 - 1. In June 1989 the Shoal Lake Tripartite Agreement was signed by the Province of Manitoba, the City of Winnipeg and Shoal Lake Indian Band #40. The Agreement contained language requiring that a parallel agreement be signed by the Indian Band and the Federal Government as a precedent condition to the Tripartite Agreement taking place.

A Bipartite Agreement between Shoal Lake Indian Band #40 and the Federal Government of Canada which conformed to the requirements of the Tripartite Agreement was executed in July 1990.

The Tripartite Agreement between the Province of Manitoba, the City of Winnipeg and Shoal Lake Indian Band #40 came into effect in September 1990.

Clause 25 of the Tripartite Agreement specifies that the waste management system to be provided by Shoal Lake Indian Band #40 shall include but not be limited to the following components:

-Piped Collection System
-Mechanical Treatment Plant
- Polishing Lagoon
-Final discharge into lands south of Snowshoe Bay which do not drain into Shoal Lake.

Subsequent to signing the Tripartite Agreement, Shoal Lake Indian Band #40 retained UMA Engineering Ltd. to undertake a study of servicing alternatives for the community. The study concluded that properly constructed septic tanks and fields were a more appropriate solution to liquid waste treatment and disposal for the Band. The study also concluded that there was significant risk of equipment or operational failure associated with the system prescribed in the Tripartite Agreement and that such failure could result in a significant discharge of pollutants to Shoal Lake. Properly constructed septic field systems will provide a high level of treatment and the risk of a large point discharge of pollutants is significantly reduced. Subsequently, Shoal Lake Indian Band #40 retained R. J. Burnside Consultants to undertake a more detailed design of a liquid waste system based on the recommended septic tank and field approach contained in the study.

The Waterworks, Waste and Disposal Department retained Tetres Consultants Inc. to review both of the above reports as well as background information relative to the Shoal Lake ecosystem and to comment on the appropriateness of the recommended system. Tetres Consultants Inc. concurred with the recommendations of the UMA Engineering Ltd. and R. J. Burnside Consultants reports with minor modifications with respect to design criteria, inspection and monitoring. However, the system proposed does not conform to Clause 25 of the Tripartite Agreement.

Report of the Executive Policy Committee dated December 8, 1993

In October 1993, the Department of Urban Affairs advised that the Province of Manitoba had authorized the Minister of Urban Affairs and Housing to enter into an agreement with the City of Winnipeg and Shoal Lake Indian Band #40 to amend Clause 25 of the Shoal Lake Memorandum of Agreement by adding a statement to the Clause allowing the Working Group to recommend and the Agreement Committee to accept, an alternative to the specified waste management system provided the system would offer similar or better level of protection of the water quality of Indian Bay of Shoal Lake.

Your Executive Policy Committee recommends:

I. That the Mayor of Winnipeg be authorized to enter into an agreement with the Province of Manitoba and Shoal Lake Indian Band #40 to amend Clause 25 of the Shoal Lake Memorandum of Agreement by adding a statement to the clause allowing the Working Group to recommend and the Agreement Committee to accept, an alternative to the specified waste management system provided the system will offer similar or better level of protection of the water quality of Indian Bay of Shoal Lake.

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

Adopted by consent.

Report and Recommendations of the Winnipeg Airport Vicinity Development Plan File EP-1.1 (PW 1/92) (Vol. 8)

167 - 2. Your Executive Policy Committee on December 8, 1993, met to review the Airport Vicinity Development Plan report in order to make recommendations to Council.

The City's mandate to carry out and implement an Airport Vicinity Development Plan is based upon *Winnipeg 2000 - An Economic Development Strategy for Winnipeg, Plan Winnipeg...towards 2010,* direction from the Provincial Minister of Urban Affairs, and from City Council to regulate land uses in proximity to the airport.

The City of Winnipeg, in cooperation with the Rural Municipality of Rosser, the Province of Manitoba, Transport Canada, the Winnipeg business and development communities as well as the residents within the Airport Vicinity Development Plan boundary has prepared a development plan for the area surrounding the Winnipeg International Airport. On November 22, 1993, the Steering Committee presented recommendations on the Airport Vicinity Development Plan relating to the future of our Airport, its economic development potential, and the impact of Airport operations and noise management within City neighbourhoods. The Airport Vicinity Development Plan Steering Committee has requested The Board of Commissioners to review the report and provide its recommendations to Executive Policy Committee.

Your Executive Policy Committee recommends:

I. That the recommendations contained in the Winnipeg Airport Vicinity Development Plan be approved.

II. That The Board of Commissioners be requested to investigate the possibility of extending the Transportation Study to include a special emphasis report on the transportation requirements in the North West sector of the City.

III. That the Board also be requested to investigate the possibility of advancing, in the five-year program, the improvements to Route 90 - i.e., overpass at Wilkes Avenue, etc.

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

Moved by Mayor Thompson,

Adoption of the clause.

Carried.

Report of the Executive Policy Committee dated December 8, 1993

Winnipeg Airport Vicinity Development Plan File EP-1.1(PW 1/92) (Vol. 8)

168 - 3. The City's mandate to carry out and implement an Airport Vicinity Development Plan is based upon *Winnipeg 2000 - An Economic Development Strategy for Winnipeg, Plan Winnipeg...towards 2010*, direction from the Provincial Minister of Urban Affairs, and from City Council to regulate land uses in proximity to the airport.

The City of Winnipeg, in cooperation with the Rural Municipality of Rosser, the Province of Manitoba, Transport Canada, the Winnipeg business and development communities as well as the residents within the Airport Vicinity Development Plan boundary has prepared a development plan for the area surrounding the Winnipeg International Airport. On November 22, 1993, the Steering Committee presented recommendations on the Airport Vicinity Development Plan relating to the future of our Airport, its economic development potential, and the impact of Airport operations and noise management within City neighbourhoods.

Your Executive Policy Committee recommends:

I. That the recommendations contained in the Winnipeg Airport Vicinity Development Plan dated November 22, 1993 be approved.

II. That the City Solicitor prepare a by-law to amend Plan Winnipeg to establish an Airport Vicinity Protection Area as set out on page 55 of the Winnipeg Airport Vicinity Development Plan.

III. That a copy of the proposed by-law be forwarded to the Minister of Urban Affairs.

IV. That a copy of that by-law be directed to the Executive Policy Committee to carry out the consultations required under section 579(1) of the City of Winnipeg Act and provide Council with a report and recommendations.

V. That following receipt of the Report and recommendations, Council give first reading to the Plan Winnipeg (amending) by-law in its original form or as amended.

VI. That the by-law be referred to the Executive Policy Committee to give notice and conduct a public hearing in accordance with sections 632-645 of the City of Winnipeg Act and report back to Council with its recommendations.

VII. That the City Solicitor prepare a secondary plan by-law to establish the A.V.D.P. as a secondary plan.

VIII. That Council give first reading to the proposed secondary plan by-law and refer it to the Executive Policy Committee to give notice and conduct a public hearing in accordance with sections 632-645 of the City of Winnipeg Act and report back to Council with its recommendations.

IX. That City Council direct that public hearings be held by the Executive Policy Committee to consider the zoning amendments as identified in the "Residential Airport Zoning Districts" of Appendix I contained within the A.V.D.P. report.

X. That City Council direct preparation of a by-law to amend the Winnipeg Building By-law to include the provisions set out in the "Exterior Acoustic Insulation" of Appendix II contained within the A.V.D.P. report.

XI. That the Proper Officers of the City do all things necessary to implement the foregoing.

Copy of the Airport Vicinity Development Plan (A.V.D.P.) is on file in the office of the City Clerk.

Moved by Mayor Thompson,
Adoption of the clause.

