Agenda - Council – July 20, 2011

COMMUNICATIONS

From the Campaign Expenses and Contributions Officer,

Submitting communication dated July 2011, advising that in accordance with By-law No. 22/2006, passed by Council on January 25, 2006, he was engaged to fulfil the duties and obligations of Campaign Expenses and Contributions Officer for the City of Winnipeg.

Advising that he is pleased to submit his report to Council on the filing of audited financial statements by registered Mayoralty and Councillor candidates in the 2010 Civic Election, in accordance with Section 3(2)(c) of the Campaign Expenses and Contributions By-law No.10/2010 and Section 34(f)(iii) of *The City of Winnipeg Charter*.

Further advising that the report identifies the 62 registered candidates who, in accordance with the by-law, are required to submit audited financial statements and that 55 of the 62 candidates filed their audited financial statements. He also included in the report, recommendations for amendments to the Campaign Expenses and Contributions By-law and *The City of Winnipeg Charter* for future consideration.

In conclusion, he acknowledged and thanked the Senior Election Official and the City Clerk's Department for their ongoing assistance during the 2010 Election.

From the Director of Legal Services and City Solicitor,

Submitting communication dated July 15, 2011 advising that Council gave second reading to these by-laws on July 21, 2010.

OurWinnipeg Plan By-law:

As required by The City of Winnipeg Charter ("Charter"), after second reading the City submitted this by-law, which is a proposed new Plan Winnipeg by-law, to the provincial Minister of Local Government for review and approval.

By letter of June 23, 2011 to Mayor Katz, Ron Lemieux, Minister of Local Government, approved the by-law subject to four conditions. Council may, if it complies with those conditions, pass the by-law as approved. Two of the Minister's conditions required amendments to the OurWinnipeg Plan which is Schedule 1 to the by-law.

The Manager of Planning and Land Use, Planning, Property and Development Department, has informed him that her staff have revised the OurWinnipeg Plan in accordance with those conditions.

Communications (continued):

The Minister's third condition was that the City report to the Province annually with certain information relating to the City's land use and development planning framework. The Manager of Planning and Land Use advises that her Department will ensure that the City satisfies this condition.

The Minister's fourth condition was that the City pass the Complete Communities Direction Strategy ("Direction Strategy") as a secondary plan by-law. (see below)

The Manager of Planning and Land Use has also informed him that her Department wishes to have the by-law come into force on August 17, 2011 rather than upon third reading by Council. She has indicated that Council so amending the by-law is to correct an omission and would not prejudice the rights of any person.

Accordingly, please:

1) Replace the previous OurWinnipeg Plan with the newly-revised OurWinnipeg Plan as Schedule 1 to the by-law;

2) Add a section 4 to the by-law as follows:

    4 This By-law comes into force on August 17, 2011.

and

3) Place the by-law, so amended, before Council to consider giving it third reading at its meeting of July 20, 2011.

Complete Communities Direction Strategy By-law:

This by-law adopts the Direction Strategy, which is Schedule 1 to the by-law, as a secondary plan for Winnipeg. The Manager of Planning and Land Use has provided him with the a list of errors and omissions to the Direction Strategy which her staff have identified since the by-law received second reading. She has informed him that her Department wishes to have Council amend the by-law to correct these matters, and has indicated that Council so amending the by-law would not prejudice the rights of any person.

The Manager of Planning and Land Use has informed him that her staff have revised the Direction Strategy to correct these matters.

Communications (continued):

The Manager of Planning and Land Use has also informed him that her Department wishes to have the by-law come into force on August 17, 2011 rather than upon third reading by Council. She has indicated that Council so amending the by-law is to correct an omission and would not prejudice the rights of any person.

Accordingly, please:

1) Replace the previous Direction Strategy with the newly-revised Direction Strategy as Schedule 1 to the by-law;

2) Add a section 4 to the by-law as follows:

    4 This By-law comes into force on August 17, 2011.

and

3) Place the by-law, so amended, before Council to consider giving it third reading at its meeting of July 20, 2011.

Additional Requirements of Charter and Minister:

Please note that section 231 of the Charter requires that as soon as practicable after Council passes the OurWinnipeg Plan By-law, the City must forward to the Minister such number of certified copies as the Minister requests. In his above-referenced letter, the Minister asks that the City send five certified copies of each of the OurWinnipeg Plan By-law and the Complete Communities Direction Strategy By-law to his department, at a specified address.

As well, section 233 of the Charter requires that after Council passes the OurWinnipeg Plan By-law, the City must give public notice of the by-law.

