**Report of the Executive Policy Committee dated September 29, 1993**

## REPORT OF THE

## EXECUTIVE POLICY COMMITTEE

## DATED SEPTEMBER 29, 1993

On motion of Mayor Thompson, the Report of the Executive Policy Committee dated September 29, 1993, was considered clause by clause.

Moved by Mayor Thompson,

That the Consent Agenda items, Clauses 1,2,3,4,5,6,7 and 8 be adopted.

Councillor Clement requested that Clause 5 be pulled from the Consent Agenda.

Councillor Prystanski requested that Clause 7 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 1,2,3,4,6 and 8 was put and declared carried.

Her Worship The Mayor and Councillors:

**Expenditure of Funds from Land Dedication Reserve - Lord Selkirk-West Kildonan Community**

**File EP-2 (Vol. 22)**

1005 - 1. On September 14, 1993, the Lord Selkirk-West Kildonan Community Committee recommended that funds in the amount of $60,000.00 be expended from its Land Dedication Reserve Fund for the following projects:

| | |
|---|---|
| Kinver Park - Play Equipment/Landscaping Project located on Kinver Avenue between Dexter and Keewatin Streets | $15,000.00 |
| Tyndall Park Community Centre - New Winter Facility located on 2221 King Edward Street | 45,000.00 |

Your Executive Policy Committee on September 10, 1993 referred requested funds by the Lord Selkirk-West Kildonan Community Committee in the amount of $60,000.00 for the project at Kinver Park back to the Community Committee. Council on September 22, 1993, adopted Clause 1 of the Report of the Executive Policy Committee dated September 10, 1993, which recommended funds be allocated from the Lord Selkirk-West Kildonan Community Land Dedication Reserve Fund, with the exception of the play equipment and landscaping at Kinver Park.

Your Executive Policy Committee now concurs in the above funding and recommends that funds be allocated from the Lord Selkirk-West Kildonan Community Land Dedication Reserve Fund for both the Kinver Park and Tyndall Park Community Centre projects outlined herein.

Adopted by consent

**Expenditure of Funds from Land Dedication Reserve - East Kildonan-Transcona Community**

**File EP-2 (Vol. 22)**

1006 - 2. On September 14, 1993, the East Kildonan-Transcona Community Committee recommended that funds in the amount of $333,000.00 be expended from the Land Dedication Reserve Fund for the following projects:

| | |
|---|---|
| East Side Eagles Football Club - Relocation | $80,000.00 |
| Kelvin Community Centre - Roof Repairs | |

**Report of the Executive Policy Committee dated September 29, 1993**

| | |
|---|---|
| located at 281 Henderson Highway | 10,000.00 |
| North Kildonan Community Centre - Roof Repairs | |
| located at 1144 Kingsford Place | 25,000.00 |
| Anderson Park - Playground Upgrading | |
| located at 900 Raleigh Street | 50,000.00 |
| Elmwood Kildonan Swimming Pool - Diving Tower | |
| located at 909 Concordia Avenue | 90,000.00 |
| Oxford Heights Community Centre - Ceramic Paint Roof - Coating | |
| located at 359 Dowling Avenue East | 30,000.00 |
| Gateway Community Centre - Ceramic Paint Roof - Coating | |
| located at 600 Bonner Avenue | 30,000.00 |
| John DeGraff Park - Security Lighting | |
| located at Louelda Street and McLeod Avenue | 18,000.00 |

Your Executive Policy Committee concurs in the above and recommends that funds be allocated from the East Kildonan-Transcona Community Land Dedication Reserve Fund for the projects outlined herein.

Adopted by consent.

**Expenditure of Funds from Land Dedication Reserve - Assiniboia Community**
**File EP-2 (Vol. 22)**

1007 - 3. On September 14, 1993, the Assiniboia Community Committee recommended that funds in the amount of $4,000.00 be expended from its Land Dedication Reserve Fund for drainage improvement to the existing swale at the rear of residences along Shoreline Park (Lindenwoods).

Your Executive Policy Committee concurs in the above and recommends that funds be allocated from the Assiniboia Community Land Dedication Reserve Fund for the project outlined herein.

Adopted by consent.

**Expenditure of Funds from Land Dedication Reserve - Assiniboia Community**
**File EP-2 (Vol. 22)**

1008 - 4. On September 14, 1993, the Assiniboia Community Centre recommended that funds in the amount of $2,000.00 be expended from its Land Dedication Reserve Fund for the removal of trees from Ridley Park and Caroll Park.

Your Executive Policy Committee concurs in the above and recommends that funds be allocated from the Assiniboia Community Land Dedication Reserve Fund for the project outlined herein.

Adopted by consent.

**Expenditure of Funds from Land Dedication Reserve - Assiniboia CommunityFile EP-2 (Vol. 22)**

1009 - 5. On September 14, 1993, the Assiniboia Community Centre recommended that funds in the amount of $174,000.00 be expended from its Land Dedication Reserve Fund from the subdivision located in the area bounded by Sigma Avenue on the north, CPR La Riviere Subdivision on the east, River Lot 23 on the south and Brady Road on the west, as approved by Council in 1989, for the establishment of a Community Centre in the Whyte Ridge Community.

**Report of the Executive Policy Committee dated September 29, 1993**

Your Executive Policy Committee concurs in the above and recommends that funds be allocated from the Assiniboia Community Land Dedication Reserve Fund for project outlined herein.

Moved by Mayor Thompson,
Adoption of the clause.

In amendment,

Moved Councillor Clement,
Seconded by Councillor Eadie,
That Clause 5 of the Report of the Executive Policy Committee dated September 29, 1993 be amended by changing the amount from $174,000.00 to $229,609.00.

The amendment was put and declared carried.

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

**Exemption under The Soldiers' Taxation Act** **File FL-2.3 (Vol. 6)**

1010 - 6. On September 29, 1993, your Executive Policy Committee considered a report dated August 26, 1993 from the Acting Chief Commissioner with respect to the above referenced exemption.

Clause 2 of Report "A" of the Committee on Finance and Administration, dated March 1, 1993, regarding exemption under the Soldiers' Taxation Relief Act, as amended and adopted by Council on March 24, 1993, instructed that the Province of Manitoba be requested to amend The Soldiers' Taxation Relief Act to increase the amount of relief from taxation from $50.00 to $100.00, effective in 1994.

On March 26, 1993, Her Worship Mayor Thompson wrote to the Minister of Urban affairs requesting that the Province amend The Soldiers' Taxation Relief Act by increasing the amount from $50.00 to $100.00, effective in 1994.

On June 10, 1993, the Minister of Rural Development acknowledged Her Worship Mayor Thompson's letter and requested that a report be provided indicating why the proposal is being made at this time, the rationale for the request and revised rebate figures.

The Soldiers' Taxation Relief Act was first enacted by the Province of Manitoba in the year 1922 and provided for the granting of relief from property taxation, in an amount not to exceed $75.00 in each case, for members of the Canadian Forces who left Canada to join the Imperial Forces as outlined in Exhibit "A". The provisions of this Act were subsequently made retroactive to August 4, 1914.

On May 4, 1933, the Manitoba Legislature decreased this amount from $75.00 to $50.00 per qualifying veteran/widow/dependent.

Over the years, the number of applications processed has steadily declined. In 1993, only 17 applications were filed totalling $850.00, subsequently adopted by Council on March 24 and September 22, 1993 respectively.

The beneficiaries of this program are senior citizens on fixed incomes, in owner-occupied homes who are now faced with higher property tax bills due to the reduction in the Homeowners' advance and the cancellation of the Pensioners' School Tax Assistance program.

The Soldiers' Taxation Relief Credit has not increased since its enactment in 1922, and, as a matter of fact, actually decreased in 1933. The program has not kept pace with inflation and the veterans/widows it was designed to help no longer receive the desired benefit.

Considering the intent of this program and the fact that the rebate has remained unchanged since 1933, an increase to $100.00 would not appear to be unreasonable.

Your Executive Policy Committee submits this matter to Council for its information along with a recommendation that the information be forwarded to the Minister of Rural Development.

**Report of the Executive Policy Committee dated September 29, 1993**

Adopted by consent.

**Tax Forgiveness For Home Renovations**
**File FL-2.2 (Vol. 7)**

1011 - 7. On September 23, 1992 Council approved in principle a Home Renovation Tax Incentive Program and recommended that further study be given to the alternative implementation methodologies outlined within the Clause namely, elimination of permit fees; grants or tax credits linked to renovation costs.

The tax relief for home renovation program is intended to provide an economic incentive for the home renovation industry; reduce the perception that property owners are penalized for improving their properties; and encourage property owners to take out the building permits thereby promoting the quality of construction in meeting applicable building, electrical and plumbing codes.

Alternative methodologies namely, elimination of permit fees, cancelling of taxes, grants or tax credits were reviewed. It was viewed that a reduction or elimination in permit fees (currently based on $6.00 per $1,000.00 of construction, minimum of $22.00 or a flat fee depending on the renovation) would not provide the required incentive for home renovations nor remove the perception that property owners are penalized by the tax system for improving their property.

Section 242 of The City of Winnipeg Act provides the City with the power to cancel taxes. This Section has not been used in the past and is viewed only for special circumstances as it would not be proper budgeting (i.e. when taxes are cancelled a deficit is created) to utilize this Section for a program such as tax relief.

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 to eliminate the possibility of legal challenges and to make the authority clear and supportable.

The Manitoba Homebuilders Association and the Winnipeg Construction Association were contacted for their comments on the implementation of the proposed program. The Winnipeg Construction Association has advised that to be eligible, homes should be older than fifteen or twenty years, not ten years as proposed. To this date, no comments have been received from the Manitoba Homebuilders Association.

The administration of the program would be accomplished through three City Departments namely, Planning, Assessment and Finance.

Any renovation eligible for a tax credit would require either a building permit to have been issued, or if a building permit is not required, there would be an option for an application for a tax credit obtained from the Planning Department with an administrative fee of $10.00. The building permit or application will have to be taken out before the renovation work commences (i.e. no retroactivity).

The five-year tax credit program will be deemed to be started at the beginning of the following year that a permit or application has been taken out. This information will be forwarded to the Assessment Department in order that the Assessment Department may confirm that the renovation has been completed and has been included in the determination of an updated assessed value when conducting an assessment of the property.

The following important points should be noted:

1. The assessed value may not change in direct relationship to the cost of the renovations.

2. The Assessment Department may take one to three years before a change in the assessed value is determined. The tax credit will only be applied once the assessment occurs (typically in the tax year following the reassessment), and only for the remaining duration of the five years following the year the permit or application was taken out (e.g. - 1994, permit taken out, - 1997, Assessment Department

confirms completion of renovation and that the assessed value includes the renovation, - 1998, tax credit appears on tax bill, - 2000 tax credit no longer on tax bill). It may be possible, if the Assessment Department happens not to physically inspect the property that the tax credit may not appear on the bill at all. This deferral of the actual tax credit is justified as the property owner is benefitting by having the renovation not included in the assessed value for that period.

(i.e. The objective of the program is not to tax the renovation for five years. This is achieved in either not including the renovation in the assessed value or when it is in the assessed value by providing a tax credit).

3. The Assessment Department will not attempt to value the renovation, but only to confirm that the renovation has been completed, and has been taken into account when determining the assessed value of the property. As part of the process of confirmation the Assessment Department may determine that the stated value of the permit does not correspond to the work completed and may rule the renovation to be ineligible which would invalidate any tax credit.

4. The value of the tax credit will not be subject to appeal as it is not assessed separately.

The Assessment Department will forward the completed information to the Tax Branch who will apply the tax credit on an annual basis for the remaining years of the five year duration since the permit or application was processed.

Although there would be additional workloads in all three departments, staffing levels and increased expenses such as forms, equipment, and advertising are difficult to project and will have to be monitored in the first few years of the program. At this time, no additional staff would be required. For costing purposes, it has been assumed that any additional expense will be offset by the increase in permit and application fees.

It is recommended that proposed criteria apply in determining applicability of credit as outlined in Exhibit "I".

There is no direct correlation between money spent on improvements and increased assessments as assessment increases are usually less than the cost of the renovation. An example as outlined in Exhibit "II" is based on a flat rate permit fee with the tax credits calculated to approximate the average or typical effect of the improvements on the tax bill.

The program costs are difficult to estimate as it is dependent on many unknown factors such as:

- popularity of the program
- economic activity
- time lapse for the Assessment Department to conduct its reassessment
- value of renovations

To provide a rough estimate, the following parameters were considered:

Approximately 130,000 properties are eligible, based on the criteria of dwellings being owner-occupied and more than fifteen years old.
2. Number of dwelling units eligible for program in any given year.
3. Time the Assessment Department takes to conduct the reassessment.
4. Average tax credit.

Administration costs for staff and equipment. It is assumed these costs will be equivalent to the revenue raised through new permits and application fees.

Various assumptions for these parameters were made to develop a range of cost estimates. The low, medium and high estimates, which costs range from $.4 million to $6.4 million annually once the program has been in operation for five years, are outlined in Tables 1, 2 and 3. These costs are offset in part by the specific benefits of the program and it can be viewed as partly funded by increased renovations added to the roll.

There are three tangible sources of benefits to the City which may partly or completely offset the costs incurred:

1. Application fees
2. Increased permit fees

Increase in property taxes after the fifth year (possibly before if the renovation added more value to the property tax roll than the credit received and the renovation was prompted by the tax relief program).

To provide an estimate of the benefits, various assumptions were made as follows:

**Report of the Executive Policy Committee dated September 29, 1993**

50% of the renovations provided a tax credit would have been constructed whether the program was introduced or not. Building permits would have been taken out for those renovations that would have been constructed anyway (i.e. 50% of total renovations).
50% of the new construction identified by the program would be eligible through the permits process, the other 50% by application.
50% of the new construction identified was prompted by the tax credit program (i.e. 25% of the total). It should be noted that the other 50% of the new construction will now be reported earlier which may provide the City with a benefit in that these renovations may be assessed and taxed sooner.
The dollar increase in assessed value as reflected in the tax credit is equal to the dollar cost of renovation.