Carried.

Council recessed at 11:59 a.m., and reconvened at 1:37 p.m., same members present.

Councillors Murray, O'Shaughnessy and Thomas entered the meeting after it had reconvened.

Report of the Executive Policy Committee dated December 8, 1993

Additional Appropriation - Winnipeg Jets
File FE-1 (Vol. 27)

169 - 4. On June 30, 1992, Council adopted Clause 1 of the Report of the Executive Policy Committee dated June 30, 1992 relative to the preservation of N.H.L. Hockey in Winnipeg and the Jets Agreement wherein the City of Winnipeg and the Province of Manitoba jointly agreed to pay any annual operating losses by the Winnipeg Jets, for a six-year period.

During the first two years, there was no loss. It was forecast that the City was exposed to a $1.5 million dollar expenditure in 1993. During the 1993 budget process, the forecast was not incorporated; however, the year-end projections for 1993 included a provision of $750,000.00 attributed to the Jets agreement.

On November 19, 1993, the City received a formal invoice, in the amount of $787,137.00 from the Winnipeg Jets, covering the first quarter payment from July 1, 1993 to September 30, 1993.

The Commissioner of Finance and Administration advises that the City must "book" two quarters as an accrual and for that reason, the requested additional appropriation for 1993 is in the amount of $1,574,274.00, and is submitted for approval.

Your Executive Policy Committee recommends:

I. That an additional appropriation to Account No. 01-558701-001023, in the amount of $1,574,274.00, be approved.

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

Moved by Mayor Thompson,
Adoption of the clause.

Moved by Councillor Lazarenko,
That the clause be referred back to Executive Policy Committee.

The motion to refer was put.

Councillor Reese called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Boychuk and Lazarenko. 3

Nay: Councillors Clement, Duguid, Eadie, Golden, Hyman, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 10

and the motion to refer was declared lost.

Moved by Councillor Reese,
That the clause be tabled until later in the meeting.

Carried.

(Note: For disposition of Clause 4, see Minute No. 176)

Sunday Shopping File GL-5.3 (Vol. 1)

170 - 5. Your Executive Policy Committee has been advised that the Retail Businesses Holiday Closing Act which deals with Sunday shopping allows municipalities specific and limited options. Under the Act the general rule is that a retail business shall not be open on a holiday, as defined in the Act, which includes Sundays, subject to the exemptions listed in the Act which are attached as Appendix "A".

Report of the Executive Policy Committee dated December 8, 1993

City Council by By-law No. 6224/93 passed on September 22, 1993 continued Sunday shopping as provided in the provincial legislation until December 31, 1993 pending public hearings. These public hearings have now been held and the public presentations are attached as Appendix "B".

If Council does not pass a by-law, things remain as they were prior to November, 1992 when the Provincial Government instituted the trial period for Sunday shopping.

If Council does pass a by-law, all retail businesses will be able to open for Sunday shopping subject to the limits listed below and Council only has the further option of determining whether or not it will be limited to a specified period or periods.

The only option given to Council by the Act in this scenario is to determine whether or not Sunday shopping for all retail businesses will be limited to a specified period or periods. For example, Council could decide that all retail businesses, regardless of the number of persons ordinarily employed, can only be open for Sunday shopping for a specified number of days before Christmas.

Your Executive Policy Committee submits a draft Sunday Shopping By-law and as a result of the Retail Businesses Holiday Closing Act recommends:

I. That all retail businesses regardless of the number of persons employed, be able to open for business on holidays, including Sundays.

II. That those businesses which ordinarily employ more than four persons including the owner for the sale of goods or services can only be open between noon and 6:00 p.m. on Sunday and cannot be open on New Years Day, Good Friday, Easter Sunday, Canada Day, Labour Day or Christmas Day. Those retail businesses ordinarily employing four or less, including the owner, are not bound by these restrictions.

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

Moved by Mayor Thompson,
Adoption of the clause.

In amendment,

Moved by Councillor Lazarenko,
Seconded by Councillor Duguid,
WHEREAS the Provincial Government has introduced legislation on Sunday Shopping;

AND WHEREAS the Provincial Government has passed on to the City of Winnipeg Council to vote on the issue "Sunday Shopping";

AND WHEREAS the City of Winnipeg Council does not have the authority to legislate or to make changes to the present legislation;

AND WHEREAS the Manitoba Provincial Government did not refer to the City of Winnipeg Council the matter of introducing video lottery terminals in Winnipeg;

THEREFORE BE IT RESOLVED that the City of Winnipeg Council send back the issue of Sunday Shopping to the M.L.A.'s of the Provincial Government to carry out their responsibility as the issue of Sunday Shopping is a Provincial responsibility by legislation.

With the concurrence of the seconder, Councillor Duguid, and with the permission of Council, Councillor Lazarenko withdrew his motion.

Moved byCouncillor Lazarenko,
Seconded by Councillor Duguid,
THAT Clause 5 of the Report of the Executive Policy Committee be referred back to Executive Policy Committee with instructions to request the Province of Manitoba to decide this matter that is rightfully within its jurisdiction.

In amendment,

Report of the Executive Policy Committee dated December 8, 1993

Moved by Councillor Golden,
Seconded by Councillor Lazarenko,

AND THAT the City of Winnipeg maintain the status quo on Sunday shopping for 90 days or until the Provincial Government deals with this matter, whichever comes first.

The amendment to the referral motion was put.

Councillor Boychuk called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Boychuk, Duguid, Golden, Hyman, Lazarenko, Silva, and Thomas. 8

Nay: Councillors Clement, Eadie, Murray, O'Shaughnessy, Prystanski, Fraser, Her Worship Mayor Thompson and Councillor Angus. 8

and the amendment was declared lost in accordance with Rule 58 of the Procedure By-law.

The motion to refer with instructions proposed by Councillors Lazarenko and Duguid was put.

Councillor Boychuk called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Boychuk, Duguid, Hyman, Lazarenko, Murray, Thomas. 7

Nay: Councillors Clement, Eadie, Golden, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 9

and the motion to refer with instructions was declared lost.

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair and left the Chamber.

Moved by Councillor Thomas,
Seconded by Councillor Reese,

WHEREAS this is a matter which properly belongs within the purview of the Province;

AND WHEREAS the "Retail Businesses Holiday Closing Act" is a Provincial Act;

THEREFORE BE IT RESOLVED that the City refer this clause back to Executive Policy Committee and request that the Province decide the matter, which is a Provincial piece of legislation;

AND BE IT FURTHER RESOLVED that the Province be asked to consider allowing Sunday Shopping for the months of November and December only and that our by-law be extended 90 days to allow the Province to amend its Sunday Shopping law accordingly.

The Deputy Speaker ruled the motion to be in order.

The Speaker returned to the Chamber.

Councillor Silva challenged the ruling of the Chair.

The question, "Shall the ruling of the Chair be sustained?" was put.

Councillor Silva called for the yeas and nays, which were as follows:-

Yea: Councillors Boychuk, Golden, Thomas and Reese. 4

Nay: Councillors Clement, Eadie, Hyman, Lazarenko, Murray, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 10

and the ruling of the Chair was not sustained.

Report of the Executive Policy Committee dated December 8, 1993

The Speaker resumed the Chair.

The motion for the adoption of the clause was put.

The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Clement, Eadie, Golden, Hyman, Lazarenko, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 11

Nay: Councillors Reese, Boychuk, Duguid, Murray and Thomas. 5

and the motion for the adoption of the clause was declared carried.