(By-law No. 67/2010, as amended and By-law No. 68/2010, as amended)

Communications (continued):

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on June 22, 2011, draft by-law to acquire land for the purpose of construction of the Chief Peguis Trail Extension Project, in the City of Winnipeg, in Manitoba, in the East Kildonan-Transcona Community, which by-law may receive all three readings. (By-law No. 71/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on July 22, 2009, draft by-law to close part of the Chief Peguis Trail, west of Whellams Lane, in the East Kildonan-Transcona Community, which by-law may receive all three readings.
File DAC 6/2009 (By-law No. 81/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on January 26, 2011, draft by-law to approve a plan of survey and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at the southeast corner of Main Street and Ridgecrest Avenue, in the Lord Selkirk-West Kildonan Community, which by-law may receive all three readings.
File DASZ 22/2010 (By-law No. 82/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on July 22, 2009, draft by-law to approve a plan of subdivision for land located at 60 and 70 Whellams Lane, in the East Kildonan-Transcona Community, which by-law may receive all three readings.
File DAS 15/2009 (By-law No. 83/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on September 30, 2009, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 407 and 433 Youville Street, in the Riel Community, which by-law may receive all three readings. File DASZ 25/2008 (By-law No. 84/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on December 15, 2010, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at and south of 830 Knowles Avenue, in the East Kildonan-Transcona Community, which by-law may receive all three readings. File DASZ 13/2010 (By-law No. 85/2011)

Communications (continued):

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on February 24, 2010, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at the northwest corner of McCreary Road and Wyper Road, in the Assiniboia Community, which by-law may receive all three readings.
File DASZ 22/2009 (By-law No. 86/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on February 23, 2011, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located on the north side of Leila Avenue between Birtle Street and Alonza Street, in the Lord Selkirk-West Kildonan Community, which by-law may receive all three readings.
File DASZ 27/2010 (By-law No. 87/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on May 19, 2010, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at 159 – 175 Mayfair Avenue, in the City Centre Community, which by-law may receive all three readings. File DASZ 42/2009 (By-law No. 88/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on June 22, 2011, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located west of St. Anne's Road and north of the Perimeter Highway, in the Riel Community, which by-law may receive all three readings. File DASZ 9/2011 (By-law No. 89/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on December 15, 2010, draft by-law to open parts of Kenaston Boulevard and Sterling Lyon Parkway and to repeal By-law No. 133/2010, which by-law may receive all three readings. File DAO 7/2010 (By-law No. 90/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on December 15, 2010, draft by-law to open Kenaston Boulevard South of Lowson Crescent, which by-law may receive all three readings. File DAO 7/2010 (By-law No. 91/2011)

Communications (continued):

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on December 15, 2010, draft by-law to open Kenaston Boulevard between Lowson Crescent and Sterling Lyon Parkway, which by-law may receive all three readings. File DAO 7/2010 (By-law No. 92/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on June 22, 2011, draft by-law to approve a plan of subdivision and amend Winnipeg Zoning By-law No. 200/2006 to rezone land located on the south side of Warde Avenue and the west side of Plessis Road, in the Riel Community, which by-law may receive all three readings.
File DASZ 3/2011 (By-law No. 94/2011)

From the Director of Legal Services and City Solicitor,

Submitting communication dated July 14, 2011, advising that on April 27, 2011, Council approved DAZ 225/2010 to amend Schedule D – the Airport Vicinity Protection Area Planned Development Overlay 1 (PDO-1 Airport Vicinity). In preparing the By-law to amend Schedule D – PDO-1 Airport Vicinity, it was noted that the Zoning Maps are also required to be amended in Schedule B.

Since the time that Winnipeg Zoning By-law 200/2006 passed, amendments to add a new PDO-1 as a schedule or amend an existing PDO-1 have not been included in Schedule B to amend the original Zoning Maps. There has been 1 amendment to an existing PDO-1 and 3 PDO-1's added to the Zoning By-law (Schedules L, M and N). As a result, he has included a correcting By-law in accordance with s. 276 of T*he City of Winnipeg Charter* to amend Schedule B of the City of Winnipeg Zoning By-law 200/2006 to include the overlay district amendments as a new section therein. The By-law has been certified by the Planning, Property & Development Department and Legal Services.

The correcting By-law No. 95/2011 does not include the amendment required under DAZ 225/2010. That amendment is found in the By-law specific to DAZ 225/2010, By-law No. 96/2011, which should be passed after the correcting By-law, because the amendment will be added to the next available sub-section under the correcting By-law.
File DAZ 225/2010 (By-law Nos. 95/2011 and 96/2011)

From the Director of Legal Services and City Solicitor,

Submitting as instructed by Council on April 27, 2011, draft by-law to amend Winnipeg Zoning By-law No. 200/2006 to rezone land located at the former Canadian National Railway Oak Point Line Right-of-Way South of Academy, North of Kingsway Crescent, River Heights-Fort Garry Community, which by-law may receive all three readings.
File DAZ 226/2010 (By-law No. 97/2011)