An analysis of the financial model demonstrates (depending on the assumptions) that although the program is costly in the early years there may be a benefit achieved in the long run because of the potential additions to the tax roll. Depending on the assumptions utilized, the annual breakeven for the program occurs at the earliest in the fourteenth year (as outlined in Table I) with the total program breaking even on a cumulative basis many years later.

The proposed program will require legislative authority. If the Province gives favourable consideration to this request, amendments in the fall session of 1994 would be a reasonable expectation as the Province has advised that there will be no legislative amendments to The City of Winnipeg Act, except those already being considered and dealt with in 1993. The request should be forwarded by late summer 1993 to achieve this time-frame which would enable the program to be started in 1995.

As the actual tax credit would not appear on a tax bill until two or three years after the program is started, there was consideration of implementing the program prior to receiving the legislation. This is not recommended because the legislation may not ultimately be provided or if provided the legislation may force modification of the program in some way. As well, expectations will be set by property owners and if the program is not ultimately implemented, there would be a negative reaction. In addition, the Province may feel that it is unwarranted pressure and may respond negatively to the request for this reason.

Your Executive Policy Committee recommends that the Province of Manitoba be requested to provide legislation to allow the City to implement a tax credit for home renovations; and, that the program be reviewed three years after implementation.

Adoption of the clause.

The Speaker called the Deputy Speaker, Councillor Reese, to the Chair in order to participate in the debate,

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

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

**Local Improvement Projects - Manitoba Hydro Transmission Line Frontages**
**File SL(1993) (Vol. 2)**

**1012 -** 8. On November 26, 1990, the City advertised its intention to install a Wastewater Sewer in Sterling Lyon Parkway from a point approximately 536.8 feet north of the north line of Victor Lewis Drive to Victor Lewis Drive and in Victor Lewis Drive from Sterling Lyon Parkway to the north limit of Victor Lewis Drive and in Wilkes Avenue from the north limit of Victor Lewis Drive to the east line of the Canadian Pacific Railway La Riviere Subdivision Right-of-Way and a Land Drainage Sewer in Wilkes Avenue from a point approximately 108 feet east of the east line of Brock Street to the east line of the Canadian Pacific Railway La Riviere Subdivision Right-of-Way.

The Wastewater Sewer and the Land Drainage Sewer installation was completed in 1992 and the assessment made in 1993.

On November 29, 1990, the City received a communication from Manitoba Hydro outlining the Corporation's position in the matter, stating:

"We have reviewed the proposed improvements and we are opposed to it as it will be no benefit to our Corporation's property.

**Report of the Executive Policy Committee dated September 29, 1993**

You are therefore advised, we will not accept any local improvement charges or local improvement taxes that may be levied against our property abutting the improvement area should you decide to proceed with the proposed improvements." (as outlined in Exhibit I)

The District Engineer is of the opinion that the lands in question are occupied by a transmission line, and they are thereby unfit for building purposes, as outlined in Exhibit II.

As well, Manitoba Hydro has taken the position that the local improvements provide no direct benefit to the properties forming the transmission line route, and they, therefore, will not accept any local improvement charges levied against the Corporation property.

Sections 372 (2) and 372 (3) of The City of Winnipeg Act allows the City to reactivate for the full term of the improvement, any levy assumed by the City for exempt land when such land becomes subject to taxation.

Under section 375 of the City of Winnipeg Act, City Council can declare a property unfit for building purposes.

Your Executive Policy Committee recommends that the property listed on Appendix "A", owned by the Manitoba Hydro and used for a power transmission line right-of-way, be declared as unfit for building purposes and accordingly not be assessed for the following local improvements:

I. Wastewater Sewer in Sterling Lyon Parkway from a point approximately 536.8 feet north of the north line of Victor Lewis Drive to Victor Lewis Drive and in Victor Lewis Drive from Sterling Lyon Parkway to the north limit of Victor Lewis Drive and in Wilkes Avenue from the north limit of Victor Lewis Drive to the east line of the Canadian Pacific Railway La Riviere Subdivision Right-of-Way;

II. Land Drainage Sewer in Wilkes Avenue from a point approximately 108 feet east of the east line of Brock Street to the east line of the Canadian Pacific Railway La Riviere Subdivision Right-of-Way.

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

Adopted by consent.

(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 OCTOBER 13, 1993

On motion of Mayor Thompson, the Report of the Executive Policy Committee dated October 13, 1993, was considered clause by clause.

Moved by Mayor Thompson,

That the Consent Agenda items, Clauses 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15 and 16 be adopted.

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

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

Councillor Thomas requested that Clause 6 be pulled from the Consent Agenda.

Councillor Golden requested that Clause 8 be pulled from the Consent Agenda.

The motion to adopt the Consent Agenda, Clauses 3,4,5,7,9,10,11,12,13,14,15 and 16 was put and declared carried.

Her Worship The Mayor and Councillors:

## Municipal Election Review
## File GK-2 (Vol. 17)

1013 - 1. On January 27, 1993, Council requested the Executive Policy Committee to appoint an Ad Hoc Committee to conduct a thorough review of the municipal election process and to propose legislative amendments to both The Local Authorities Election Act and The City of Winnipeg Act.

Over the past number of years, the City has proposed several amendments to The Local Authorities Election Act (L.A.E.A.) and The City of Winnipeg Act (C.W.A.). Many of the City's proposed amendments have been supported by the Manitoba Association of Urban Municipalities (M.A.U.M.) and were included in a brief submitted on July 9, 1991 by M.A.U.M. to the Provincial Government. While amendments relating to hospital and moving polls; public inspection of nomination papers; ease of access to polling places and restrictions against political activities on voting day were adopted under Bill 19 assented to on July 26, 1991, many of the City's suggested amendments put forth previously were not included in the amending legislation.

On October 14, 1992, Council resolved that the City of Winnipeg urge the Federal and Provincial Governments to co-operate with the City in establishing a permanent voters list which can be updated on a continuous basis and can be used for all City, Provincial and Federal elections in the future.

The City's Official Delegation was subsequently requested to meet with the representatives of the Province of Manitoba to discuss the concept of a continuously updated voters list and the possibility of using the City of Winnipeg as a pilot project for the establishment of a permanent voters list.

During the October Civic Election, several concerns were raised by voters and candidates about existing election procedures and requirements under Provincial legislation governing the election of City Council.

On January 18, 1993, the Honourable Minister of Urban Affairs wrote to Her Worship Mayor Thompson and all Members of Council requesting comments on the election procedures prescribed under The City of Winnipeg Act and The Local Authorities Election Act, based on recent experience. The City was invited to submit its views on how procedures and requirements could be changed to enhance the democratic process and improve the fairness and efficiency of elections in order that legislative improvements to the electoral process could be made prior to the next civic election in 1995.

On February 10, 1993, Executive Policy Committee established an Ad Hoc Committee comprising Councillors Eadie, Angus and Duguid to conduct a review of the municipal election process and all relative legislation governing these processes including the election expenses and contributions legislation under The City of Winnipeg Act and under By-law No. 5550/90, "The Campaign Expenses and Contributions By-law".

**Report of the Executive Policy Committee dated October 13, 1993**

The Ad Hoc Committee intends to examine the issues of limitation of campaign expenses and disclosure of contributors, issues which are under Council's jurisdiction, under the provisions of its Campaign Expenses and Contributions By-law. This review will be conducted after the Provincial Government has considered the proposed amendments to the Local Authorities Election Act and The City of Winnipeg Act as requested herein.

The Ad Hoc Committee on Election Review met several times to consider proposed amendments and held a public meeting on July 15, 1993, hearing representation from six persons. Four briefs were submitted, copies of which are available in the office of the City Clerk.

The Ad Hoc Committee's recommended changes to the Local Authorities Election Act are outlined on Appendix "A". The significant amendments are as follows:

Enumeration -

In October, 1992, City Council requested that the Province examine the feasibility of developing a permanent voters list that could be utilized by the three levels of government.

- It is proposed that the requirement to enumerate by means of a house-to-house canvas be eliminated and that the concept of a continuously updated voters list be developed. It is also proposed to permit the Returning Officer to prepare the list of electors.

Qualification of Electors -

The qualifications of an elector are inconsistent between Civic (Mayor and Councillor) and School Division jurisdictions.

- It is proposed to eliminate the non-resident category for civic elections; a person owning property in the City but not residing in the City would not be eligible to receive a ballot for Mayor or Councillor.

Voters Lists on Standard Diskette -

The current legislation permits copies of the voters list to be made only by photographic or other means of mechanical reproduction.

- It is proposed that this be changed to allow utilization of available computer technologies.

Filing Nomination Papers -

- It is proposed that the nomination requirements be changed to require that Mayoralty candidates submit nomination papers signed by at least 250 electors, with a minimum of 25 qualified electors from each of 5 different wards in the City (125); the balance of qualified electors required (125), from all wards. Nominations for Councillor candidates are proposed to be signed by at least 100 qualified electors residing in the ward in which the candidate is running. It is also proposed to place the onus on candidates to ensure that the names of signatories on nomination papers appear on the official list of electors.

Hospital Polls -

- It is proposed to use special blank ballots at hospital polls to assist election officials and to allow polls to close after all eligible voters have voted in hospital polls.

Advance Polls -

The limited number of days and hours of advance polling has been the subject of criticism by electors.

- It is proposed that the provisions governing Advance Polls be made more flexible to permit an extension of the number of days and hours for the Advance Poll, similar to Provincial legislation.

Ballots and Ballot Boxes -

- It is proposed that the use of reusable disposable cardboard ballot boxes be permitted at the discretion of the Returning Officer.

- It is also proposed that the ballot form be changed to include a square or circle after the candidate's name to indicate where the "X" is to be marked.

Vote by Mail -

The deadline for vote by mail applications and requirements to "mail or deliver" the ballot are very restrictive.

**Report of the Executive Policy Committee dated October 13, 1993**

- It is proposed that the deadline for vote by mail applications be changed consistent with Provincial regulations (10 days before the election) and that the requirements for the Returning Officer to mail the ballot be eliminated in order to provide electors the option of either receiving a ballot by mail or receiving same in person.
- It is also proposed that election officials be required to designate a place for the vote by mail count and for a notice to be posted advising all candidates where the election returns will be counted.

Ballot Storage -

Considerable space is required for the storage of election material contained in ballot boxes following the election. When empty, the ballot boxes can be stacked easily for storage, resulting in less storage space and reduced costs.

- It is proposed that the one year retention of ballot papers be changed to a 3 month retention period.

Advertising -

- For consistency with Federal and Provincial jurisdictions, it is proposed that blackout provisions be considered for advertising on election day.

Cost Sharing Arrangements -

Elections are currently conducted jointly for Council and the School Divisions within the boundaries of The City of Winnipeg. While the use of public school facilities are provided by the School Divisions without charge, all other direct costs are borne by the City.

- It is proposed that provision be made for cost-sharing arrangements.

Election Results -

- It is proposed that provision be made for use of automated voting technology for counting of ballots and a more simplified election results form be developed for use by election officials.
- It is also proposed that the date and time for the official declaration of election results be extended by two days.

The Ad Hoc Committee's recommended changes to the City of Winnipeg Act are outlined on Appendix "B". The significant recommended changes to the election provisions are as follows:

Term of Office -

Council on February 13, 1991 requested that the term of office for Mayor and Councillors be changed from three to four years.

Nomination Day -

The current legislation allows three weeks between nomination day and election day, and an additional week is needed for the Returning Officer to prepare ballots and necessary forms for the vote.

- It is proposed that Nomination Day be four weeks before election day.

Campaign Period -

The current legislation permits the campaign period to commence 120 days before the election day and end on January 31 the following year.

- It is proposed to allow the campaign period to commence the 1st day of January in an election year and end on May 31 the following year. The extended period will allow candidates to have more time to raise funds and will give candidates a longer period to eliminate campaign deficits.

Property Tax Credits -

- It is proposed to permit Council, by By-law, to provide for and prescribe limits for a property tax credit to any contributor to the election campaign of a registered candidate for Mayor or Councillor.

Failure to File Nomination Papers -

The existing legislation does not provide for an appropriate process where a registered candidate does not file nomination papers, the nomination papers are rejected, or where the nomination papers are withdrawn.

- It is proposed that the following amendment be inserted in The City of Winnipeg Act:

**Report of the Executive Policy Committee dated October 13, 1993**

The campaign period with respect to a registered candidate shall be deemed to expire and an audited statement shall be immediately filed,

a) where the registration is withdrawn in writing, on the day of withdrawal;
b) where the nomination is withdrawn, on the day of the withdrawal; and
c) where a nomination paper is not filed or the nomination is rejected by the Clerk, on nomination day.

Independent Election Commission

The Ad Hoc Committee recommends the establishment of an independent commission to handle the complexities involved in all aspects of election campaign finance matters, including campaign expenses and contributions, property tax credits and any contraventions of the statutory or by-law provisions.

Filing of Audited Financial Statement -

The current legislation specifies all candidates must file an audited financial statement within 120 days after the date of the election.

- In view of the extension of the campaign period to May 31 in the year following an election, it is proposed that the statement be filed within 60 days following the expiry of the campaign period.

Your Ad Hoc Committee on Election Review recommends:

1. That the Province of Manitoba be requested to enact the proposed amendments to The Local Authorities Election Act and The City of Winnipeg Act as outlined on Appendix "A" and "B".

II. That the Ad Hoc Committee on Election Review submit a further report to Council recommending changes to By-law No. 5550/90, "The Campaign Expenses and Contributions By-law".

Your Executive Policy Committee has concurred in the report of its Ad Hoc Committee and recommends adoption of Recommendation Nos. I and II after incorporating therein an amendment outlined on Appendix "C".

Moved by Mayor Thompson,
Adoption of the clause.

In amendment,

Moved by Councillor Thomas,
Seconded by Councillor Murray,
That Clause 1 of the Report of the Executive Policy Committee dated October 13th, 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".