(Note: See Minute Nos. 180 and 181 for attachments)

Licensing of Non-Resident Contractors
Files EL-1 (Vol. 27) & FL-1 (Vol. 9)

171 - 6. On April 28, 1993, Council adopted Clause 12 of the Report of the Executive Policy Committee dated April 7, 1993, with respect to the licensing of non-resident contractors.

Recommendation No. 2 of the Clause requested the Committee on Finance and Administration to review the licensing of contractors and provide a process for implementing a license in lieu of business tax for non-resident contractors, for report back to Executive Policy Committee within 90 days.

On July 21, 1993, Council granted your Executive Policy Committee a 90 day extension and again on October 20, 1993 a further 60 day extension in which to report on the matter, as was requested by the Committee on Finance and Administration.

Inasmuch as your Executive Policy Committee has again received a request from the Committee on Finance and Administration for a further extension of time of 90 days within which to report back, it recommends that Council grant a further extension of time of 90 days for consideration of this matter.

Moved by Mayor Thompson,
Adoption of the clause.

In amendment,

Moved by Councillor Hyman,
Seconded by Councillor Clement,
WHEREAS this issue has been laid over several times over the past year;

WHEREAS a 90 day extension will bring the presentation to council after Current Budget discussions begin;

BE IT RESOLVED that the extension of time be reduced to 45 days.

Carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

Report of the Executive Policy Committee dated December 8, 1993

Osborne South Business Improvement Zone - Proposed Program - Zone Levy and Budget Estimates - 1994
File FL-7.9 (Vol. 1)

172 - 7. On July 21, 1993, Council adopted By-law No. 6201/93 being a By-law of the City of Winnipeg to designate a Business Improvement Zone to be known as the Osborne South Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 6201/93, requires that the Business Improvement Zone prepare for the consideration of Council its proposed program, zone levy and budget estimates.

The Osborne South Business Improvement Zone at its Annual General Meeting held on November 24, 1993, approved the proposed annual budget and program as outlined in Exhibit "A".

Your Executive Policy Committee recommends that pursuant to By-law No. 6201/93, Council request the City Centre Community Committee to conduct a public meeting to hear representations with respect to the proposed program, zone levy and budget estimates for the year 1994 and to provide recommendations to Council within 60 days from receipt of Council's request.

Adopted by consent.

Annual Resolution of the Sole Shareholder of the Forks Renewal Corporation
File FR-3(PA-3) (Vol. 15)

173 - 8. Your Executive Policy Committee has considered a communication from Her Worship Mayor Thompson, with respect to the Annual Resolution of the sole shareholder of the Forks Renewal Corporation for the appointment of an Auditor for the Corporation.

Your Executive Policy Committee concurs in the recommendation of Her Worship and recommends that the North Portage Development Corporation, as the sole shareholder of the Forks Renewal Corporation be requested to sign the Resolution (Appendix "A"), providing for the appointment of Deloitte Touche as Auditors of the Forks Renewal Corporation for the year ending March 31, 1994.

Adopted by consent.

(Note: Attachments referred to in the above clause are on file in the office of the City Clerk)

Full Disclosure of Donations in Civic Elections File GK-2 (Vol. 17)

174 - 9. On October 20, 1993, Council referred the following motion to the Ad Hoc Committee on Election Review:

"Moved by Councillor Thomas,
Seconded by Councillor Murray,

THAT Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993, be amended to require that all candidates be required to fully disclose all receiptable donations, under the section entitled "Filing of Audited Financial Statement".

The Ad Hoc Committee on Election Review will be further examining the Campaign Expenses and Contributions By-law No. 5550/90, and intends to submit a report in early 1994 to your Committee.

Report of the Executive Policy Committee dated December 8, 1993

Inasmuch as your Executive Policy Committee has received a request from the Ad Hoc Committee on Election Review for an extension of time of 120 days within which to report back, it recommends that Council grant an extension of time of 120 days for consideration of this matter.

Adopted by consent.

Conclusions and Recommendations contained within the Mauro Report entitled "Report on the Preservation of NHL Hockey in Winnipeg"
File F-5 (Vol. 18)

175 - 10. On September 22, 1993, Council ruled automatic referral of the following motion to your Committee, under Rule 16.1 of the Procedure By-law No. 5400/90:

Moved by Her Worship Mayor Thompson,
Seconded by Councillor Angus,

WHEREAS in November, 1992, an agreement between the Winnipeg Jets, the City, the Province and Winnipeg Enterprises Corporation resulted in the creation of an interim committee being appointed to study the viability of the National Hockey League franchise in Winnipeg, as well as options relative to a new facility, considered essential to maintaining the franchise;

AND WHEREAS this committee, under Chairman Arthur V. Mauro, submitted its report entitled "Report on the Preservation of NHL Hockey in Winnipeg", and said report was made public on Thursday, July 29, 1993;

AND WHEREAS this report has not yet been officially received by the City of Winnipeg;

THEREFORE BE IT RESOLVED that the conclusions and recommendations contained within the Mauro Report be referred to the Executive Policy Committee.

On November 10, 1993, your Committee adopted the following motion:

"Moved by Her Worship Mayor Thompson,

WHEREAS Executive Policy Committee recognizes the importance of the Winnipeg Jets Hockey Club and the National Hockey League franchise to the City of Winnipeg;

AND WHEREAS Executive Policy Committee recognizes the need to determine, in terms of the City of Winnipeg, the economic viability of the franchise and the feasibility of keeping it in Winnipeg for the foreseeable future;

AND WHEREAS Executive Policy Committee recognizes that there is significant economic benefit to the Federal Government, the Provincial Government and the Municipal Government in maintaining the presence of the Jets Hockey Club in Winnipeg;

AND WHEREAS Executive Policy Committee recognizes the economic and quality of life benefits to the citizens of Winnipeg and Manitoba of the development of a first class entertainment facility to provide a venue for both entertainment and sports events at the least possible cost to the citizens of Winnipeg;

AND WHEREAS Executive Policy Committee recognizes the urgent need to deal with the issues surrounding a decision respecting a new arena facility;

AND WHEREAS Executive Policy Committee recognizes the need to bring all of the relevant parties together without delay to resolve the issues respecting Winnipeg's National Hockey League franchise and the development of an appropriate facility;

AND WHEREAS Executive Policy Committee recognizes the need to balance the interests of all of the citizens of Winnipeg;

Report of the Executive Policy Committee dated December 8, 1993

THEREFORE BE IT RESOLVED that Executive Policy Committee acknowledge receipt of the Report on the Preservation of NHL Hockey in Winnipeg and the options contained therein;

BE IT FURTHER RESOLVED that the Interim Steering Committee be requested to formally test the viability of Option "C" as expeditiously as possible and to prepare a report to Council which includes updated information on the following:

(i) revenues from taxation derived from each of the three levels of government from the presence of the Winnipeg Jets Hockey Club in Winnipeg;

(ii) revenues and other benefits derived by the community from the construction of a new entertainment facility that would adequately meet the needs of the National Hockey team so as to maximize the viability of the Club, while at the same time providing a venue for other community activities and attractions;

(iii) the availability of and cost associated with private sector financing;

(iv) the necessity for using public funds, to assist in the development of an arena facility;

(v) to be prepared to again speak to the issue of the pros and cons of all of the specific sites under consideration together with a review of the economic impact of each candidate site on its immediate surrounding area, and the city as a whole;

(vi) the economic impact including loss of employment that would be felt by the City of Winnipeg if the National Hockey League franchise is lost;

AND BE IT FURTHER RESOLVED that the information outlined herein be gathered by the Interim Steering Committee and shared with Executive Policy Committee before the 31st of December 1993.

Inasmuch as your Executive Policy Committee requires further deliberation on this matter, it recommends that Council grant a further extension of time of 30 days in order to allow further consideration.

Moved by Mayor Thompson,
Adoption of the clause.

