Winnipeg

EXECUTIVE POLICY COMMITTEE
DISPOSITION OF ITEMS

JUNE 30, 2010

MEMBERS PRESENT: His Worship Mayor Katz, Chairperson
Deputy Mayor Swandel
Councillor Fielding
Councillor O'Shaughnessy

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

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
		DELEGATIONS	
372	Councillor Smith, Chair, and Brody Grusko, Committee Coordinator, Winnipeg Committee for Safety		See Minute 373
		REPORTS	
373	Winnipeg Committee for Safety - 2009 Annual Report Minute 30, WCFS, 2010 05 21 eFile GF-2.7.1	The Executive Policy Committee received as information the 2009 Annual Report of the Winnipeg Committee for Safety.	Nil
374	Opening - Public Lane between William and Elgin Avenues, west of Sherbrook Street Report 2010 06 21 File DAO 11/2009	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommends to Council: 1. That the Director of Legal Services and City Solicitor be instructed to prepare the necessary by-law for submission to Council to effect the lane opening in accordance with Misc. Plan No. 13640/1. 2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	Council
375	Subdivision and Rezoning - 2165 Henderson Highway Minute 240, EKT CC, 2010 06 15 File DASZ 5/2010	The Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and recommends to Council: 1. That the plan of subdivision proposed under File DASZ 5/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 5/2010 dated June 5, 2010 with such minor changes as may be required, and for 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 5/2010 dated June 5, 2010, to "C1 Commercial Neighbourhood subject to the following: 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, accessory parking area or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of	Council

Minute	Subject/File	Recommendations	Action Required
		accessory parking areas, private approaches, garbage enclosures, loading areas, fencing, landscaping and signage to the East Kildonan – Transcona Community Committee and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permit; and the applicant shall maintain the landscaping and fencing to the satisfaction of the Director of Planning, Property and Development. ii. That no illuminated signage be erected on the east side of the building; iii. That there shall be no advertising signs, mobile signs, poster signs and 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; iv. 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 6 inches above the top of the garbage container, and thereafter 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 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.	

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
		6. That the Director of Legal Services and City Solicitor 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 shall come into force and effect when the plan of subdivision is registered in the Winnipeg Land Titles Office and 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 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 two (2) years of the date of passage of the aforementioned by-law. 10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twenty-four (24) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time. 11. That the Director of Legal Services and City Solicitor be requested to do all thing necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
376	Western Canada Aviation Museum Inc. - Additional Funding Minute 200, EKT CC, 2010 06 15 File FG-1.1(W)	The Executive Policy Committee filed the recommendation of the East Kildonan-Transcona Community Committee.	Nil

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
377	Zoning Agreement Amendment - 629 St. Mary's Road Minute 236, Riel CC, 2010 06 15 File ZAA 4/2010	The Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommends to Council: 1. That Zoning Agreement Caveats 241993 and 1434619 under File DAZ 231/76 dated July 21, 1976 (By-law No. 1426/76) be withdrawn and replaced with a new Zoning Agreement as follows: A. 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. B. That the land be restricted as follows: i. The following shall not be permitted as a principal use on the land: a. Kennels b. Landscape or garden supplies c. Auto/light truck/motorcycle, repair and service d. Auto/light truck/motorcycle, sales and rental e. Fuel sales f. Parking, structured g. Parking, surface h. Contractor's establishment i. Recycling collection centre ii. The following uses shall be conditional on the land: a. Hostels b. Hotel or motels c. Drinking establishments d. Auto parts and supplies, sales	Council