In amendment,

Moved by Councillor Duguid,
Seconded by Councillor Hyman,
WHEREAS The City of Winnipeg Act permits individuals, organizations, corporations and trade unions to contribute to campaigns for candidates in Civic elections;

AND WHEREAS corporations and trade unions are in themselves special interest groups that do business with the City;

AND WHEREAS numerous corporations can be owned by one individual who could contribute many times and confer a greater influence on the democratic process;

AND WHEREAS there is a need for a truly democratic system that is reflective of the society that we serve;

THEREFORE BE IT RESOLVED that The City of Winnipeg Act be amended to preclude contributions to election campaigns from corporations and unions.

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In amendment,

Moved by Councillor Prystanski,
Seconded by Councillor Silva,

WHEREAS the campaign period is currently 120 days;

AND WHEREAS the proposed legislation recommends changing the campaign period to January 1st in an election year;

AND WHEREAS the intent of the changes to the legislation is to allow for candidates a longer period of time to raise funds;

THEREFORE BE IT RESOLVED THAT the Province be requested to provide legislation allowing a by-law to be established independent of related legislation to the campaign period.

With the concurrence of Council, the Speaker referred the amendment proposed by Councillors Thomas and Murray to the Ad Hoc Committee on Election Review.

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 proposed by Councillors Prystanski and Silva was put.

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

Yea: Councillors Reese, Boychuk, Golden, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas and Angus 11

Nay: Councillors Clement, Duguid, Eadie, Fraser and Her Worship Mayor Thompson. 5

and the amendment was declared carried.

The amendment proposed by Councillors Duguid and Hyman was put.

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

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

Nay: Councillors Clement, Eadie, O'Shaughnessy, Prystanski, Silva, 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 for the adoption of the clause, as amended, was put.

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

Yea: Councillors Reese, Boychuk, Clement, Duguid, Eadie, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson and Councillor Angus. 15

Nay: Councillor Golden 1

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

(Note: See Minute No. 1029 for attachment)

Council recessed at 11:59 a.m., and reconvened at 1:34 p.m., same members present.

Councillors Fraser and Reese entered the meeting after Council had reconvened.

**Report of the Executive Policy Committee dated October 13, 1993**

**Licensing of Non-Resident Contractors**
**Files EL-1 (Vol. 27) & FL-1 (Vol. 18**

1014 - 2. On April 28, 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 Committee a 90 day extension as was requested by the Committee on Finance and Administration in which to report on the matter.

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 Eadie,
That the clause be amended to allow for an extension of 60 days rather than 90 days.

Carried.

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

**Selkirk Avenue Business Improvement Zone - Proposed Program - Zone Levy and Budget Estimates - 1994**
**File FL-7.5 (Vol. 1)**

1015 - 3. On September 25, 1991, Council adopted By-law No. 5770/91, being a By-law of the City of Winnipeg to designate a Business Improvement Zone to be known as the Selkirk Avenue Business Improvement Zone, and to establish a Management Board for the zone. By-law No. 5770/91, requires that the Business Improvement Zone prepare for the consideration of Council its proposed program, zone levy and budget estimates on or before October 31, in each year.

The Selkirk Avenue Business Improvement Zone at its Annual General Meeting held on September 27, 1993, approved the proposed annual budget and program as outlined in Exhibit "A".

Your Executive Policy Committee recommends that pursuant to By-law No. 5770/91, Council request the Lord Selkirk - West Kildonan 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.

(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 October 13, 1993**

**Osborne Village Business Improvement Zone - Proposed Program - Zone Levy and Budget Estimates - 1994**
**File FL-7.3 (Vol. 3)**

1016 - 4. On December 20, 1989, Council adopted By-law No. 5322/89 being a By-law of the City of Winnipeg to designate a Business Improvement Zone to be known as the Osborne Village Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 5322/89, requires that the Business Improvement Zone prepare for the consideration of Council its proposed program, zone levy and budget estimates.

The Osborne Village Business Improvement Zone at its Annual General Meeting held on September 29, 1993, approved the proposed annual budget and program as outlined in Exhibit "A".

Your Executive Policy Committee recommends that pursuant to By-law No. 5322/89, 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.

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

**West Broadway - South Sherbrook Business Improvement Zone - Proposed Program - Zone Levy and Budget Estimates - 1994**
**File FL-7.8 (Vol. 2)**

1017 - 5. On March 25, 1992, Council adopted By-law No. 5921/92 being a By-law of the City of Winnipeg to designate a Business Improvement Zone to be known as the West Broadway - South Sherbrook Business Improvement Zone and to establish a Management Board for the Zone. By-law No. 5921/92, requires that the Business Improvement Zone prepare for the consideration of Council its proposed program, zone levy and budget estimates.

The West Broadway - South Sherbrook Business Improvement Zone at its Annual General Meeting held on October 4, 1993, approved the proposed annual budget and program as outlined in Exhibit "A".

Your Executive Policy Committee recommends that pursuant to By-law No. 5921/92, 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.

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

**Appointment of Chairperson - Winnipeg 2000**
**File G-8 (Vol. 3)**

1018 - 6. Council at its meeting held on February 14, 1990, adopted the Report of your Executive Policy Committee of the same date which endorsed the report entitled "Winnipeg 2000 - An Economic Development Strategy for Winnipeg" and recommended that the Mayor, in consultation with the Task Force on Economic Development, be requested to recommend the membership of the Winnipeg 2000 Leaders Committee to Council for approval.

On October 13, 1993, your Committee considered a communication from Her Worship Mayor Susan Thompson which recommended Mr. Malcolm Anderson of Credit Union Central to fill the vacant position of Chairperson of Winnipeg 2000.

**Report of the Executive Policy Committee dated October 13, 1993**

Your Executive Policy Committee recommends that Mr. Malcolm Anderson, Chief Executive Officer of Credit Union Central of Manitoba be appointed as Chairperson of Winnipeg 2000.

Moved by Mayor Thompson,
Adoption of the clause.

Carried.

**Downtown Winnipeg Business Improvement Zone - Appointment to Management Board File FL-7.4 (Vol. 4)**

1019 - 7. Your Executive Policy Committee has considered a communication from the Chairperson of the Management Board, Downtown Winnipeg Business Improvement Zone, dated October 1, 1993. The communication reads in part as follows:

"I am writing to you as per Clause 13(4) and (5) of By-Law 5080/89 to seek City Council approval of the appointment of Mr. Bryan Boldt as a member of the Management Board of the Downtown Winnipeg Business Improvement Zone (BIZ) for a term expiring December 31, 1994.

At the August 31, 1993 meeting of the Downtown Winnipeg BIZ's Executive Committee the resignation of Mr. Al Hamm, as a member, was accepted.

At the September 16, 1993 meeting of the Downtown Winnipeg BIZ's Management Board it was agreed that Mr. Bryan Boldt, General Manger, Oxford Development, would be approached to consider a position on the Board. Mr. Boldt has kindly agreed to serve out the remainder of Mr. Hamm's term on the Board, expiring December 31, 1994."

Your Executive Policy Committee recommends that Bryan Boldt be appointed as a member of the Management Board for the Downtown Winnipeg Business Improvement Zone for a term expiring December 31, 1994.

Adopted by consent.

**Parking Fine Rates File ST-9 (Vol. 4)**

1020 - 8. On September 10, 1993, your Executive Policy Committee considered a report dated September 2, 1993, from the Chief Commissioner, relative to the above referenced issue. The matter was referred to the Committee on Protection, Parks and Culture for review and comment back.

The current fines and reduced payment options as outlined in Appendix "A" have been in effect since August 1, 1987. Since that time the cost to enforce the Highway Traffic Act sections and City by-laws pertaining to parking violations has increased approximately 28%.

On October 4, 1993, the Committee on Protection, Parks and Culture reviewed the current fine structure and the four alternatives as outlined in Appendix "A", and recommended that Alternative 4 be amended and that effective January 1, 1994, the following be approved as the new fine structure for parking payment rates:

| Max. 31 days | 60 | 65 | 70 |
|---|---|---|---|
| Day 1 - 15 | 15 | 20 | 25 |
| Day 16 - 30 | 30 | 35 | 40 |

The existing fine structure is a 4-tier system consisting of three maximum fine amounts and three early option payments for each fine. Approximately 79% of all tickets issued are paid at the lowest payment option (Option A). Seven (7) percent, two (2) percent and twelve (12) percent are paid at Options B, C and full fine respectively. Experience has demonstrated that the variety of payment options does confuse citizens. This results in administrative costs to process incorrect payments.

**Report of the Executive Policy Committee dated October 13, 1993**

The existing maximum fines of $50.00, $55.00 and $60.00 are the highest of any Canadian municipality as outlined in Appendix "B". Although the number of outstanding payments has declined from 15% in 1988 to 7.5% in 1993, the dollar value is disproportionately high because the outstanding payments are recorded at the highest fine amounts.

In contrast to increased enforcement expenses the actual revenue has decreased due to:

1. Reduction of metered parking spaces. Projects such as the North Portage Development have eliminated on street parking spaces.

2. Increase use of off street parking. Private parking rates are competitive with meter rates.

3. Parking fine violation issued by Police personnel have decreased due to an increase in demand for high priority police services.

4. Increase in compliance by motorists.

Details of the number of tags issued and revenue received from 1989 to 1992 inclusive are outlined in Appendix "C".

Your Executive Policy Committee has concurred in the recommendation of the Committee on Protection, Parks and Culture and recommends:

I. A new fine structure for parking fine payment rates be approved effective January 1, 1994, as follows:

| Max. 31 days | 60 | 65 | 70 |
|---|---|---|---|
| Day 1 - 15 | 15 | 20 | 25 |
| Day 16 - 30 | 30 | 35 | 40 |

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

Moved by Mayor Thompson,
Adoption of the clause.

Carried.

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

**Fire Department Emergency Medical Response to Headingley**
**File GF-1 (Vol. 13)**

1021 - 9. The Rural Municipality of Headingley Election Transitional Arrangements Regulation No. 100/92, passed by the Province of Manitoba, provides that The City of Winnipeg continue to provide emergency services until notice is received from the Council of the R.M. of Headingley specifying that the service(s) are no longer required, supplying date(s) and said service(s) to cease, or on December 31, 1993, whichever occurs earlier.

The R.M. of Headingley advised that it will activate its Fire Department effective September 15, 1993, and will no longer require fire protection services. Headingley also advised that after that date, they wish to maintain Fire Department first responder service at least until the end of 1993.

The following study was conducted as to the stand-by and user fees to be charged to the R. M. of Headingley for continuing the Fire Department's first responder (emergency medical) service.

Stand-by Fees

As with the Ambulance Department, a stand-by fee is charged to the municipality to maintain the service. The established ambulance stand-by rate is $6.00 per capita. The City also receives a $2.20 per capita Provincial ambulance grant. The rate is calculated on the basis of the deficit portion of the ambulance budget divided by the population of Winnipeg. It is then multiplied by the population of the rural municipality to establish the yearly stand-by fee.

**Report of the Executive Policy Committee dated October 13, 1993**

This formula was used in determining an appropriate per capita fee for Fire Department first responder services, based on the following assumptions:

-the current (1993) budget figures would be used;
-the Hydrant Rental portion of the budget would not be used in the calculation of a per capita fee, since it could be argued that hydrants relate to fire protection only;
-the populations of Winnipeg and Headingley have been established at 615,000 and 1603 respectively;
-since only a portion of Fire Department response to emergency incidents relate to emergency medical response, statistics were studied to determine the correct proportion of calls:

1992 total alarms: 21,789
1992 first responder calls 5,665 or 26%

Based on the above, the following is the recommended per capita rate for Fire Department emergency medical response:

26% of the Fire Department's 1993 budget (minus Hydrant Rental): $51,728,111
$51,728,111 x 26% = $13,449,309
$13,449,309 divided by 615,000 (population of Winnipeg) = $21.87 per capita for emergency medical response.
$21.87 x 1603 (population of Headingley) is $35,057.61 annual per capita rate for the R. M. of Headingley.

Fee-for-Service Charge

The Fire Department intends to maintain its normal fee-for-service charge of $880.00 per hour or portion thereof for a rescue or pumper. The figures remain the same based on the following; apparatus, including its personnel which are not available to respond to the citizens of Winnipeg while in attendance at first responder calls outside the City limits; and, the Department cannot reduce the staff complement on its apparatus.

On October 4, 1993, the Committee on Protection, Parks and Culture approved the above recommended rates.

Alternative recommendations in establishing a per capita rate are outlined in Appendix "A".

Your Executive Policy Committee recommends:

I. That a standby rate of $21.87 per capita be established for the provision of Fire Department emergency medical response to the R.M. of Headingley for the year 1993.

II. That the fee-for-service rates of $880.00 per hour (or portion thereof) for each pumper or rescue providing an emergency response service to Headingley remain unchanged.

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

Adopted by consent.

**Report of the Executive Policy Committee dated October 13, 1993**

**Further Contracting of Ambulance Services by the R. M. of Headingley**
**File GF-3 (Vol. 22)**

**1022 -** 10. Legislation relating to the secession of Headingley from the City of Winnipeg dictates that the City must provide emergency services up to the end of 1993, or until the Municipality indicates that these services are no longer required. The present agreement to provide ambulance services will expire on December 31, 1993.

In a letter dated June 3, 1993 a representative for the Municipality requested that the current ambulance agreement between the City and the Municipality be extended for 1994. The letter also indicates that they would be interested in a longer term agreement if a mutually agreeable arrangement could be worked out.

The Ambulance Department currently services two municipal contracts, the R.M. of Ritchot and the R.M. of Headingley, as well as two other service agreements. Provisions within the Headingley contract requires the Municipality to pay the City a $6.00 per capita fee, plus the full Provincial Ambulance Grant, and also underwrite all bad debts for user fees incurred by a resident of that Municipality. Normal call volume generated from these service agreements indicates that coverage can be provided without having an adverse effect on the department's ability to ensure acceptable coverage within City limits.