Moved by Councillor Prystanski,
That the motion be tabled pending the disposition of clause 4.

With the permission of Council, Councillor Prystanski withdrew his motion.

The Speaker called Councillor Boychuk, to the Chair in order to participate in the debate, and after speaking, resumed the Chair.

The motion for the adoption of the clause was put.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Duguid, Lazarenko, O'Shaughnessy, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 7

Nay: Councillors Reese, Boychuk, Clement, Golden, Hyman, Murray, Prystanski and Thomas. 8

and the motion for the adoption of the clause was declared lost.

(Note: For disposition of Clause 10, see Minute No. 177)

Pursuant to Rule 6.2 of the Procedure By-law, Council stood adjourned at 6:04 p.m., to reconvene at 9:30 a.m. on Thursday, December 16, 1993.

Report of the Executive Policy Committee dated December 8, 1993

Adjourned Meeting Thursday, December 16, 1993.

Council reconvened this day at 9:57 a.m.

The Speaker called the adjourned meeting to order.

Present: The Speaker Councillor Angus, Councillors Clement, Duguid, Eadie, Fraser, Golden, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas and Her Worship Mayor Thompson.

Councillors Reese, Boychuk and Hyman entered the meeting after roll call.

In attendance: Mrs. D. Browton, City Clerk, Mr. R. Kachur, Deputy City Clerk and Mr. R. MacCallum, Committee Clerk.

Moved by Mayor Thompson,
That Council recess to reconvene at the call of the Chair to allow members to participate in a Special Meeting of the Executive Policy Committee called by Her Worship Mayor Thompson to discuss matters pertaining to Clause 4.

Carried.

Council reconvened at 1:35 p.m., all Members present.

The Speaker advised that Council would revert back to consider the order of business - Report of the Executive Policy Committee dated December 8, 1993 - Clause 4.

Additional Appropriation - Winnipeg Jets
File FE-1 (Vol. 27)

176 -
Moved by Councillor Clement,
Seconded by Councillor Reese,
THAT Clause 4 of the Report of the Executive Policy Committee dated December 8, 1993 be referred back to Executive Policy Committee.

Carried.

Councillor Lazarenko asked to be recorded as having voted against the motion, in accordance with Rule 50.7 of the Procedure By-law.

Council here proceeded to continue to consider the order of business - "Report of the Executive Policy Committee dated December 8, 1993 - Clause 10".

Conclusions and Recommendations contained within the Mauro Report entitled "Report on the Preservation of NHL Hockey in Winnipeg"
File F-5 (Vol. 18)

177 - The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate, and after speaking, resumed the Chair.

In amendment,

Moved by Councillor Clement,
Seconded by Councillor Boychuk,
THAT in Clause 10 of the Executive Policy Committee under resolve section V, the word "sites" be amended to read "options".

Report of the Executive Policy Committee dated December 8, 1993

In amendment,

Moved by Councillor Reese,
Seconded by Councillor Boychuk,

WHEREAS Her Worship Mayor Thompson recently announced the establishment of an "Implementation Team/Working Committee" in connection with the Mauro Report entitled "Report on the Preservation of N.H.L. Hockey in Winnipeg";

BE IT RESOLVED THAT:

I. A Liaison Committee be established consisting of two Members of Council (at-large), and one Council Member currently appointed to the Winnipeg Enterprises Corporation;

II. The role of the Liaison Committee shall be to meet appropriately with the Jets' Interim Steering Committee or its "Working Group" in order to advise the Executive Policy Committee and City Council on the process for decision making on the matter of preservation of N.H.L. Hockey in Winnipeg;

III. The at-large Council appointees be Councillor Angus and Councillor Murray.

In amendment to the amendment,

Moved by Councillor Clement,
Seconded by Councillor Eadie,

THAT Clause 10 of the Report of the Executive Policy committee dated December 8, 1993 be amended by deleting the last resolve therein and substituting it with the following:

"AND BE IT FURTHER RESOLVED that the information outlined herein gathered by the Interim Steering Committee and Liaison Committee be shared with the Executive Policy Committee and Council on an on-going basis as the information becomes available".

The amendment proposed by Councillors Clement and Boychuk was put and declared carried.

The amendment to the amendment proposed by Councillors Clement and Eadie was put and declared carried.

Councillors Fraser, Golden and Lazarenko asked to be recorded as having voted against the amendment, in accordance with Rule 50.7 of the Procedure By-law.

With the concurrence of the seconder, Councillor Boychuk, and with the permission of Council, Councillor Reese amended her motion to read as follows:

Moved by Councillor Reese,
Seconded by Councillor Boychuk,

WHEREAS Her Worship Mayor Thompson recently announced the establishment of an "Implementation Team/Working Committee" in connection with the Mauro Report entitled "Report on the Preservation of N.H.L. Hockey in Winnipeg";

BE IT RESOLVED THAT Clause 10 of the Report of the Executive Policy Committee dated December 8, 1993 be amended by adding the following:

I. A Liaison Committee be established consisting of two Members of Council (at-large), and one Council Member currently appointed to the Winnipeg Enterprises Corporation;

II. The role of the Liaison Committee shall be to meet appropriately with the Jets' Interim Steering Committee or its "Working Group" in order to advise the Executive Policy Committee and City Council on the process for decision making on the matter of preservation of N.H.L. Hockey in Winnipeg;

III. The at-large Council appointees be Councillor Angus and Councillor Murray.

Report of the Executive Policy Committee dated December 8, 1993

The amendment, as amended, was put.

Councillor Fraser called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Boychuk, Clement, Duguid, Eadie, Hyman, Murray, Prystanski, Silva, Thomas, Her Worship Mayor Thompson and Councillor Angus. 12

Nay: Councillors Golden, Lazarenko, O'Shaughnessy and Fraser. 4

and the amendment, as amended, was declared carried.

The motion for the adoption of the clause, as amended, was put.

Councillor Boychuk called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Clement, Duguid, Eadie, Hyman, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 13

Nay: Councillors Boychuk, Golden and Lazarenko. 3

and the motion for the adoption of the clause, as amended, was declared carried.

Subdivision and Rezoning of land bounded by the Perimeter Highway on the west, Charleswood Road on the east, the abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the north and the CNR Mainline/Wilkes Avenue on the south - Assiniboia Community
File DASZ 7/91

178 - 11. On October 20, 1993, Council granted your Committee an extension of time of 90 days to deal with Clause 6 of the Report of the Committee on Planning and Community Services, dated May 11, 1992. The clause is with respect to the subdivision and rezoning of land bounded by the Perimeter Highway on the west, Charleswood Road on the east, the abandoned CNR Cabot Subdivision (Ridgewood Corridor) on the north, and the CNR Mainline/Wilkes Avenue on the south, in the Assiniboia Community.

Your Executive Policy Committee recommends that Council grant a further extension of time of 120 days to allow further consideration of this matter.

Adopted by consent.

Bid by the City of Winnipeg to Host the 1995 Grey Cup File GC-8.11 (Vol. 1)

179 - 12. On December 8, 1993, your Executive Policy Committee was advised that no site has yet been picked for the 1995 Grey Cup. The 1991 Grey Cup was a resounding success. The City of Winnipeg has now been invited to submit a proposal to host the Grey Cup in 1995.

The 1991 Grey Cup provided both The City of Winnipeg and the Province of Manitoba with significant economic benefits and national and international exposure. Winnipeggers, and all Manitobans, can take pride in their contribution to what was a first class job which injected new found enthusiasm into Canada's fall classic.