Minute	Subject/File	Recommendations	Action Required
		C. That the maximum gross floor area for any commercial development shall not exceed 5,000 square feet; D. That the maximum height of any building shall be no greater than 35 feet; E. That the minimum corner side yard (south side) setback shall be no less than 5 feet; F. That in the event that the existing building is demolished or destroyed and future development is proposed, said development shall not have an interior side yard (north side) setback of less than 5 feet; G. That the minimum front yard setback shall be no less than 20 feet for any building and no less than 5 feet for any sign; H. That all parking areas shall be located behind the building and shall not front onto St. Mary's Road. I. That any free-standing use identification sign shall not exceed eight (8) feet above grade in height; J. That flashing, animated, or scintillating signs, rotating signs or beacons and electronic message boards shall not be permitted; K. That no illuminated signage be erected on the north and/or east sides of the building or the lot; L. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site. 2. That the Director of Legal Services be requested to prepare the necessary Amending Agreement to Zoning Agreement DAZ 231/76 (By-law No. 1426/76) as approved in aforesaid Recommendation 1. 3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement.	

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
		4. That the Director of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
378	Rezoning - 177 Eugenie Street Minute 238, Riel CC, 2010 06 15 File DAZ 209/2010	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 209/2010 dated May 21, 2010 to a "C1" Commercial Neighbourhood 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 in the event that the existing building is demolished or destroyed and future development is proposed, said development shall: a. have a minimum interior side yard (west side) setback of 10 feet; b. have a minimum front yard (south) setback of 15 feet; c. have the parking area located behind the building and shall not front onto Eugenie Street. ii. That the land be restricted as follows: a. The following uses shall be conditional on the land: • Neighbourhood rehabilitation homes • Kennels • Restaurants	Council

Minute	Subject/File	Recommendations	Action Required
		b. The following use shall not be permitted on the land: • Contractor's establishments iii. That free-standing use identification signs shall not be permitted; iv. That flashing, animated, or scintillating signs, rotating signs or beacons and electronic message boards shall not be permitted; v. That there shall be no advertising signs, mobile signs, poster signs and A-frame signs on the entire site. vi. That no illuminated signage be erected on the north and/or west sides of the building; vii. That for the redevelopment or new development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing and landscaping 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 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. 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 Director of Legal Services be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings.	

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
		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 Director of Legal Services be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
379	Subdivision and Rezoning- South side of Dugald Road, West of Plessis Road Minute 240, Riel CC, 2010 06 15 File DASZ 7/2010	The Executive Policy Committee concurred in the recommendation of the Riel Community Committee, as amended, and recommends to Council: 1. That the plan of subdivision under File DASZ 7/2010 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "B" dated June 7, 2010, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following: A. That the Developer be required to enter into a Development Agreement with the City containing all the conditions outlined in Schedule "C" the report of the Administrative Coordinating Group dated June 7, 2010, incorporating the following amendments: i. In Condition 13 delete the words "clause 13" and replace with "clause 12" ii. In Condition 38 delete the words "for DASZ 8/10 and DASSF 504/10". 2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "B" for File DASZ 7/2010 dated June 7, 2010, to an "R1-M" Residential Single-Family District, and a "PR1" Parks and Recreation District.	Council

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
		3. That the City owned property shown in outline and identified as "Subject City Property" shown on Misc. Plan No. 13475/2 be declared as surplus to the City's needs. 4. That the Director of Planning, Property and Development be authorized to negotiate and approve the sale of the "Subject City Property to be Opened" as shown in broken outline on Misc. Plan No. 13475/2, to the applicant on terms and conditions satisfactory to the Director of Planning, Property and Development and the Director of Legal Services in order to protect the interests of the City and to achieve the intent of the Standing Policy Committee on Property and Development. 5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith. 6. 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. 7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above. 8. That the subdivision section of the by-law shall come into force and effect upon execution by the City of Winnipeg of the Development Agreement. 9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office. 10. That the Plan of Subdivision shall be approved and signed by the Director of Planning, Property and Development within twelve (12) months of the date of passage of the aforementioned by-law.	

EXECUTIVE POLICY COMMITTEE
JUNE 30, 2010
DISPOSITION OF ITEMS

Minute	Subject/File	Recommendations	Action Required
		11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless Council extends that time. 12. That the Director of Legal Services / City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	