Contract provisions also include full cost recovery in the event that a lengthy standby situation occurred in this Municipality (ie. a disaster situation etc.)

It is anticipated that the R.M. of Headingley will generate approximately twelve (12) emergency responses annually. Therefore, it is not foreseen that an extension of their current contract would create an adverse impact on the department's ability to continue to service this Municipality's ambulance service needs.

A provision would be written into the agreement that either party could withdraw from this arrangement with 90 day notice. This will ensure that a review of the contract is conducted if the conditions warrant. The anticipated value of this proposed agreement would be approximately $14,000.00.

Your Executive Policy Committee recommends:

I. That the City of Winnipeg enters into a self renewing contract with the Rural Municipality of Headingley to provide ambulance services.

II. That the Proper Officers of the City do all things necessary to implement the foregoing, including the execution of the necessary documents.

Adopted by consent.

**Amendments to the City of Winnipeg Traffic By-law, Streets By-law and Private Approaches By-law**
**Files ST-5.2 (Vol. 19), ST-5.3 (Vol. 5) and SC-1.1 (Vol. 5)**

**1023 -** 11. On January 22, 1992, Council adopted a policy on fees and charges levied by The City of Winnipeg, namely:

"1. That all fees and charges for The City of Winnipeg be reviewed at least once every three years.

2. That said fees and charges increase automatically, annually, by the rate of inflation, unless a review indicates otherwise."

The current and the proposed rates for fees and charges levied in accordance with the subject by-laws are outlined on Table "A".

On October 5, 1993, the Committee on Works and Operations approved Schedules "A", "B" and "C", and the

**Report of the Executive Policy Committee dated October 13, 1993**

subsequent recommendations.

Your Executive Policy Committee recommends:

I. The City of Winnipeg Traffic By-law No. 1573/77; Streets By-law No. 1481/77; and Private Approaches By-law No. 329/73 be amended as shown on Schedules A, B and C, respectively effective January 1, 1994; and

II. The Acting City Solicitor be requested to draft the necessary amending by-laws in accordance with the foregoing for direct submission to Council for approval.

Adopted by consent.

(Note: See Minute No. 1030 for attachment)

**Appointment of Civic Administration Member on the Winnipeg Safe City Committee File GF-2.7 (Vol. 5)**

**1024 -** 12. On July 21, 1993, Council considered Clause 3 of the Report of the Executive Policy Committee, dated July 14, 1993, regarding the appointment of Mr. Mike Hinks, Civic Buildings Department as a Civic Administration Member to The City of Winnipeg Safe City Committee and referred same back to Executive Policy Committee.

On September 10, 1993, Executive Policy Committee referred the matter to The Board of Commissioners.

Clause 3 advised that Mr. Duane Shuttleworth, Civic Buildings Department, had purportedly resigned from the Committee, creating a vacancy. Mr. Shuttleworth intends to remain as a member of the Committee and, therefore, Clause 3 should now be filed.

Your Executive Policy Committee therefore recommends that Clause 3 of the Report of the Executive Policy Committee, dated July 14, 1993 be filed.

Adopted by consent.

**Amendments to Plan Winnipeg plus a new Secondary Plan and Zoning Amendments regarding an Airport Vicinity Protection Area File EP-1.1 (Vol. 10)**

**1025 -** 13. Under new sections 576 (3) and 589 (2.1) of The City of Winnipeg Act, Council must amend Plan Winnipeg to include an Airport Vicinity Protection Area and enact zoning amendments to ensure "compatibility" with airport operation. To do so the City must conduct public hearings to consider Plan Winnipeg and zoning amendments plus the establishment of a Secondary Plan.

Section 641 of the Act authorizes combining two or more hearings into one which may be heard by any committee designated by Council. However it does not allow a combined hearing on a new Plan Winnipeg or Secondary Plan, as opposed to an amendment.

Accordingly two hearings will be required but the hearing on the new Secondary Plan can immediately follow the hearing on the Plan Winnipeg and zoning amendments.

The present Development Procedures By-law does not specifically deal with hearing(s) on Plan and zoning amendments plus a new Secondary Plan. It allows Council to refer the Secondary Plan hearing to the Executive Policy Committee but would require that a Community Committee conduct the hearing on zoning amendments.

Presumably Council will want the option of referring all three matters to the Executive Policy Committee to conduct the two hearings.

**Report of the Executive Policy Committee dated October 13, 1993**

It is recommended that the following draft amendments to The Development Procedures By-law be enacted by Council to:

1. Include for ease of reference the direction in the Act that Executive Policy Committee conduct Plan Winnipeg hearings, unless in the case of a combined hearing Council directs otherwise (for example a subdivision involving a minor Plan Winnipeg policy area boundary adjustment).

2. Provide that a combined hearing including a Plan Winnipeg amendment be heard by the Executive Policy Committee unless Council directs otherwise.

3. Break down and re-organize section 6 as so amended for easier reading.

Proposed Amendments

1. A new heading is substituted for section 4 and a new sub-section 4 (3) added as follows:

"Public hearing on Plan Winnipeg amending by-law and on zoning or subdivision applications

4. (3) Subject to section 6 (combined hearings) a public hearing to consider a Plan Winnipeg By-law shall be held by the Executive Policy Committee." (City of Winnipeg Act - Section 579(3), Section 641)

2. Section 6 is deleted and the following new section 6 is substituted:

"Combined hearing on by-laws or by-law(s) plus a variance and/or conditional use

6. (1) Subject to subsections (2) and (3) where a proposed development requires public hearings on two or more of an amendment to Plan Winnipeg, an amendment to a Secondary Plan, an amendment to a zoning by-law, approval or amendment of a plan of subdivision, a variance order or a conditional use order the required public hearings shall be combined and shall be held by the committee set by or designated under sections 4 and 5.

(2) Where an amendment to Plan Winnipeg is included in a combined hearing it shall be held by the Executive Policy Committee unless Council directs that it be held by some other committee of Council.

(3) Where an application for a conditional use order or variance order or both is included in the combined hearing:

(a) the Committee on Planning and Community Services, which must hear any appeal, shall not be the hearing committee, and

(b) the hearing committee shall make the order or orders in accordance with this by-law and The City of Winnipeg Act, and any appeals(s) against the order(s) shall be heard and decided by the Committee on Planning and Community Services."

Your Executive Policy Committee recommends:

I. That Section 6 of the Development Procedures By-law be amended to give Council the option of designating the Executive Policy Committee as the hearing committee in respect of any combined public hearing which includes a Plan Winnipeg amendment.

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

Adopted by consent.

**Report of the Executive Policy Committee dated October 13, 1993**

**Acceptance of Legal Services**
**File GL-5.6 (Vol. 5)**

1026 - 14. On October 13, 1993, your Executive Policy Committee considered a report dated October 1, 1993 from the Chief Commissioner with respect to acceptance of legal services.

As statutory officers, the City Clerk and the Deputy City Clerk must accept legal service documents on behalf of the City of Winnipeg. However, a problem arises when neither are available to receive such documents.

In order to deal with this problem, a request was made to the Acting City Solicitor to study the possibility of the City Clerk having the administrative authority to appoint an Acting Deputy City Clerk. The Acting City Solicitor has since submitted a draft by-law to provide for the execution of acknowledgement of service of documents by senior personnel of the City Clerk's Department.

Until its deletion with the passing of Bill 32, Subsection 60(3) of The City of Winnipeg Act empowered Council to appoint an Acting Deputy City Clerk. The City Clerk then appointed this position on a rotational basis. In the absence of both the City Clerk and the Deputy City Clerk, the Acting Deputy City Clerk could accept legal services. The position of Acting Deputy City Clerk was eliminated pursuant to these changes to The City of Winnipeg Act.

A study of various Canadian cities has shown that any staff member of the City Clerk's Department of cities such as Vancouver, Edmonton, Calgary and Saskatoon, can accept legal services. In many instances, documents are simply left with the receptionist. In the cities of Edmonton and Toronto, documents may also be served on the City Solicitor, and in Ottawa, only the Legal Department may accept services. In the City of Regina, a by-law empowers the City Clerk to appoint a designate in his/her absence.

Between January 1 and September 30, 1993, the City Clerk's Department accepted 206 legal services. In some instances, delivery personnel were requested to wait or return at a later time, in the absence of the City Clerk and Deputy City Clerk.

A by-law to provide for the execution of acknowledgement of service of documents by senior personnel of the City Clerk's Department would ensure that a staff member would be available at all times.

Your Executive Policy Committee concurs in the above and submits draft by-law for the approval of Council.

Adopted by consent.

**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**

1027 - 15. On July 21, 1993, Council granted your Committee a further 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 90 days to allow further consideration of this matter.

Adopted by consent.

**Report of the Executive Policy Committee dated October 13, 1993**

**Appointment of Council Representative to the Association des Municipalites Bilingues du Manitoba**

**File GC-5 (Vol. 7)**

1028 - 16. Your Executive Policy Committee at its meeting held on October 13, 1993, heard Councillor Reese in delegation with regard to the above item.

It was advised that at its last general annual meeting, on June 14, 1993, the Association des Municipalites Bilingues du Manitoba adopted its By-laws. The Board of the Association is now composed of a representative from each member municipal council.

Your Executive Policy Committee recommends that Councillor Reese, St. Boniface Ward, be appointed as the City of Winnipeg Council representative to the Association des Municipalites Bilingues du Manitoba.

Adopted by consent.

1029 - 1993 Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13,

Appendix "A"

**ELECTION PROCESS REVIEW - 1993**
**ISSUE SYNOPSIS**

| LOCAL AUTHORITIES ELECTION ACT | | | |
|---|---|---|---|
| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
| ENUMERATION | SEC. 10(1); 11(11); 11(15) OF THE L.A.E.A REGULATE THE PREPARATION OF THE LIST OF ELECTORS IN URBAN SETTINGS. HOUSE-TO-HOUSE CANVASSING IS A KEY FACTOR. | ELIMINATE REQUIREMENT TO ENUMERATE AND PERMIT USE OF CANADIAN ELECTOR DATABASE (PERMANENT VOTERS LIST); EXTEND REVISION PROCESS; PRESERVE VOTING DAY REGISTRATION (AFFIDAVIT OF ELECTOR, FORM 13)<br><br>PROVIDE LIST OF ELECTORS TO CANDIDATES MUCH EARLIER. CANDIDATES REGISTER 120 DAYS BEFORE THE ELECTION, YET DON'T RECEIVE A COPY OF THE LIST OF ELECTORS UNTIL FILING NOMINATIONS (PROVIDE CANDIDATES WITH PRELIMINARY LIST IN ADDITION TO REVISED LIST.)<br><br>PERMIT RETURNING OFFICER TO PREPARE LIST OF ELECTORS | THE CURRENT ENUMERATION PROCESS HAS SHORTCOMINGS: IS COSTLY AND LABOUR-INTENSIVE.<br><br>WITH APPROPRIATE CO-OPERATION AND TECHNICAL MODIFICATIONS, CONTINUALLY UPDATED LISTS CAN BE USED BY OTHER LEVELS OF GOVERNMENT ON A COST-SHARING BASIS. THE EXPENSE OF ENUMERATION AND DUPLICATION OF EFFORT COULD BE ELIMINATED. |
| | SEC. 10(5) OF THE L.A.E.A. PROHIBITS THE RETURNING OFFICER FROM ACTING AS THE ENUMERATOR OF THE AUTHORITY | | |

Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

Appendix "A"

LOCAL AUTHORITIES ELECTION ACT

| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
|---|---|---|---|
| QUALIFICATION OF ELECTORS | SEC. 5(1) OF THE L.A.E.A. - AN ELECTOR MUST HAVE 6 MONTHS RESIDENCY IN THE CITY OF WINNIPEG ON ELECTION DAY OR HAVE PURCHASED PROPERTY IN THE CITY OF WINNIPEG TO BE ELIGIBLE TO RECEIVE A BALLOT FOR MAYOR AND COUNCILLOR. AN ELECTOR MUST HAVE 6 MONTHS RESIDENCY IN THE SCHOOL DIVISION TO RECEIVE A SCHOOL TRUSTEE BALLOT. | MAKE CONSISTENT THE QUALIFICATIONS OF AN ELECTOR.<br><br>ELIMINATE NON-RESIDENT ELECTOR CATEGORY. ALL ELECTORS ON VOTING DAY MUST BE RESIDENTS OF THE MUNICIPALITY. (IF LIST OF ELECTORS IS PREPARED BY ENUMERATOR, SEPARATE THE LIST INTO TWO LISTS, I.E. MAYOR AND COUNCILLORS SEPARATE FROM SCHOOL DIVISIONS) | ELIMINATES INCONSISTENCY BETWEEN CIVIC AND SCHOOL DIVISION JURISDICTIONS OF QUALIFICATIONS OF AN ELECTOR.<br><br>CURRENTLY A PERSON OWNING PROPERTY WITHIN THE CITY WHO DOES NOT LIVE IN THE CITY, MAY VOTE FOR THE MAYOR AND COUNCILLOR. THE SAME PROPERTY OWNER, HOWEVER, IS NOT PERMITTED TO VOTE FOR SCHOOL TRUSTEE EVEN THOUGH A PORTION OF THEIR TAXES ARE PAID TO THE SCHOOL DIVISION. PROBLEMS DO OCCUR FOR ELECTION WORKERS WHEN THEY ARE REQUIRED TO TREAT ONE VOTER DIFFERENT FROM OTHERS BY NOT ISSUING SCHOOL TRUSTEE BALLOTS BECAUSE THE VOTER OWNS PROPERTY BUT DOES NOT RESIDE IN THE CITY. IT LEAVES THE DOOR OPEN TO ISSUING A SCHOOL TRUSTEE BALLOT WHEN ONE SHOULDN'T BE ISSUED. AN AMENDMENT WOULD ELIMINATE THIS POSSIBILITY AND TREAT ALL VOTERS THE SAME |
| PRINTED LIST OF ELECTORS | SEC. 14(1) AND 17(2) OF THE L.A.E.A. REQUIRES THE ENUMERATOR TO SUBMIT THE LIST OF ELECTORS ON WHITE PAPER AND PERMITS THE LIST TO BE REPRODUCED ONLY BY PHOTOGRAPHIC OR OTHER MEANS OF MECHANICAL REPRODUCTION. | COPY OF THE VOTERS LIST FILE SHOULD BE MADE AVAILABLE ON DISKETTE FOR USE ON PERSONAL COMPUTER (PC). | PROVIDES UP-TO-DATE INFORMATION UTILIZING AVAILABLE TECHNOLOGY. COSTS OF PROVIDING DISKETTE CAN BE CHARGED TO CANDIDATE |

Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

Appendix "A"

| LOCAL AUTHORITIES ELECTION ACT | | | |
|---|---|---|---|
| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
| OATH OF OFFICE/DECLARATION OF SECRECY | SEC. 10(B); 11(4); 20(2); 66(1); 68(2); 70(2) AND 77(2) OF L.A.E.A. REFER TO OATH OF OFFICE AND DECLARATION OF SECRECY (PRESCRIBED FORM NOS. 1 & 12) | ALLOW FOR FORMS TO BE COMBINED INTO ONE FOR ELECTION WORKERS. | ELIMINATES DUPLICATION OF WORK, SAVES TIME AND PAPER, CONSISTENT WITH PROVINCIAL LEGISLATION. |
| MAKING OF NOMINATIONS | SEC. 46(1) OF THE L.A.E.A REQUIRES THAT NOMINATIONS BE MADE IN WRITING AND SIGNED BY AT LEAST 25 ELECTORS.<br><br>SEC. 46(3) DECLARATION OF CANDIDATE | NOMINATIONS FOR MAYORALTY CANDIDATES BE MADE IN WRITING AND BE SIGNED BY AT LEAST 250 ELECTORS, WITH A MINIMUM OF 25 QUALIFIED ELECTORS FROM 5 DIFFERENT WARDS IN THE CITY.<br><br>NOMINATIONS FOR COUNCILLOR CANDIDATES BE MADE IN WRITING AND BE SIGNED BY AT LEAST 100 QUALIFIED ELECTORS.<br><br>PUT ONUS ON CANDIDATE TO ENSURE THAT THE NAMES OF SIGNATORS ON THE NOMINATION PAPERS APPEAR ON THE OFFICIAL LIST OF ELECTORS. | PROVIDES FOR GREATER ACCOUNTABILITY FOR CANDIDATES. |

Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

Appendix "A"

LOCAL AUTHORITIES ELECTION ACT

| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
|---|---|---|---|
| HOSPITAL POLLS | SEC. 56.1(1) AND 56.1(2) OF THE L.A.E.A. PROVIDES FOR HOSPITAL POLLS | PROVIDE FOR THE USE OF SPECIAL BLANK BALLOTS AT HOSPITAL POLLS.<br><br>PROVIDE DEFINITION OF "SPECIAL HOSPITAL POLL" IN ORDER TO PERMIT THE MOVING OF POLLING PLACE WITHIN THE HOSPITAL<br><br>REDUCE NUMBER OF HOURS DURING WHICH HOSPITAL "SPECIAL" POLLS MUST REMAIN OPEN. (POLLS SHOULD BE ALLOWED TO CLOSE AFTER ALL ELIGIBLE VOTERS HAVE CAST THEIR BALLOTS INSTEAD OF LEAVING THEM OPEN FOR UNNECESSARILY LONG PERIODS OF TIME.) | ELIMINATES THE REQUIREMENT FOR ELECTION OFFICIALS TO PROVIDE EVERY BALLOT FOR COUNCILLOR AND SCHOOL TRUSTEE IN HOSPITAL POLLS. REDUCES UNNECESSARY COSTS AND ASSISTS ELECTION OFFICIALS<br><br>THIS FLEXIBILITY WOULD ALLOW BETTER USE OF ELECTION OFFICIALS AND REDUCE COSTS OF RUNNING AN ELECTION |
| ADVANCE POLLING | SEC. 57(2) OF THE L.A.E.A. PROVIDES THAT ADVANCE POLLING TAKES PLACE DURING THE LAST 3 DAYS, NONE OF WHICH IS A HOLIDAY, IMMEDIATELY PRIOR TO THE DAY IMMEDIATELY PRECEDING THE DAY OF THE ELECTION, (FRIDAY, SATURDAY AND MONDAY) DURING THE HOURS OF 5:00 P.M. TO 9:00 P.M. SEC. 57(3) PROVIDES THAT THE MUNICIPALITY MAY BY BY-LAW REDUCE THE NUMBER OF ADVANCE POLLING DAYS FROM THREE TO TWO OR ONE. | EXTEND THE NUMBER OF DAYS AND HOURS OF ADVANCE POLLING. ADVANCE POLLING SHOULD BE EARLY ENOUGH TO PERMIT THE RETURNING OFFICER TO PROVIDE ALL DRO'S WITH A LIST OF THOSE WHO VOTED AT THE ADVANCE POLL. | PROVISIONS GOVERNING ADVANCE POLLS SHOULD BE MADE MORE FLEXIBLE.<br>FOR MAXIMUM CONVENIENCE, ADVANCE POLLS SHOULD BE MORE BROADLY AVAILABLE.<br><br>ELIMINATES AN ELECTOR BEING ABLE TO VOTE AT AN ADVANCE POLL AS WELL AS ON THE DAY OF THE ELECTION AND WOULD BE CONSISTENT WITH PROVINCIAL REGULATIONS. |
| BALLOT BOXES | SEC. 62(2) OF THE L.A.E.A. REQUIRES THAT THE BALLOT BOXES BE MADE OF SOME "DURABLE" MATERIAL. | COULD BE MADE TO READ THE SAME AS PROVINCIAL ELECTIONS ACT SEC. 74(2), ALLOWING THE USE OF REUSABLE DISPOSABLE CARDBOARD BALLOT BOXES. | PROVIDES FOR FLEXIBILITY AND ELIMINATES STORAGE PROBLEMS<br>REUSABLE BOXES COULD BE FLATTENED FOR EASIER STORAGE. |

Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

Appendix "A"

| LOCAL AUTHORITIES ELECTION ACT | | | |
|---|---|---|---|
| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
| BALLOTS | SEC. 63(1) THROUGH (7) OF THE L.A.E.A. AND SEC. 89.1 OF THE CITY OF WINNIPEG ACT PRESCRIBE THE FORM AND CONTENT OF BALLOTS (FORM 21). | CHANGE BALLOT FORM TO INCLUDE A SQUARE OR CIRCLE TO BE PLACED ALONGSIDE EACH CANDIDATE'S NAME. | PROVIDES BETTER DIRECTION TO THE ELECTOR IN THE MARKING OF THE BALLOT |
| VOTE BY MAIL | SEC. 95(3) SETS THE DEADLINE FOR RECEIPT OF WRITTEN APPLICATIONS TO VOTE BY MAIL AT SEVEN (7) DAYS BEFORE ELECTION DAY. SEC. 95(4) REQUIRES THE RETURNING OFFICER TO MAIL OR DELIVER THE BALLOT NOT LATER THAN FOUR (4) DAYS BEFORE ELECTION DAY. | CHANGE DEADLINES SO THAT APPLICATIONS ARE RECEIVED 10 DAYS BEFORE THE ELECTION AND THE RETURNING OFFICER'S REQUIREMENT TO DELIVER THE BALLOT IS NOT LATER THAN 5 DAYS BEFORE THE ELECTION. ELIMINATE REQUIREMENT FOR BALLOT TO BE MAILED OR DELIVERED. (ELECTOR SHOULD BE ABLE TO PICK UP BALLOT IF DESIRED). | CONSISTENT WITH PROVINCIAL REGULATIONS. |
| COUNTING OF VOTES (MAIL IN BALLOTS) | SEC. 95(9) STIPULATES THE PROCEDURE FOR COUNTING THE MAILED BALLOTS. | PROCEDURES SHOULD REQUIRE THE RETURNING OFFICER TO DESIGNATE A PLACE FOR THE COUNTING OF MAILED-IN BALLOTS AND POST A NOTICE TO ADVISE ALL CANDIDATES (SIMILAR TO "PROCEEDINGS AT CLOSE OF POLLS" FOR ADVANCE POLLS UNDER SEC. 57(10)). | ALLOWS ALL CANDIDATES TO MAKE ARRANGEMENTS FOR SCRUTINEERS TO OBSERVE; MAKE CONSISTENT WITH PROVISIONS REGARDING THE COUNTING OF ADVANCE POLL BALLOTS. |

Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

Appendix "A"

LOCAL AUTHORITIES ELECTION ACT

| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
|---|---|---|---|
| DISPOSAL OF BALLOT BOX | SEC. 99(1)(2) & (3) OF THE L.A.E.A. REQUIRE THAT THE DEPUTY RETURNING OFFICERS MUST SUBMIT TO THE RETURNING OFFICER, NOT ONLY THE STATEMENT OF THE POLL (FORM 16), THE BALLOT BOX AND KEY, BUT ALSO THE POLL BOOK. SEC. 101(7) OF THE L.A.E.A. PROVIDES FOR INSPECTION OF THE POLL BOOKS AT ANY TIME BEFORE 5:00 P.M. ON THE DAY FOLLOWING THE ELECTION. SEC. 99 REQUIRES THAT THE POLL BOOKS REMAIN OUTSIDE THE BALLOT BOXES AND AS A RESULT CANNOT BE INSERTED PRIOR TO 5:00 P.M. THE NEXT DAY. | ELIMINATE THE REQUIREMENT THAT POLL BOOKS REMAIN OUTSIDE THE BALLOT BOX. LOCKING THE POLL BOOK IN THE BOX WILL NOT ADVERSELY AFFECT REQUIREMENT RE "INSPECTION". A REQUEST FOR INSPECTION OF A POLL BOOK IS HANDLED BY RETRIEVING THE BALLOT BOX, AS REQUIRED. | RE-INSERTING THE POLL BOOKS IN OVER 1500 BALLOT BOXES AFTER 5:00 P.M. THE DAY FOLLOWING THE ELECTION IS TIME CONSUMING. |
| DISPOSITION OF BALLOT PAPERS | SEC. 112 OF THE L.A.E.A. REQUIRES RETENTION OF THE BALLOT PAPERS FOR ONE YEAR. | CHANGE TO A 3 MONTH RETENTION, EXCEPT IN INSTANCES WHERE THERE IS A RECOUNT FILED UNDER SEC. 102(1). | ELIMINATE STORAGE PROBLEMS RE BALLOT BOXES. |
| HIRING OF CONVEYANCE FOR ELECTORS | SEC. 134(1) OF THE L.A.E.A. STIPULATES OFFENCE FOR PROVIDING OR FURNISHING A CONVEYANCE. | REVIEW APPLICABILITY OF THIS PROVISION | |
| ADVERTISING | THERE ARE NO PROVISIONS REGULATING ELECTION ADVERTISING. | CONSIDER BLACKOUT PROVISIONS FOR ADVERTISING ON ELECTION DAY (BROADCASTING OR NEWSPAPER PUBLICATIONS) | CONSISTENCY WITH FEDERAL AND PROVINCIAL JURISDICTIONS |
| DONATIONS AND CONTRIBUTIONS | SEC. 131 & 132 OF THE L.A.E.A. REGULATES THE MAKING OF DONATIONS, SUBSCRIPTIONS AND CONTRIBUTIONS | REVIEW TO ASCERTAIN WHETHER OR NOT THERE ARE ANY CONFLICTS WITH CITY OF WINNIPEG ACT REQUIREMENTS REGARDING EXPENSE AND CONTRIBUTIONS | |

Appendix "A" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

**Appendix "A"**

**LOCAL AUTHORITIES ELECTION ACT**

| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
|---|---|---|---|
| COST SHARING OF ELECTIONS | ELECTIONS FOR SCHOOL TRUSTEES ARE HELD ON THE SAME DAY AS ELECTIONS FOR MEMBERS OF COUNCIL (SEC. 25(2) OF THE PUBLIC SCHOOLS ACT). THE CITY PRESENTLY CONDUCTS ELECTIONS FOR THE 10 SCHOOL DIVISIONS WITHIN THE CITY'S BOUNDARIES. (SCHOOL FACILITIES ARE PROVIDED FREE OF CHARGE FOR USE AS POLLING PLACES ON ELECTION DAY.) | PROVIDE FOR COST-SHARING ARRANGEMENTS. | CITY ELECTIONS ARE CURRENTLY CONDUCTED JOINTLY FOR MAYOR AND COUNCILLORS AND SCHOOL TRUSTEES. ALL DIRECT COSTS ARE BORNE BY THE CITY. WHILE THE USE OF PUBLIC SCHOOL FACILITIES ARE PROVIDED WITHOUT CHARGE, ALL OTHER COSTS ARE PAID BY THE CITY. |
| COUNTING OF BALLOTS | SEC. 97(1) OF THE L.A.E.A. REQUIRES THE DRO TO COUNT THE BALLOTS. | PERMIT USE OF AUTOMATED TECHNOLOGY (PERMIT MUNICIPALITY, BY BY-LAW, TO CONDUCT ANY MUNICIPAL ELECTION USING AN AUTOMATED VOTING SYSTEM). | PROVIDE FOR MORE EXPEDIENT ELECTION RESULTS. OPTICAL SCANNING VOTE TABULATORS ARE IN USE IN SEVERAL OTHER JURISDICTIONS. |
| STATEMENT OF POLL AFTER COUNT BY D.R.O. (FORM 16) | SEC. 97(11) OF THE L.A.E.A. REQUIRES THE D.R.O. TO COMPLETE FORM 16, SHOWING THE NUMBER OF VOTES GIVEN FOR EACH CANDIDATE AND OTHER PARTICULARS AS INDICATED ON THE FORM. | SIMPLIFY THE REPORTING REQUIREMENTS ON THE STATEMENT OF POLL (FORM 16). | MORE SIMPLIFIED FORM WILL BE MORE EFFICIENT AND TIME SAVING FOR ELECTION OFFICIALS. |
| AFFIDAVIT OR AFFIRMATION OF ELECTOR (FORM 13) | | DELETE REFERENCE TO CLAUSE (e) OR (f) IN ITEM NO. 2. THIS SECTION OF THE L.A.E.A. WAS REPEALED UNDER BILL 18 ASSENTED TO SEPTEMBER 10, 1986. | CORRECT PRINTING ERROR. |
| RETURNING OFFICER TO CAST UP VOTES AND DECLARE WHO IS ELECTED | SEC. 101(1) OF THE L.A.E.A.REQUIRES THE RETURNING OFFICER TO POST THE OFFICIAL ELECTION RESULTS AT NOON THE DAY FOLLOWING THE ELECTION | EXTEND TIME TO NOON THE FRIDAY FOLLOWING THE VOTE | PROVIDES MORE TIME FOR VERIFICATION OF ELECTION RESULTS |
| PUBLICATION OF FALSE STATEMENT | SEC. 140 PROVIDES PENALTY FOR PUBLICATION OF FALSE STATEMENT | | CORRECT TYPOGRAPHICAL ERROR (WORD "AVOIDED") |