In 1991 the City provided an amount of $1.5 million to host the Grey Cup. Similarly the Province of Manitoba committed to an amount of $750,000.00 toward 50% of the capital construction costs required for adaptation to the Winnipeg Stadium to a capacity of 50,000 with the addition of temporary seating. The Province's eventual contribution was $707,944.00, and was contingent upon an agreement with the Grey Cup Festival Committee for the dispersal of event surplus funds to the benefit of amateur sport in the Province of Manitoba.

Report of the Executive Policy Committee dated December 8, 1993

In a communication, dated November 24, 1993, to Her Worship the Mayor, the Premier of the Province of Manitoba made the following statement:

"Consistent with our provincial participation in supporting the 1991 Grey Cup in Winnipeg I can advise you that the Province of Manitoba is prepared to consider up to $750,000.00, or 50% of actual costs, whichever is less, to assist the City of Winnipeg in hosting the 1995 Grey Cup game, subject to any conditions we deem appropriate."

The success of the 1991 game was mainly due to the joint effort between the private and public sectors. It would, therefore, seem reasonable that if the City is to bid for the 1995 Grey Cup, a similar approach be utilized and, therefore, the recommendation is submitted for a task force to be appointed to head this bid, said task force to be composed of private and public sector representatives.

Your Executive Policy Committee recommends:

I. That all things necessary be undertaken to place a bid for The City of Winnipeg to host the 1995 Grey Cup.

II. That the City of Winnipeg make a financial contribution to the 1995 Grey Cup should they be awarded the bid, in an amount not to exceed the 50/50 partnership with the Province of $750,000.00.

III. That Her Worship the Mayor be authorized to set up a task force to coordinate this bid on behalf of The City of Winnipeg.

Moved by Mayor Thompson,
Adoption of the clause.

In amendment,

Moved by Councillor Clement,
Seconded by Councillor Boychuk,
THAT Clause 12 of the Report of the Executive Policy Committee dated December 8, 1993 be amended by adding a fourth recommendation:

IV. That the dispersal of Grey Cup event surplus funds be provided to the Winnipeg Football Club.

Moved by Councillor Lazarenko,
That the clause be referred to the Committee on Finance and Administration.

Councillor Murray called for the yeas and nays, which were as follows:-

Yea: Councillors Boychuk, Duguid, Golden, Hyman, Lazarenko, Murray and Thomas. 7

Nay: Councillors Clement, Eadie, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 6

and the motion to refer was declared carried.

(Note: For further disposition of Clause 12, see Minute No. 190)

On motion, Council recessed and reconvened at 3:35 p.m., all members present.

Moved by Councillor Golden,
Seconded by Councillor Boychuk,
THAT Council adjourn this day at 4:00 p.m.;

AND THAT Council reconvene Monday, December 20, 1993 at 9:30 a.m.

In amendment,

Report of the Executive Policy Committee dated December 8, 1993

Moved by Councillor Hyman,
Seconded by Councillor Silva,

THAT Council adjourn this day at 3:45 p.m.;

AND THAT Council reconvene Friday, December 17, 1993 at 9:00 a.m.

The amendment proposed by Councillors Hyman and Silva was put.

Councillor Boychuk called for the yeas and nays, which were as follows:-

Yea: Councillors Reese, Duguid, Eadie, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 12

Nay: Councillors Boychuk and Golden. 2

and the amendment was declared carried.

The motion proposed by Councillor Golden, as amended, was put and declared carried.

180 - Appendix "A" referred to in Clause 5 of the Report of the Executive Policy Committee dated December 8, 1993

Exemptions

4 The following are exempt from sections 2 and 3:

(a) goods or services sold or offered for sale by retail in the form of or in connection with living accommodation or prepared meals where the sale or offering for sale of those goods or services is the principal business of the seller or offeror;

(b) the retail sale of liquor under the authority of a licence or permit issued under The Liquor Control Act;

(c) a retail business that is governed or regulated by a special Act of the Legislature or any regulations made thereunder;

(d) subject to clause 4.1(6)(a), a retail business establishment where the number of persons, including the owner, employed for the sale of goods or services does not exceed four persons at any one time;

(e) a pharmacy where the principal business carried on is the dispensing of drugs upon prescription and the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes;

(f) a retail business establishment where gasoline, motor oil and related goods or services for use in the operation of a motor vehicle are the only goods or services sold or offered for sale;

(g) a retail business establishment where nursery stock, flowers, garden supplies and accessories are the only goods sold or offered for sale;

(h) a retail business establishment where fresh fruit and vegetables are the only goods sold or offered for sale;

(i) the operation of laundromats and other coin-operated services incidental thereto;

(j) the rental, servicing or repair of motor vehicles or boats;

(k) the admission of the public to premises for educational, recreational or amusement purposes or in respect of the sale or offering for sale of goods or services incidental thereto;

(l) the operation of tourism and recreational facilities including summer and winter resorts.

Exemptions

4 Sont soustraits à l'application des articles 2 et 3 :

a) les marchandises vendues ou mises en vente au détail et les services offerts ou fournis au détail sous forme de logement ou de repas préparés ou relativement au logement ou aux repas si la vente, la mise en vente, l'offre ou la fourniture constitue l'entreprise principale de celui qui les vend, les met en vente, les offre ou les fournit;

b) la vente au détail de boissons alcoolisées effectuée en vertu d'un permis délivré en application de la Loi sur la réglementation des alcools;

c) l'exploitation de commerces de détail régis ou réglementés par une loi spéciale de la province ou par les règlements pris sous son régime;

d) sous réserve de l'alinéa 4.1(6)a), les établissements de commerce de détail où au plus quatre personnes, y compris le propriétaire, vendent des marchandises ou fournissent des services;

e) les pharmacies dont l'entreprise principale consiste à fournir des médicaments sur ordonnance et à vendre des produits pharmaceutiques ou thérapeutiques, des articles de toilette ou des cosmétiques;

f) les établissements de commerce de détail où sont seulement vendus, mis en vente, fournis ou offerts de l'essence, de l'huile à moteur et des produits ou services connexes propres au fonctionnement de véhicules automobiles;

g) les établissements de commerce de détail où sont seulement vendus ou mis en vente des plants de pépinière, des fleurs et des articles de jardinage;

h) les établissements de commerce de détail où sont seulement vendus ou mis en vente des fruits et des légumes frais;

i) l'exploitation de laveries et autres appareils automatiques accessoires;

j) la location, l'entretien et la réparation de véhicules automobiles ou de bateaux;

k) l'accès public d'un lieu à des fins d'éducation, de récréation ou de divertissement et de vente ou de mise en vente de marchandises connexes et de fourniture ou d'offre de services connexes;

l) l'exploitation d'installations touristiques et récréatives, notamment de stations estivales et hivernales.