Appendix "B"

## ELECTION PROCESS REVIEW - 1993
## ISSUE SYNOPSIS

| THE CITY OF WINNIPEG ACT | | | |
|---|---|---|---|
| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
| TERM OF OFFICE | SEC. 89 OF THE C.W.A. PROVIDES FOR ELECTION OF MEMBERS EVERY 3 YEARS. | RESOLUTION ADOPTED BY COUNCIL ON FEBRUARY 13, 1991, REQUESTED THAT THE TERM OF OFFICE FOR MAYOR AND COUNCILLORS BE CHANGED FROM THREE TO FOUR YEARS (PREVIOUSLY REQUESTED ON NOVEMBER 18, 1987). | |
| NOMINATION DAY | SEC. 89.2(1) STIPULATES THAT NOMINATION DAY IS THE FIRST WEDNESDAY IN OCTOBER. | CLOSE NOMINATIONS ONE WEEK EARLIER THAN CURRENT DATE TO PROVIDE AN EXTRA WEEK FOR THE PROCEEDINGS (I.E. 4 WEEKS BEFORE ELECTION DAY). | EXTENDING THE TIME BETWEEN NOMINATION DAY AND ELECTION DAY WOULD GIVE THE RETURNING OFFICER MORE TIME TO PREPARE BALLOTS AND VARIOUS FORMS NECESSARY FOR THE VOTE. WITH THE REGISTRATION OF CANDIDATES TAKING PLACE MUCH EARLIER AND THEREFORE CANDIDATES HAVE DECLARED THEMSELVES LONG BEFORE FILING NOMINATION PAPERS, IT IS NOT LIKELY THAT ADVANCING NOMINATION DAY BY ONE WEEK WOULD CREATE ANY HARDSHIP FOR CANDIDATES. |

Appendix "B" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

**Appendix "B"**

**THE CITY OF WINNIPEG ACT**

| ITEM/ISSUE | EXISTING PROVISIONS | PROPOSED CHANGES | RATIONALE |
|---|---|---|---|
| ELECTION EXPENSES AND CONTRIBUTIONS | SEC. 96(1) DEFINES CAMPAIGN PERIOD - COMMENCING 120 DAYS BEFORE ELECTION DAY AND ENDING ON JANUARY 31 IN THE YEAR FOLLOWING. | DEFINE "CAMPAIGN PERIOD" AS THE PERIOD IN THE CASE OF A REGULAR ELECTION, COMMENCING THE 1ST DAY OF JANUARY OF AN ELECTION YEAR AND ENDING ON MAY 31ST IN THE YEAR FOLLOWING AN ELECTION. (IN THE ONTARIO LEGISLATION, CAMPAIGN PERIOD RUNS JANUARY 1ST OF AN ELECTION YEAR AND ENDS ON MARCH 31ST IN THE YEAR FOLLOWING). | THE EXISTING DEFINITION IS TOO RESTRICTIVE. IT IS DIFFICULT FOR CANDIDATES, ESPECIALLY THOSE RUNNING IN THEIR FIRST CAMPAIGN, TO DO A LOT OF FUNDRAISING IN THE SHORT TIME ALLOWED BEFORE AN ELECTION. CANDIDATES SHOULD ALSO BE PERMITTED A LONGER PERIOD OF TIME FOLLOWING THE ELECTION TO ELIMINATE CAMPAIGN DEFICITS. |
| CANDIDATE TO FILE AUDITED STATEMENT | SECTION 96(2) SPECIFIES AUDITED STATEMENT MUST BE FILED WITHIN 120 DAYS OF THE ELECTION. | AUDITED FINANCIAL STATEMENT TO BE PROVIDED 60 DAYS AFTER CAMPAIGN PERIOD ENDS. (CAMPAIGN PERIOD, IF EXTENDED AS REQUESTED, WOULD END MAY 31ST IN YEAR FOLLOWING ELECTION AND THE STATEMENT WOULD BE REQUIRED 60 DAYS AFTER THAT DATE. ) | IT IS PROPOSED TO LENGTHEN THE CAMPAIGN PERIOD, THEREFORE THE FILING OF FINANCIAL STATEMENT SHOULD BE A STIPULATED DATE AFTER THE CAMPAIGN PERIOD. |
| PROPERTY TAX CREDITS | NONE | PROVIDE FOR TAX CREDITS (A PROPERTY TAX CREDIT FROM THE MUNICIPALITY TO ANY CONTRIBUTOR TO THE ELECTION CAMPAIGN OF A REGISTERED CANDIDATE FOR MAYOR OR COUNCILLOR, UPON APPLICATION FROM THE CONTRIBUTOR TO THE RETURNING OFFICER FOR SUCH CREDIT). | SIMILAR TO LEGISLATION IN ONTARIO |

Appendix "B" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

**Appendix "B"**

| THE CITY OF WINNIPEG ACT | | | |
|---|---|---|---|
| **ITEM/ISSUE** | **EXISTING PROVISIONS** | **PROPOSED CHANGES** | **RATIONALE** |
| REGISTRATION OF CANDIDATES | SEC. 97(2) PROVIDES FOR REGISTRATION OF CANDIDATES. | INCLUDE THE FOLLOWING IN THE CITY OF WINNIPEG ACT:<br><br>THE CAMPAIGN PERIOD WITH RESPECT TO A REGISTERED CANDIDATE SHALL BE DEEMED TO EXPIRE AND AN AUDITED STATEMENT SHALL BE IMMEDIATELY FILED,<br><br>A) WHERE THE REGISTRATION IS WITHDRAWN IN WRITING, ON THE DAY OF WITHDRAWAL;<br><br>B) WHERE THE NOMINATION IS WITHDRAWN, ON THE DAY OF THE WITHDRAWAL; AND<br><br>C) WHERE A NOMINATION PAPER IS NOT FILLED OR THE NOMINATION IS REJECTED BY THE CLERK, ON NOMINATION DAY. | THE EXISTING LEGISLATION DOES NOT PROVIDE FOR AN APPROPRIATE PROCESS WHERE A REGISTERED CANDIDATE DOES NOT FILE NOMINATION PAPERS, THE NOMINATION PAPERS ARE REJECTED, OR WHERE THE NOMINATION PAPERS ARE WITHDRAWN. |
| AUDITED FINANCIAL STATEMENT | SEC. 96(1) and (2) REQUIRES THE AUDITED STATEMENT OF A CANDIDATE TO BE FILED WITH THE RETURNING OFFICER. | REQUIRE CANDIDATE TO FILE AUDITED FINANCIAL STATEMENT DIRECTLY WITH THE OFFICIAL DESIGNATED BY COUNCIL UNDER SEC. 96(1) TO EXAMINE THE AUDITED FINANCIAL STATEMENT IN LIEU OF THE RETURNING OFFICER | |

Appendix "B" referred to in Clause 1 of the Report of the Executive Policy Committee dated October 13, 1993 (continued)

**Appendix "B"**

| THE CITY OF WINNIPEG ACT | | | |
|---|---|---|---|
| **ITEM/ISSUE** | **EXISTING PROVISIONS** | **PROPOSED CHANGES** | **RATIONALE** |
| DESIGNATING AUTHORITY RELATING TO CAMPAIGN EXPENSES AND CONTRIBUTIONS - SEC. 96(1) | COUNCIL, BY BY-LAW DESIGNATES A PERSON TO ASSIST REGISTERED CANDIDATES TO COMPLY WITH THE BY-LAW AND STATUTORY PROVISIONS RELATING TO CAMPAIGN EXPENSES AND CONTRIBUTIONS, THE EXAMINATION OF AUDITED STATEMENTS ETC. | ESTABLISH AN INDEPENDENT ELECTION COMMISSION TO HANDLE THE COMPLEXITIES INVOLVED IN ALL ASPECTS OF ELECTION CAMPAIGN FINANCE MATTERS, INCLUDING CAMPAIGN EXPENSES AND CONTRIBUTIONS, PROPERTY TAX CREDITS AND ANY CONTRAVENTIONS OF THE STATUTORY FOR BY-LAW PROVISIONS. | SIMILAR TO ONTARIO LEGISLATION |

**ELECTION PROCESS REVIEW - 1993**
**ISSUE SYNOPSIS**

**Appendix "C"**

| THE CITY OF WINNIPEG ACT | | | |
|---|---|---|---|
| **ITEM/ISSUE** | **EXISTING PROVISIONS** | **PROPOSED CHANGES** | **RATIONALE** |
| FAILURE TO FILE BY DEFEATED CANDIDATE | SECTION 100(3) STIPULATES THAT WHERE A CANDIDATE WHO IS DEFEATED FAILS TO FILE THE AUDITED STATEMENT REFERRED TO IN SECTION 96, THE REGISTERED CANDIDATE IS NOT ELIGIBLE TO BE NOMINATED AS A CANDIDATE IN AN ELECTION UNTIL THE AUDITED STATEMENT IS FILED WITH THE RETURNING OFFICER. | STIPULATE THAT WHERE THE AUDITED STATEMENT IS NOT FILED IN ACCORDANCE WITH SECTION 96(2), THE REGISTERED CANDIDATE, WHO IS DEFEATED, SHALL BE INELIGIBLE TO BE REGISTERED AS A CANDIDATE OR FILE NOMINATION PAPERS IN THE NEXT REGULAR ELECTION OR ANY BY-ELECTION CALLED PRIOR THERETO. | UNDER EXISTING REGULATIONS, IT IS FEASIBLE THAT A REGISTERED CANDIDATE WHO WAS DEFEATED COULD FILE AN OUTSTANDING AUDITED STATEMENT AND NOMINATION PAPERS FOR AN UPCOMING ELECTION CONCURRENTLY, NOT PROVIDING SUFFICIENT TIME FOR SCRUTINY AND APPROVAL NOR INSPECTION BY THE PUBLIC. |

1030 - 1993. Table "A" referred to in Clause 11 of the Report of the Executive Policy Committee dated October 13,

## THE CITY OF WINNIPEG
## STREETS AND TRANSPORTATION DEPARTMENT
## RECOMMENDED APPLICATION, LICENSE AND PERMIT FEE INCREASES

| APPLICATION/LICENSE/PERMIT | CURRENT RATE | RECOMMENDED RATE |
|---|---|---|
| **Move Permit** | | |
| Annual Overweight | $212.00 | $217.00 |
| Annual Overdimension | 22.00 | 23.00 |
| Single Trip Overdimension | 22.00 | 23.00 |
| Single Trip Overweight | | |
| - up to 52,165 kg | 22.00 | 23.00 |
| - 52,165 to 60,000 kg | 53.00 | 54.00 |
| - over 60,000 kg | 96.00 | 98.00 |
| **Residential Parking Permit** | 11.00 | 12.00 |
| **Crossing Permit** | 27.00 | 28.00 |
| **Use of Street Permit** | | |
| Type A | 27.00 | 28.00 |
| Type B | 43.00 | 44.00 |
| Type C | 133.00 | 136.00 |
| Type D | NA | 212.00 |
| Renewal Extension | 27.00 | 28.00 |
| **Temporary Street Closure** | | |
| Block Party Permit Fee | 26.00 | 28.00 |
| Block Party Insurance Fee | 130.00 | no change |
| Street Festival Permit Fee | 43.00 | 46.00 |
| Street Festival Traffic Control Fee | | |
| - non-profit and charitable organizations | 50% of actual cost up to $1000 | no change |
| - other | actual cost | no change |
| **Boulevard Rental Fee/sq.m/month** | 2.91 | 3.00 |
| **Street Rental Fee/sq.m/month** | 5.70 | 6.00 |
| **Parking Meter Permit** | | |
| Remove Meter | 30.00 | 31.00 |
| Replace Meter | 30.00 | 31.00 |
| Hood/Unhood Meter - First Meter | 60.00 | 62.00 |
| Hood/Unhood Meter - Each additional | 10.00 | 11.00 |
| Meter Revenue Loss/Day | 8.50 | no change |
| **Private Approach Application** | | |
| Single Family (Conforming) | 25.00 | 26.00 |
| Conforming | 27.00 | 28.00 |
| Non-Conforming | 100.00 | 103.00 |
| **Private Approach Permit** | 45.00 | 46.00 |
| **Private Approach Contractor's License** | | |
| Initial | 53.00 | 54.00 |
| Renewal | 27.00 | 28.00 |

Schedule "A" referred to in Clause 11 of the Report of the Executive Policy Committee dated October 13, 1993.

**Proposed Amendment to The City of Winnipeg**
**Traffic By-law**

That The City of Winnipeg Traffic By-law No. 1573/77 be amended as follows:

1. Clause 48.1(2)(b) is repealed and the following substituted therefore:

"(b) payment of the prescribed fee of:

| | | |
|---|---|---|
| (i) | Annual Overweight Permit | $217.00 |
| (ii) | Annual Overdimension Permit | $ 23.00 |
| (iii) | Single Trip Overdimension Permit | $ 23.00 |
| (iv) | Single Trip Overweight Permit | |
| | - up to 52,165 kg | $ 23.00 |
| | - over 52,165 kg up to 60,000 kg | $ 54.00 |
| | - over 60,000 kg | $ 98.00" |

2. Clause B.2 of Schedule 10 is repealed and the following substituted therefor:

"2. Payment of a fee of $12.00".