181 - Appendix "B" referred to in Clause 5 of the Report of the Executive Policy Committee dated December 8, 1993

SUNDAY SHOPPING PUBLIC PRESENTATIONS

November 16, 1993

ORAL PRESENTATIONS

1. Terry Cristall, Chairperson, Mr. Bill Draper, President, and Ms Shelley Morris, Government Affairs Manager, representatives of Winnipeg Chamber of Commerce

2. Adrian Byles, owner/operator of the Pembina Highway Store, and Paul Droulis, General Manager of the St. Vital Store, representatives on behalf of Winnipeg's seven Canadian Tire Associate Store Dealers

3. Councillor Boychuk, Transcona Ward

4. George Gershman, President, Tourism Industry Association of Winnipeg

5. George Taylor, on behalf of McClure United Church

6. Vern Dyck, Canadian Federation of Independent Grocers (Manitoba Division)

7. Paul McKinnon, President, Henderson and McIvor Food Ltd.

8. Stan Halbesma, owner/operator of Harry's Foods at Portage Avenue and Arlington Street

9. Bernard Christophe, President and Chief Executive Officer, United Food & Commercial Workers

10. Rev. Cliff McMillan, together with Bill Oakland and Rev. Neville Phills, Presbyterian Delegate, representatives of the Association of Christian Churches in Manitoba

11. Toby Oswald, Canada Safeway

12. Rev. Tony Maunder and Alison Norberg, representing Winnipeg Presbytery, United Church of Canada

13. Archbishop Antoinne Harcault, Catholic Conference of Manitoba

14. Paul Sveinson, Private Citizen

15. Frank Penner, Private Citizen

16. Rob Scott, Christian Heritage Party

17. Susan Hart-Kulbaba, Manitoba Federation of Labour

WRITTEN SUBMISSION

1. Darrell Trask, Private Citizen

November 18, 1993

1. Peter Kaufmann, Kaufmann Foods

2. Theresa Ducharme, Private Citizen

3. Charles Finnbogason, Bramalea Centres Ltd., Cadillac Fairview Corp. and Cambridge Shopping Centres Ltd.

4. Paul Birston, Private Citizen

5. Wilf McPherson, Coalition Opposed to Sunday Shopping

Appendix "B" referred to in Cluase 5 of the Report of the Executive Policy Committee dated December 8, 1993 (continued)

6. Sandra Meyer, First Vice President, Winnipeg Labour Council, together with Bruce MacKay, Regional Union Representative Manitoba and Saskatchewan, Canada Employment and Immigration Union

7. Don McKinnon, Westfair Foods

8. Frank Liebzeit, Private Citizen

9. Twilla MacDonald, Choices

WRITTEN SUBMISSIONS

1. Rev. Richard Gillander, St. James Presbyterian Church

2. Pastor Ron Sydenham, Seventh-day Adventist Church

3. Fern and Jeanne Marion, Private Citizens

REPORT OF THE

EXECUTIVE POLICY COMMITTEE

DATED DECEMBER 15, 1993

On motion of Mayor Thompson, the rule was suspended and the Report of the Executive Policy Committee, dated December 15, 1993, was considered clause by clause.

Her Worship the Mayor and Councillors:

1994 - Transit Fare Increases
Files FE(1994) & TT-2 (Vol. 9)

182 - 1. On December 8, 1993, your Executive Policy Committee received the 1994 Current Estimates for the Ambulance Services, Equipment and Material Services, Transit, Hydro, Waterworks, Sewage Disposal and Solid Waste Disposal Systems, from the Chief Commissioner dated December 2, 1993 and referred the matter of the rate increases only to the Committee on Works and Operations.

On December 10, 1993, the Committee on Works and Operations considered the above item and recommended that the Committee concur with the proposed transit rate increase effective February 1, 1994, subject to there being no significant cuts in transit services in 1994.

Your Executive Policy Committee recommends that the following Transit Fares increases be adopted, effective February 1st, 1994:

	Present	Proposed	Increase
Monthly Pass - Regular	$45.00	$48.00	$3.00
Special (Child, Student & Senior Citizens)	25.50	28.00	2.50
Adult - Cash	1.30	1.35	.05
- Tickets	1.20	1.35	.15
Special (Child, Student & Senior Citizens)			
- Cash	.70	.75	.05
- Tickets	.65	.75	.10
Handi-Transit - Cash	1.30	1.35	.05
- Tickets	1.20	1.35	.15
Convention Pass	3.50	5.00	1.50

Moved by Mayor Thompson,
Adoption of the clause.

Council adjourned at 3:43 p.m., to reconvene on Friday, December 17, at 9:00 a.m.

Report of the Executive Policy Committee dated December 15, 1993

Adjourned Meeting Friday, December 17, 1993.

Council reconvened this day at 9:07 a.m.

The Speaker called the adjourned meeting to order.

Present: The Speaker Councillor Angus, Councillors Clement, Duguid, Eadie, Fraser, Golden, Hyman, Lazarenko, O'Shaughnessy, Prystanski, Reese, Silva, Thomas and Her Worship Mayor Thompson.

Councillors Boychuk and Murray entered the meeting after it had reconvened.

In attendance: Mrs. D. Browton, City Clerk, Mr. R. Kachur, Deputy City Clerk and Mr. R. MacCallum, Committee Clerk.

Council proceeded to continue to consider the order of business - "Clause 1 of the Report of the Executive Policy Committee, dated December 15, 1993".

1994 - Transit Fare Increases
Files FE(1994) & TT-2 (Vol. 9)

183 -
Moved by Councillor Duguid,
That for the purposes of debate, Council consider Clauses 1 through 4 of the Report of the Executive Policy Committee, dated December 15, 1993, prior to voting on each clause.

Carried.

The motion for the adoption of the clause was put.

The Speaker called for the yeas and nays, which were as follows:-

Yea: Councillors Clement, Duguid, Eadie, Hyman, O'Shaughnessy, Silva, Fraser, Her Worship Mayor Thompson and Councillor Angus. 9

Nay: Councillors Reese, Boychuk, Golden, Lazarenko, Murray, Prystanski and Thomas. 7

and the motion for the adoption of the clause was declared carried.

(Note: Attachments referred to in the above clause are on file in the office of the City Clerk)

1994 - Waterworks Utility and Fire Hydrant Rental Rates
Files FE(1994) & WW-2.3 (Vol. 8)

184 - 2. On December 8, 1993, your Executive Policy Committee received the 1994 Current Estimates for the Ambulance Services, Equipment and Material Services, Transit, Hydro, Waterworks, Sewage Disposal and Solid Waste Disposal Systems, from the Chief Commissioner dated December 2, 1993 and referred the matter of the rate increases only to the Committee on Works and Operations.

On December 10, 1993, the Committee on Works and Operations considered the above item and recommended that the Committee concur with the proposed water rate increases effective January 1, 1994.

Five-year financial projections have been made for the water utility. These projections take future borrowing for the Five-Year Capital Program into consideration, as well as inflation on expenditures, other than debt charges, and anticipated changes in consumption.

Report of the Executive Policy Committee dated December 15, 1993

Historically, consumption projections have used a five-year historical average in year one of the financial plan. The consumption in the years 1992 and 1993 has been substantially less than projected. This can likely be attributed to cool wet summers, the water conservation program, the economy and higher rate increases over the five years. It is, therefore, considered prudent to use a somewhat lower consumption level for 1994 than the five-year average.

Projections indicate that a 3% annual rate increase will be required from 1994 to 1998 for the water utility. An aqueduct renewal reserve was started in 1992 with a 2 cents per 100 cubic feet charge. 3.5 cents was added in 1993 and the 1994 proposed rates contain a provision for a further 3.5 cents increase for this purpose.

As mentioned in previous documents, it is expected that some sort of water treatment program will be required in the future. This program is estimated to cost between $180 million to $280 million. The proposed rates include the establishment of a reserve in 1994 for this purpose starting at 6.5 cents per 100 cubic feet and increase annually. The purpose of this reserve will be to provide a "down payment" for the above program.

The above provisions amount to the following increase in the water rates:

Block 1 (0 - 9,600 cubic feet per quarter) 9.9%
Block 2 (9,600 - 96,000 cubic feet per quarter) 11.9%
Block 3 (over 96,000 cubic feet per quarter) 15.6%

The estimates further provide for a contribution to the General Revenue Fund from the Waterworks Utility in the amount of $4,106,000. In 1990, that amount was $3,778,049, in 1991 $3,895,197, in 1992 $3,926,642, and in 1993 the contribution is projected to be $4,536,082. These projections do not include capital expenditures for future water treatment or an additional water supply.

Your Executive Policy Committee recommends that the following increases be adopted effective January 1, 1994 and submits for favourable consideration amending By-law to effect these changes:

I. from $1.41 to $1.55 per 100 cu. ft. from 0 - 9,600 cubic feet per quarter (Block 1)
from $1.10 to $1.23 per 100 cu. ft. from 9,600 - 96,000 cubic feet per quarter (Block 2)
from $0.78 to $0.90 per 100 cu. ft. over 96,000 cubic feet per quarter (Block 3).

II. That the following fixed quarterly charge, based on meter size be increased as follows:

Meter Size	Present	Proposed
5/8"	$ 11.51	$11.70
3/4"	12.39	12.60
1"	15.03	15.30
1 1/2"	18.54	18.89
2"	28.21	28.78
3"	99.41	101.60
4"	125.78	128.57
6"	187.31	191.50
8"	257.63	263.42
10"	327.95	335.34

III. That fire hydrant rental charge be decreased from $194.50 to $194.00 per hydrant in order to recover full costs.

IV. That the charge for water sold at stand pipes be increased from $3.50 per 1000 gallons to $4.00.

Moved by Mayor Thompson,
Adoption of the clause.

The motion for the adoption of the clause was put and declared carried.

Report of the Executive Policy Committee dated December 15, 1993

Councillors Golden and Lazarenko asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

(Note: Attachments referred to in the above clause are on file in the office of the City Clerk.)

1994 - Sewage Disposal System Rate Increases
Files FE(1994) & WW-2.3 (Vol. 8)

185 - 3. On December 8, 1993, your Executive Policy Committee received the 1994 Current Estimates for the Ambulance Services, Equipment and Material Services, Transit, Hydro, Waterworks, Sewage Disposal and Solid Waste Disposal Systems, from the Chief Commissioner dated December 2, 1993 and referred the matter of the rate increases only to the Committee on Works and Operations.

Five-year financial projections have been made for the sewer utility. These projections take future borrowing for the Five-Year Capital Program into consideration, as well as inflation on expenditures, other than debt charges, and anticipated changes in consumption. The projections are made in order to better manage utility finances and level out the increases required over the five-year period so as to lessen the impact on customers.

The projections indicate that a 11% annual rate increase is required from 1994 - 1998 for the sewer utility in order to maintain the utility on a sound financial base.

The proposed rates provide for 2 cents per 100 cubic feet between 1994 and 1998 to provide funding for environmental studies for river quality. An additional rate increase (1% in 1994) will serve to identify the cost of environmental programs. The overall impact is a 12% sewer rate increase.

On December 10, 1993, the Committee on Works and Operations considered the above item and recommended that the Committee concur with the proposed sewage disposal rate increases effective January 1, 1994.

Your Executive Policy Committee recommends and submits for favourable consideration amending By-laws to effect these changes:

I. That the proposed rates provide for the sewer rate, based on water used, to be increased on January 1st, 1994 from $1.83 to $2.05 per 100 cubic feet per quarter, being an increase of 12%.

II. That the proposed rates further provide for the following rate and factors, as calculated for industrial waste surcharges, effective January 1st, 1994:

a) The cost of treating normal sewage referred to as the Rn factor be $2.08 per 1000 gallons.

b) The factor fs derived from costs of treating suspended solids (S.S.) be 0.33.

c) The factor fp derived for costs of treating biochemical oxygen demand (B.O.D.) be 0.47.

III. The proposed rates also provide that the waste disposal vehicle license fee be increased by 12%, effective January 1st, 1994.

Moved by Mayor Thompson,
Adoption of the clause.

The motion for the adoption of the clause was put and declared.

Councillors Golden, Lazarenko and Prystanski asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

(Note: Attachments referred to in the above clause are on file in the office of the City Clerk.)

Report of the Executive Policy Committee dated December 15, 1993

1994 - Solid Waste Disposal System
Rate Increases
File FE(1994) & WT-1.2 (Vol. 9)

186 - 4. On December 8, 1993, your Executive Policy Committee received the 1994 Current Estimates for the Ambulance Services, Equipment and Material Services, Transit, Hydro, Waterworks, Sewage Disposal and Solid Waste Disposal Systems, from the Chief Commissioner dated December 2, 1993 and referred the matter of the rate increases only to the Committee on Works and Operations.

Council in 1992 authorized the concept of a "pay-as-you-go" philosophy for solid waste disposal.

On April 4, 1990, Council approved that the tipping fee surcharge to fund the "Winnipeg - A Clean City (Take Pride Winnipeg)" program be increased from $2 per tonne to $4 per tonne. On July 11, 1990 Council approved a Waste Minimization and Recycling Action Plan, with funding through a tipping fee surcharge of $3.20 per tonne.

On December 10, 1993, the Committee on Works and Operations considered the above item and recommended that the 1994 tipping fees be increased from $35 per tonne to $40 per tonne effective July 1, 1994 and that $0.50 per tonne from this increase be directed to a reserve fund for the future development of the Brady Landfill Site.

Your Executive Policy Committee concurs in the recommendations from the Committee on Works and Operations dated December 10, 1993 as follows:

I. That the 1994 tipping fees be increased from $35 per tonne to $40 per tonne effective July 1, 1994.

II. That $0.50 per tonne from this increase be directed to a reserve fund for the future development of the Brady Landfill Site.

III. That the City Solicitor be requested to prepare the necessary amending By-law.

Moved by Mayor Thompson,
Adoption of the clause.

The motion for the adoption of the clause was put and declared carried.

Councillors Golden, Lazarenko and Prystanski asked to be recorded as having voted against the clause, in accordance with Rule 50.7 of the Procedure By-law.

(Note: Attachments referred to in the above clause are on file in the office of the City Clerk.)

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor O'Shaughnessy,
Seconded by Councillor Duguid,
187 - WHEREAS Council at its Special Meeting held on December 14, 1993 adopted the 1994 Capital Estimates and the 1995 - 1999 Five Year Forecast;

AND WHEREAS through inadvertence, the budget tabulation referred to as Appendix "A" did not include funding for the new Community Incentive Grant Program as approved by the Executive Policy Committee on December 8, 1993;

NOW THEREFORE BE IT RESOLVED that the Clause 1 of Report "A" of the Executive Policy Committee dated December 8, 1993 be amended to correct the budgetary tabulations of the Capital Program (revised copy of Clause 1 appended hereto);

AND BE IT FURTHER RESOLVED that Appendix "A" to Clause 1 of Report "A" of the Executive Policy Committee dated December 8, 1993, and the initial borrowing by-law, be amended accordingly.

Carried.

Executive Policy Committee – Motions (continued)

Moved by Councillor Eadie,
Seconded by Councillor Clement,

188 - WHEREAS the Employment Standards Act and other related statutes allow employees in certain retail businesses the right to refuse work on Sundays without penalty from their employers;

AND WHEREAS it was suggested during public hearings on Sunday Shopping held in Winnipeg that some employers may be forcing their employees to work on Sundays by ways and means that are not openly in defiance of the Law, but which leave the impression that by not working on Sundays, the employees will be out of a job;

AND WHEREAS it was also learned that some retail businesses in large shopping malls are prevented from closing on Sundays because of lease arrangements, even though, in some cases, being open on Sundays is too costly for them, and they are not provided any legislative protection;

AND WHEREAS the Government of Manitoba has a moral and legal obligation to thoroughly examine the legislation and to make certain that retail employees are properly protected against being forced to work on Sunday against their will, and to also protect those retailers in large shopping malls from economic hardship due to their being forced to be open on Sundays;

THEREFORE BE IT RESOLVED THAT the Council of the City of Winnipeg, through the Manitoba Association of Urban Municipalities, requests the Government of Manitoba to conduct an immediate and thorough review of the Employment Standards Act and other related statutes to make certain that the legislation is written in such a way that guarantees employees cannot be threatened with job loss due to exercising their right to refuse work on Sundays;

AND BE IT FURTHER RESOLVED THAT the Government of Manitoba enact legislation that will allow retail businesses in shopping malls the right not to be open for business on Sundays if they so choose, without being penalized because of standard lease agreements.