Schedule "B" referred to in Clause 11 of the Report of the Executive Policy Committee dated October 13, 1993.

## Proposed Amendments to The City of Winnipeg Streets By-law

That The City of Winnipeg Streets By-law No. 1481/77 be amended as follows:

1. Clauses (b), (c), (g), (m) and (n) of Schedule "A" to By-law No. 1481/77 of The City of Winnipeg are repealed and the following substituted therefor:

| | | |
|---|---|---|
| "(b) | For each permit for the removal, replacement, or hooding of parking meters | |
| (i) | for the removal of parking meter posts | $31.00 |
| (ii) | for the replacement of parking meter posts | $31.00 |
| (iii) | for the hooding and unhooding of parking meters | |
| | - first meter | $62.00 |
| | - each additional | $11.00 |
| (iv) | for each day or portion thereof a parking meter cannot be operated - per meter | $ 8.50 |
| (c) | Crossing permit | $28.00 |
| (g) | For each permit for the use of a street for construction or storage purposes, including areas within hoardings and other public protective barricades other than an area subject to an excavation permit fee. | |
| | Area of street used - area between street line and curb - per square metre per month | $ 3.00 |
| | Area of roadway traffic lane - per square metre per month | $ 6.00 |
| (m) | Permit for the use of a street | |
| (i) | Type 'A' - no schedule required | $ 28.00 |
| (ii) | Type 'B' - schedule required | $ 44.00 |
| (iii) | Type 'C' - schedules/insurance/ letters of credit/etc. required | $136.00 |
| (iv) | Type 'D' - annual without locations | $212.00 |
| (v) | for extension or renewal fee for each permit for the use of a street | $ 28.00 |
| (n) | For each permit for the temporary use of a street for entertainment purposes. | |
| (i) | Residential block party - no schedule required | |
| | - Permit fee | $ 28.00 |
| | - Liability insurance premium (with applicant responsible for $2500.00 deductible) | $130.00 |
| (ii) | Street festival and other closures - schedule required | |
| | - Permit fee | $ 46.00 |
| | - Cost of traffic control | |
| | - for non-profit and charitable organizations | 50% of actual cost up to $1,000.00 |
| | - for all other organizations | actual cost |

Schedule "C" referred to in Clause 11 of the Report of the Executive Policy Committee dated October 13, 1993.

## Proposed Amendments to The City of Winnipeg Private Approaches By-law

That The City of Winnipeg Private Approaches By-law No. 329/73 be amended as follows:

1. Subsection 8(c)(ii) be repealed and the following substituted therefor:

"(ii) The Commissioner may issue a licence under this by-law to any person upon application therefore, and upon payment by the applicant of a licence fee of $54.00 ($28.00 for renewal) and the filing of a surety bond as required by this Section."

2. Clause 1(a) of Schedule '4' be repealed and the following substituted therefore:

"Every owner applying for authorization of a private walk, private approach or combination thereof, on a street or portion thereof, shall pay to The City of Winnipeg the following fee:

(a) Private Walk, approach or combination thereof:

| | |
|---|---|
| Single-family dwelling<br>Conforming | $ 26.00 |
| Multiple-family dwelling,<br>commercial property and<br>industrial property<br>Conforming | $ 28.00 |
| All types<br>Non-conforming | $103.00." |

3. Clause 2(a) of Schedule '4' be repealed and the following substituted therefor:

"2.Every owner or licensed contractor applying for a permit to construct a private walk or private approach on a street or portion thereof shall pay to The City the following fee: (B/L 836/74)(B/L 5725/91)

| | |
|---|---|
| (a) For each approach constructed<br>serving a property | $ 46.00" |

# REPORT OF THE

# EXECUTIVE POLICY COMMITTEE

# DATED OCTOBER 19, 1993

On motion of Mayor Thompson, the rule was suspended and the Report of the Executive Policy Committee, dated October 19, 1993, was considered.

Her Worship The Mayor and Councillors:

Your Executive Policy Committee submits the following Report and recommends:

**South Transcona Land Drainage**
**File PD (Vol. 10)**

1031 - 1. On July 24 and 25, August 8 and 14, 1993, Winnipeg experienced severe rainstorms which caused considerable overland flooding in South Transcona.

On August 13, 1993, the Waterworks, Waste and Disposal Department prepared a report titled "South Transcona Land Drainage Study" providing updated information to the report of the same title prepared by M.M. Dillon Limited in 1989.

In May 1989, M.M. Dillon Limited completed the report "South Transcona Land Drainage Study". The report was originally requested by the East Kildonan-Transcona Community Committee in response to frequent flooding of the area during spring runoff events. During the course of the study, and due to a petition to amend the Urban Limit Line in South Transcona, M.M. Dillon Limited was requested to prepare drainage proposals for three development alternatives (Alternatives "A", "B" and "C"). These in effect were modifications of the Regional Land Drainage plan prepared by W.L. Wardrop and Associates Ltd. Engineering Consultants in 1974. On September 15, 1989, the Province rejected the proposal to amend Plan Winnipeg to redesignate rural lands in South Transcona and no further consideration was given to financing and constructing the proposed drainage solutions.

Subsequent to the severe rainstorms in July and August 1993, the Waterworks, Waste and Disposal Department reviewed the costs of the drainage solutions proposed in the Dillon report with the assistance of Dillon engineers. The updated costs were presented to the Executive Policy Committee at their informal meeting on August 20, 1993 by the Commissioner of Works and Operations. The cost for Alternative "A" (dyke around the Hamlet) was estimated to be $2,000,000.00. Up to $700,000 was identified in Alternative "A" for land acquisition for the dyke. Executive Policy Committee directed the administration to determine the availability of private lands for $1.00 for the dyke and to report back with updated cost estimates.

On August 25, 1993, the Waterworks, Waste and Disposal Department wrote to the 31 property owners whose land is needed for the proposed dyke, as well as to all property owners in the Hamlet area. Those affected by the proposed dyke were requested to fill out a questionnaire and all property owners were advised about a public Open House on September 2, 1993 and a follow-up public meeting on September 8, 1993. These public events were held to provide all property owners with an opportunity to review the conceptual plans of the proposed land drainage works in the Dillon report and to provide feedback to the City. Another more general questionnaire was made available at the Open House for residents to provide written comments on the proposals as well as to provide additional comments or suggestions. Both events were well attended, each by a minimum 200 residents from the Hamlet and rural areas of South Transcona.

The results of the questionnaire to those with land needed for the proposed dyke were as follows:

| | |
|---|---|
| Number of questionnaires mailed | 31 |
| Number of questionnaires returned | 20 |
| Property owners not willing to grant dyke easement | 14 |
| Property owners willing to grant dyke easement | 6 |
| (4 of the 6 property owners were willing to grant an easement for $1.00) | |

The general questionnaire available at the Open House was completed by 56 residents: 1) 39 from the South Transcona Hamlet; 2) 14 from the South Transcona rural area, and; 3) three from the Transcona and St. Boniface areas. The majority of the respondents indicated more support for mitigative works that would solve flooding for all of South Transcona. However, a petition circulated by residents of the hamlet was signed by 134 residents representing 71 properties in the Hamlet who support Alternative "A".

Implementation of any of the alternatives will depend greatly on land acquisition, ground conditions, weather and regulatory approvals, if necessary. All these plans require easements across portions of lots and/or land purchases, and

all have the potential for expropriation. Negotiations between the City and private property owners in any scenario would be undertaken concurrent with the engineering phase.

The schedule for engineering is approximately three months, including surveying and completion of design and construction drawings. The subsequent tender process can take two months or more. It is expected that with good weather conditions, construction would require three to six months for the majority of the works in most of the alternatives. For example, if funds were approved by the end of October and each step of the implementation process went according to the minimum time frames above, including land/easement acquisitions, Alternative "A" could be implemented by the end of May, 1994. This may also be possible for the initial phases of development in the other alternatives.

However, these projected completion dates may be optimistic due to the City having to acquire easements and/or purchase lands from the required number of property owners in each alternative, which could add a minimum three to six months to the process depending on success of negotiations and whether or not expropriations are necessary. The saturated condition of the existing ground may be such that no construction could be undertaken until the start of the normal construction season in 1994 without adding substantially to the construction costs.

The following is a synopsis of each of the alternatives in the Dillon report as well as other options available for South Transcona. Conceptual cost estimates have been included.

Alternative "A" of the Dillon Report

This alternative includes a perimeter ditched dyke around the Hamlet to protect it from overland flooding and Dugald ditch high backwater levels, a stormwater retention basin to take runoff within the dyked area, a pumping station to pump retained water into Dugald ditch once flows within it have receded, and regrading of existing internal ditches to route runoff to the retention basin as outlined in Figure 1.

This alternative protects only the Hamlet from flooding, based on a 25 year return frequency event. The Hamlet would have the same level of service for land drainage as most other suburban residential areas. The rural area of South Transcona gains no benefit from this alternative but land drainage service in these large lot residential areas is typically by roadway ditches. Water which previously came from outside the Hamlet and flooded the Hamlet will no longer be stored in the Hamlet and may increase water levels in some of the ditches outside of the Hamlet. This may aggravate flooding of some houses and/or septic fields or water wells in the rural area.

To build the dyke, there is a need for outright purchase of 30 properties or portions of properties, especially those on Dugald Road (6 existing houses; 7 vacant lots) at a cost of up to $700,000.00. The estimated cost of this proposal remains at $2,000,000.00 which results in a cost of $13,300.00 per acre of land serviced.

Funding for this alternative could be by benefitting property owners or City-at-large. Funding by benefitting property owners will require a local improvement advertisement. Sixty percent opposition is needed to defeat a City initiated local improvement. The local improvement charge would be based on actual construction costs divided by benefitting area or the land drainage local improvement trunk service rate of $30.00 per frontage foot. Using the latter as an example, a typical 50 foot wide lot would be charged $1,500.00. It is estimated that based on the frontage levy, the City would recover $273,000.00 from 150 private properties. An additional $90,000.00 would be chargeable to City owned lots which would be available from sales for residential purposes.

Alternative "B" of the Dillon Report

This alternative includes the proposed works under Alternative "A". It also provides for phased development and assumes redesignation of land between Plessis Road and a line between Bates and Foch Avenues to suburban residential and land to beyond Symington Road to two acre residential. A separate retention basin services the new suburban residential area. This basin would be interconnected with the St. Boniface Industrial Park retention basins as outlined in Figure 2.

The estimated cost of this proposal is $4,300,000.00 which results in a cost of $9,000.00 per acre of land serviced.

Funding for this alternative could be by benefitting property owners or City-at-large for the Hamlet works and by development agreement for the works outside the Hamlet.

Alternative "C" of the Dillon Report

This alternative takes into consideration phased development and assumes that all rural land between Plessis Road and

beyond Symington Road (approximately Webster Avenue) would be redesignated suburban residential. Proposed land drainage works to service this increased development density would include two interconnected retention basins. This alternative accommodates Alternative "A" by designing for gravity discharge from the retention basin in the Hamlet. At that time, the need for the pumping station in the Hamlet would be eliminated. The dyke around the Hamlet is still required to protect from overland flooding from rural lands east and south of the Hamlet and from high backwater levels in the Dugald ditch as outlined in Figure 3. The estimated cost of this proposal is $6,700,000.00 which results in a cost of $8,400.00 per acre of land serviced.

Funding for this alternative could be by benefitting property owners or City-at-large for the Hamlet works and by development agreement for the works outside the Hamlet.

Alternative: Service All Lands (Dillon Report)

This proposal takes into consideration phased development of all lands in South Transcona and includes a fourth retention basin interconnected with the three basins in Alternative "C" as outlined in Figure 4. The total water surface area of the four basins is 31.5 acres. This system would remove the South Transcona area (1300 acres) from the Dugald ditch system, leaving the Dugald ditch system for the sole use of lands on the north side of Dugald Road and lands east within the R.M. of Springfield. The estimated cost of this proposal is $9,700,000.00 which results in a cost of $7,500.00 per acre of land serviced.

Funding for this alternative could be by benefitting property owners or City-at-large for the Hamlet works and by development agreement for the works outside the Hamlet.

Alternative: Service All Lands (Regional Land Drainage Plan)

In 1974, W.L. Wardrop and Associates Ltd. Engineering Consultants prepared a drainage study for South Transcona and the St. Boniface area immediately west. The study was done concurrently with other studies for development of the regional land drainage plan for the new amalgamated City of Winnipeg. For land drainage servicing of all lands in South Transcona, two interconnected retention basins were conceptually proposed. Based on information in the Dillon report, the water surface area of the two basins would have to be more than 15 acres each. Total land requirements for each basin would exceed 25 acres.

Presently, only two large tracts of land exist that could accommodate these basins as outlined on Figure 5: 1) Area A includes approximately 140 acres and is privately owned; 2) Area B includes approximately 240 acres and is owned by the City (one-third under jurisdiction of Land Surveys and Real Estate Department and two-thirds under jurisdiction of Works and Operations Division). This proposal would not be staged and therefore would realize savings by eliminating the dyke, pumping station and the retention basin for the Hamlet. The proposal includes the cost for the lands for the retention basins in Areas A and B. The estimated cost of this proposal is $9,600,000.00 which results in a cost of $7,400.00 per acre of land serviced. If the cost of the land in Area B under Land Surveys and Real Estate Department jurisdiction was waived by Council, the estimated cost of this proposed becomes $8,900,000.00 which results in a cost of $6,900.00 per acre of land serviced.
Funding for this alternative would be by City-at-large and/or by development agreement to provide immediate servicing of the whole Transcona area.