The Speaker advised that the motion would stand as notice.

Moved by Councillor Duguid,
Seconded by Councillor O'Shaughnessy,

189 - BE IT RESOLVED that the recommendations outlined in Clause 12 of the Report of the Executive Policy Committee dated December 8, 1993 be approved as submitted with the addition of Recommendation IV. as outlined below, namely:

I. That all things necessary be undertaken to place a bid for The City of Winnipeg to host the 1995 Grey Cup;

II. The City of Winnipeg make a financial contribution to the 1995 Grey Cup should they be awarded the bid, in an amount not to exceed the 50/50 partnership with the Province of $750,000.00;

III. That Her Worship the Mayor be authorized to set up a task force to coordinate this bid on behalf of The City of Winnipeg;

IV. The method of funding be referred to the Committee on Finance and Administration (preferably to be funded other than through the 1994 Current Estimates);

The Speaker ruled this motion out of order in that the matter had already been referred to the Committee on Finance and Administration.

Moved by Councillor O'Shaughnessy,

THAT the rule be suspended to allow reconsideration of Clause 12 of the Report of the Executive Policy Commmittee, dated December 8, 1993, in order to consider the motion proposed by Councillors Duguid and O'Shaughnesssy.

Carried.

Executive Policy Committee - Motions (continued)

Councillor Thomas asked to be recorded as having voted against the suspension of the rule, in accordance with Rule 50.7 of the Procedure By-law.

Bid by the City of Winnipeg to Host the 1995 Grey Cup File GC-8.11 (Vol. 1)

190 -
Moved by Mayor Thompson,
Adoption of the clause.

In amendment,

Moved by Councillor Duguid,
Seconded by Councillor O'Shaughnessy,
BE IT RESOLVED that the recommendations outlined in Clause 12 of the Report of the Executive Policy Committee dated December 8, 1993 be approved as submitted with the addition of Recommendation IV. as outlined below, namely:

I. That all things necessary be undertaken to place a bid for The City of Winnipeg to host the 1995 Grey Cup;

II. The City of Winnipeg make a financial contribution to the 1995 Grey Cup should they be awarded the bid, in an amount not to exceed the 50/50 partnership with the Province of $750,000.00;

III. That Her Worship the Mayor be authorized to set up a task force to coordinate this bid on behalf of The City of Winnipeg;

IV. The method of funding be referred to the Committee on Finance and Administration (preferably to be funded other than through the 1994 Current Estimates);

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate, and after speaking, resumed the Chair.

The amendment was put and declared carried.

The motion for the adoption of the clause, as amended, was put and declared carried.

Councillors Murray and Prystanski asked to be recorded as having voted against the clause, as amended, in accordance with Rule 50.7 of the Procedure By-law.

Council here reverted back to the order of business - "Executive Policy Committee - Motions".

EXECUTIVE POLICY COMMITTEE

MOTIONS

Moved by Councillor Hyman,
Seconded by Councillor Silva,
191 - WHEREAS the debate and review of the 1994 Current Estimates is about to begin;

AND WHEREAS at the culmination of the debate on the 1993 Current Estimates it was agreed upon by Council that a review of revenue sources would be conducted with a view to implementing a revenue strategy;

AND WHEREAS Councillor O'Shaughnessy was appointed by the Executive Policy Committee as an Ad Hoc Committee of One to look at diversity of revenue sources for the City of Winnipeg;

AND WHEREAS the Report of the Ad Hoc Committee has not yet been distributed to all members of Council for discussion;

Executive Policy Committee - Motions (continued)

AND WHEREAS the City of Winnipeg directly supports tourism promotion in its funding of the Convention Centre, Tourism Winnipeg and Winnipeg 2000;

THEREFORE BE IT RESOLVED that the City explore the financial implications of instituting a "hotel/motel accommodations tax" and directing the revenue to funding the Convention Centre, Tourism Winnipeg, and Winnipeg 2000.

Automatic Referral to Executive Policy Committee in accordance with Rule 16.1 of the Procedure By-law

Moved by Councillor Lazarenko,
Seconded by Councillor Boychuk,

192 - WHEREAS City Council has a recommendation before it (Clause 4 of the Report of the Executive Policy Committee);

AND WHEREAS Clause 4 requests that the City of Winnipeg allocate an additional appropriation amount of $1,574,274.00 to the Winnipeg Jets;

AND WHEREAS in that agreement, the City of Winnipeg and the Province of Mnitoba equally cost-share on losses to the Jets;

AND WHEREAS the Executive Policy Committee and Council members did review the Winnipeg Jets financial statements;

THEREFORE BE IT RESOLVED that City Council release to the public the financial report;

AND BE IT FURTHER RESOLVED that it is the taxpayers who must pay for those losses so they have the right to know.

The Speaker ruled that the motion was out of order due to the contractual agreement between the parties.

With the concurrence of the seconder, Councillor Boychuk, and with the permission of Council, Councillor Lazarenko withdrew his motion.

EXECUTIVE POLICY COMMITTEE

CONSIDERATION OF BY-LAWS

193 - On motion of Mayor Thompson, the following By-laws were each 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. 6273/93, a By-law of the City of Winnipeg to amend By-law No. 329/73, to regulate the construction, maintenance and removal of private approaches and private walks. File SC-1.1 (Vol. 5)

By-law No. 6283/93, a By-law of the City of Winnipeg to permit holiday and Sunday Shopping in the City of Winnipeg. File GL-5.3 (Vol. 1)

Councillors Reese, Boychuk, Duguid and Murray asked to be recorded as having voted against all three readings of By-law No. 6283/93, in accordance with Rule 50.7 of the Procedure By-law.

194 - On motion of Mayor Thompson, the rule was suspended and the following By-laws were each 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:

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

By-law No. 6292/93, a By-law of the City of Winnipeg to amend By-law No. 504/73, being the Water Works By-law. File WW-2.3 (Vol. 8)

By-law No. 6293/93, a By-law of the City of Winnipeg to amend By-law No. 5058/88, being the Sewer Utility By-law. File WW-2.3 (Vol. 8)

By-law No. 6294/93, a By-law of the City of Winnipeg to estimate and fix the surcharges as provided for in By-law No. 5058/88, being the Sewer Utility By-law. File WW-2.3 (Vol. 8).

Councillors Golden, Lazarenko and Prystanski asked to be recorded as having voted against all three readings of each By-law, in accordance with Rule 50.7 of the Procedure By-law.

195 - On motion of Mayor Thompson, the rule was suspended and By-law No. 6296/93, an initial borrowing 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 principal amount of Seventy-Eight Million, Nine Hundred and Fourteen Thousand Dollars ($78,914,000.00), was read a first time.

Mayor Thompson moved that this constitute the first reading of By-law No. 6296/93, which motion was carried.

Moved by Mayor Thompson,
That By-law No. 6284/93 be not proceeded with.

Carried.

EXECUTIVE POLICY COMMITTEE

QUESTION PERIOD

196 - Councillor Murray noted that the Mayor had recently made comments regarding the City of Winnipeg's administration and requested clarification of the comments and apology as appropriate.

Her Worship Mayor Thompson noted that the comments she had made related to her frustration at not receiving requested information as quickly as desired and that some of her suggestions at budget reform and policies for restructuring had not yet been addressed.