One local developer, Kingsford Developments (Wpg.) Ltd. has proposed to finance and construct the retention basins under this alternative. In their letter to the Commissioner of Works and Operations, dated September 14, 1993, Kingsford indicates they would incur the front end costs in exchange for existing land owned by the City. This proposal will be reviewed in further detail and separately reported on.

Note: All above alternatives would provide approximately the same level of protection for the lands serviced (ie. protection from flooding based on a 25 year return frequency event).

**Report of the Executive Policy Committee dated October 19, 1993**

Alternative: Ditch to the Red River Floodway

This alternative considers that the South Transcona area is at the upper end of the Dugald ditch and the potential exists to drain it to the Red River Floodway. To regrade the entire Dugald ditch east of Plessis Road to flow east to the Floodway is not practical due to limited land available. The land slopes from east to west and will require above normal excavation for the ditch to flow west to east. The ditch will be 18 feet deep and 200 feet wide at the Floodway and includes a concrete box culvert under Highway 101, a gate control structure with temporary pumping capability to protect from high water levels in the Floodway and a drop structure to protect the Floodway dyke from erosion. A proposed route aligned with Second Street is outlined on Figure 6.

The ditch would intercept a considerable amount of overland runoff from the rural area of South Transcona east of the Hamlet and from the R.M. of Springfield. By regrading ditches within the Hamlet, the new ditch would also take some flows from the Dugald ditch. The benefit of this alternative for the Hamlet is difficult to determine without performing detailed analyses but is expected to be less than a 25 year level of protection. The Hamlet may still require some dyking. Further, the level of protection for South Transcona rural lands west of the Hamlet as well as the golf course will be much less such that these lands would not be considered in the ditch's service area.

The estimated cost of this proposal excluding any dyking is $2,900,000.00. It is estimated that this proposal would service 1300 acres, half of which (650 acres) are in the R.M. of Springfield. If there was no cost sharing with the R.M. of Springfield, the cost would be $4,500.00 per acre of land serviced within the City boundary (Murdock Road to Symington Road).

Alternative: Upgrade Dugald Ditch

The existing capacity of the Dugald ditch is estimated to be 60 cubic feet per second (cfs) and the flow capacity required to alleviate flooding in all South Transcona is 160 cfs. For most part the Dugald ditch capacity is limited by an average slope of 0.07 percent based on a grade drop of approximately 23 feet in 6.25 miles (Highway 101 to Archibald Street). The remaining 0.25 mile stretch from Archibald Street to the Seine River drops an additional 12 feet.

It has been suggested by some South Transcona residents that several culvert crossings should be upgraded to improve flows in Dugald ditch and that removal of weed growth should be undertaken on a more regular basis. However, surveys of the Dugald ditch water elevations during the peak flow event indicated that none of these factors restricted flows to any great degree. Dugald ditch cannot be deepened to increase its gradient because deepening requires widening and private property limits the ditch to its present width. In summary, this is not a feasible alternative as significantly improved flow from proposed upgradings is questionable and the limits of the Dugald ditch width preclude deepening to attain the peak flow of 160 cfs.

Planning and Development Considerations

There are several planning and development issues related to servicing all of South Transcona.

The Land Development Department has raised the concern over "the potential for a precedent being set for the City front-ending the costs of extending land drainage trunk services into undeveloped or underdeveloped areas with fragmented ownerships and relatively small holdings. It is one thing if the City constructs works to solve the flooding problem and another if the works provide the infrastructure required to allow development or redevelopment. There are other areas of the City that, although they do not have the flooding problem of South Transcona, they do share the need for future land drainage trunk works before further development can occur".

A memorandum from the Planning Department regarding the issues surrounding: 1) Alternative "A" of the Dillon Report, and; 2) Alternative: Service All Lands (Regional Drainage Plan) is outlined on Appendix "A".

On October 4, 1993, the Committee on Works and Operations resolved that this matter be referred for consideration in conjunction with the 1994 Capital Estimates and that the issue of building a dyke be referred to the East Kildonan-Transcona Community Committee.

Your Executive Policy Committee recommends:

I. That $1.5 million be placed in the 1994 Capital Budget to proceed with Alternative "A" of the Dillon Report and that the matter be referred to the Capital Budget process for debate.

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

Moved by Mayor Thompson,

**Executive Policy Committee - Motions (continued)**

Adoption of the clause.

Carried.

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)

## EXECUTIVE POLICY COMMITTEE

## MOTIONS

Moved by Councillor Hyman,
Seconded by Councillor Eadie,

1032 - WHEREAS Council at its meeting held on September 22 referred the following motion to Executive Policy Committee and subsequently to the Secretariat Committee:

*"WHEREAS in a democracy, government should be open and accessible and elected officials impartial and responsible to the people;*

*AND WHEREAS the public must have confidence in the integrity of its government;*

*AND WHEREAS City of Winnipeg Councillors are currently subject to the regulations regarding Conflict of Interest under the Municipal Council Conflict of Interest Act;*

*AND WHEREAS in order to strengthen the integrity and to enhance public trust in civic government, it is advisable that a Code of Conduct be developed to supplement existing provincial legislation;*

*BE IT RESOLVED THAT the City of Winnipeg request the Province of Manitoba to enact the necessary legislation to permit the City of Winnipeg, by by-law, to establish a Code of Conduct for the Members of the Council of the City of Winnipeg."*;

AND WHEREAS it was determined at a subsequent meeting of the Secretariat Committee that the terminology "Code of Conduct" in the referenced motion also meant "Conflict of Interest which is covered by Provincial Statute;

AND WHEREAS due to time constraints, the Secretariat Committee was unable to complete its discussions on this issue in order to report in time for the October 20th meeting of City Council;

AND WHEREAS Councillors' Conflict of Interest regulations are contained in provincial Statute, while a Code of Conduct/Ethics could be enacted by Council without Statute amendment;

AND WHEREAS It would be appropriate to deal with these two issues separately;

AND WHEREAS the Municipal Conflict of Interest Act was enacted by the Manitoba Legislature in 1983 and has not been examined for its effectiveness since that time;

AND WHEREAS the Manitoba Council Conflict of Interest Act applies to all Manitoba Municipalities equally, and does not take into account the complexity of issues that the councils of larger urban municipalities are faced with on a daily basis;

THEREFORE BE IT RESOLVED THAT Council concur in the following recommendations, namely:-

1) That the Government of Manitoba be requested to conduct a review of the Municipal Council Conflict of Interest Act, and to adopt a separate act, in consultation with City council, which would be applicable to the City of Winnipeg, or, to adopt legislation which would permit Winnipeg City Council to pass its own Conflict of

**Executive Policy Committee - Motions (continued)**

Interest By-law;

2) That the Secretariat Committee be directed to draft a Code of Conduct/Ethics for Council approval, which would be applicable to the Mayor and Councillors of The City of Winnipeg;

3) That the Council motion of September 22nd which was referred to the Executive Policy Committee and to the Secretariat Committee, be filed.

Moved by Councillor Eadie,
That the rule be suspended to allow consideration of the motion at this time.

Carried.

The motion was put.

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

Yea: Councillors Boychuk, Clement, Duguid, Eadie, Golden, Hyman, Lazarenko, Murray, O'Shaughnessy, Prystanski, Silva, Thomas, Fraser, Her Worship Mayor Thompson, and Councillor Reese. 15

Nay: Nil 0

and the motion was declared carried.

The Speaker here reverted to the order of business-"Introduction and Welcome of Guests" and acknowledged the Grade 7 class of Isaac Brock School under the tutelage of Darla Robinson.

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

## EXECUTIVE POLICY COMMITTEE

## CONSIDERATION OF BY-LAWS

1033 - On motion of Mayor Thompson, By-law. No. 6246/93, a by-law of the City of Winnipeg to provide for the execution of acknowledgement of service of documents by senior personnel of the City Clerk's Department, was read a first, second and third time, the rule being suspended for the third reading and was passed and ordered to be signed and sealed. File GL-5.6 (Vol. 5)

## EXECUTIVE POLICY COMMITTEE

## QUESTION PERIOD

1034 - Councillor Golden stated that Council had on numerous occasions, articulated that the clean-up of Main Street is a number one priority and questioned whether an action plan had yet been developed.

Her Worship Mayor Thompson noted that such action plan would be part of the new tri-partite Core Area Initiative, which would follow the upcoming Federal election.

Councillor Golden noted that he had in the past, suggested that the City of Winnipeg take initiative on Main Street independent to that of the Core Area Initiative and questioned whether some form of back-up plan had been developed should the Core Area Initiative not proceed.

Her Worship Mayor Thompson noted that there have been no indications from the Province of a lack of commitment to the Core Area Initiative and that if the Federal Government saw fit to not participate the Core Area Initiative would proceed on a bilateral basis.

**Executive Policy Committee - Question Period (continued)**

Councillor Golden requested that the Mayor provide a deadline whereby if the Province did not provide support then the City would develop its own action plan to address problems in the Main Street area including the opening of Portage and Main.

Her Worship Mayor Thompson replied that the setting of a deadline would require direction from Council.

Councillor Murray noted that October 21 was the final day for submission to the Province for projects requiring legislative change or additional funding and in noting that the Mayor had been requested to head-up the role of convincing the province to accept the Community Investment 1993 pilot project, questioned why the Mayor's Office had not taken such action, given the deadline.

Her Worship Mayor Thompson noted that a request had been circulated to the Administration regarding all required legislative changes and that she would follow-up the matter with the Chief Commissioner.

Councillor Murray stated that he would be tabling a letter with the Clerk dated September 27, 1993 written by himself to the Mayor, which outlined a strategic action plan involving Councillors, to put together a presentation to the Province, which he stated was not acknowledged or responded to. He further noted a February document received by the Mayor regarding a $10 million pilot project for sewer replacement to commence in November 1993, and questioned how the program could be instated given the Mayor's lack of adherence to the Provincial deadline.

Her Worship Mayor Thompson noted that she would follow-up on the matter and report back to Councillor Murray.

Councillor Murray noted that a great amount of staff effort that had been expended on this project and further noted that the project represented what he felt to be the only solution at shifting budget dollars to rebuild infrastructure and that 7,000 persons currently on welfare were looking to the project for employment in addressing $50 million in infrastructure repairs and requested an explanation to the citizens of Winnipeg on why the deadline was not met and what the Mayor would do to address this.

Her Worship Mayor Thompson noted that she would pursue the matter with the Chief Commissioner.

Councillor Boychuk noted that he had raised the matter of the creation of a committee to address Main Street issues, including that of the intersection of Portage and Main and questioned whether anything further had been done on this matter.

Her Worship Mayor Thompson noted that she was in the process of exploring the possibilities of negotiating the opening of Portage and Main with the Trizec personnel, and that she had also been meeting with the "Urban Idea Centre" to pursue this matter.

Councillor Golden noted the agreement between the City of Winnipeg and Trizec and that such agreement called for further construction and questioned whether the City had explored this possibility to improve the City's tax base.

Her Worship Mayor Thompson noted that in her discussion with Trizec, they had put forth their position that the economic conditions did not favour further construction at this time, but that they were exploring other economic development opportunities.

The Speaker returned to the Chamber and resumed the Chair.

Councillor Golden questioned whether there had been any feasibility studies conducted on additional construction for Portage and Main and whether the City could involve other private interests in the site.

Her Worship Mayor Thompson stated that she would look into the matter further, noting that currently there was a good supply of office space in Winnipeg.

Councillor Golden noted that he had become aware of problems with the addition to the Pantages Playhouse and questioned whether the City would be compensated for damages and take remedial action on the matter.

**Executive Policy Committee - Question Period (continued)**

Her Worship Mayor Thompson noted that she would follow-up on this matter.

Councillor Hyman noted that each Standing Committee had been requested to develop a listing of committee achievements and questioned whether such listing had been developed for the Executive Policy Committee.

Her Worship Mayor Thompson stated that the Executive Policy Committee has reviewed a draft of a reporting document and that this document was still under review.

Councillor Hyman noted that the deadline for the reports from the Standing Committees had past and questioned why there was no report for Executive Policy Committee, given the imminent Committee changes.

Her Worship Mayor Thompson again noted that the report was still being considered by the Executive Policy Committee.

Councillor Hyman noted that the Mayor had articulated her goals and intentions for her first year in office and questioned when Council would be made aware of her goals and intentions for the second year.

Her Worship Mayor Thompson stated that this would also be confirmed at Executive Policy Committee.

Councillor Thomas addressed the clean-up of Main Street issue and requested a time line for the Core Area Initiative.

Her Worship Mayor Thompson noted that all three levels of government would be working on this matter and that a time line would be forthcoming.

Councillor Thomas noted that she had previously suggested that the matter be pursued regardless of the Federal election and questioned whether any levels of government had been approached to this regard and what has been the response thus far.

Her Worship Mayor Thompson noted that the Federal Government had only pledged existing dollars while the City and the Province requested "new" dollars and that the discussions to date centered on this matter.

Councillor Thomas requested further explanation of the discussions underway on the Core Area Initiative.

Her Worship Mayor Thompson noted that all discussion to date had been of a general nature and that no commitments had been made thus far and that further information would be forthcoming when available.

Councillor Golden questioned whether there was a process in place for Councillors to be made aware of problems with capital projects, and if not whether the Executive Policy Committee would instate such process.

Her Worship Mayor Thompson noted that she would follow-up on the matter with Civic Properties.

Councillor Golden again questioned what reporting process from the Civic Administration could be instated to allow Council to be aware of problems of this nature, and requested that the Mayor put such process in place with the Executive Policy Committee.

Her Worship Mayor Thompson noted that she would consider Councillor Golden's suggestion.

Councillor Golden echoed Councillor Murray's concerns regarding acknowledgement and replies to correspondence and requested that the Mayor respond to his letters so that he could in turn respond to his constituents.

Her Worship Mayor Thompson noted that she would follow-up on this matter.

Councillor Thomas questioned the process of the Mayor's appearance at a Standing Committee meeting.

Her Worship Mayor Thompson noted that she was an ex officio member of each committee and that she would attend any committee meeting as required