Winnipeg

EXECUTIVE POLICY COMMITTEE
DISPOSITION OF ITEMS

SEPTEMBER 17, 2014

MEMBERS PRESENT: His Worship Mayor Katz, Chairperson
Deputy Mayor Swandel
Councillor Browaty
Councillor Mayes
Councillor Nordman
Councillor Pagtakhan

COMMITTEE CLERK: Carlos Gameiro, Manager of the Decision Making Process
City Clerk's Department

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Minute	Subject/File	Recommendations	Action Required
		DELEGATIONS	
527	John Stefaniuk, Thompson Dorfman Sweatman LLP, together with Dieter Scheffer, Frank Motors Mark Newman Fillmore Riley LLP, together with Michael Filz		See Minute 567
		REPORTS	
528	Transit Development Agency (TDA)	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That Winnipeg Transit continue efforts to develop and formalize its status as a self-funded entity as the first step towards developing a Transit Development Agency. 2. That Winnipeg Transit continue to undertake discussion with stakeholder groups, and examine in greater detail the potential for independent and sustainable sources of revenue, which may include a Transit Development Agency. 3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	Council
529	Rezoning – 478 Hartford Avenue File DAZ 224/2014	The Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommended to Council: 1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 224/2014 dated June 27, 2014 to an "R2" Residential Two-Family District. 2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council.	Council

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		4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings. 5. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
530	Subdivision and Rezoning – 603 and 611 Redwood Avenue File DASZ 17/2014	The Executive Policy Committee concurred in the recommendation of the Lord Selkirk-West Kildonan Community Committee and recommended to Council: 1. That the plan of subdivision proposed under File DASZ 17/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 17/2014 dated June 23, 2014 with such minor changes as may be required, and for registration in the Winnipeg Land Titles Office. 2. That Winnipeg Zoning By-law No. 200/06 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 17/2014 dated June 23, 2014 to a "C1" Commercial District. 3. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 4. That Caveat 87 – 132566 / 1 be withdrawn as it affects Lot 42, Block 2, Plan 871. 5. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith. 6. That in the event the matter is not proceeded with expeditiously and the by-law is not passed within two (2) years after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the two (2)-year period and Council approves the extension. 7. That the Director of Legal Services and City Solicitor be requested to prepare the necessary by-law in accordance with the above.	Council

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		8. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office. 9. That the zoning section of the by-law shall come into force and effect when the Plan of Subdivision has been registered in the Winnipeg Land Titles Office. 10. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension. 11. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council. 12. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
531	Zoning Agreement Amendment – Brady Road and the Perimeter Highway File ZAA 10/2014	The Executive Policy Committee concurred in the recommendation of the Riel Community Committee and recommended to Council: 1. That the Zoning Agreement under File DASZ 33/2012 (By-law 68/2013) be amended as follows: A. That, the following clauses be added to the Zoning Agreement: i. The developer shall, at no expense to the City and to the satisfaction of the Director of Public Works, construct or install a berm and fencing on all lots in the planned area which abut PTH 100 (the Perimeter Highway). ii. The berm and fencing must be constructed or installed in accordance with all applicable laws, statutes, regulations and by-laws [including without limitation any licences and permits required and issued under The Highways Protection	Council

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		Act (Manitoba)], must be parallel to PTH 100, and must be at a location or locations and at a height or heights that, in the reasonable opinion of the Director of Public Works, will prevent the flow of vehicular traffic (whether motorized or non-motorized) between the planned area and PTH 100 and will deter the flow of pedestrian traffic between the planned area and PTH 100. iii. The owners of the lots must maintain and/or repair and/or replace the berm and fencing as originally constructed or installed, to the satisfaction of the Director of Public Works. iv. No development is permitted on the portion of the planned area that is located within 500 metres of PTH 100 until the berm and fence referred to above have been constructed or installed to the satisfaction of the Director of Public Works. 2. That the Director of Legal Services and City Solicitor be requested to prepare the necessary Amending Agreement to Zoning Agreement DASZ 33/2012 (By-law No. 68/2013) as approved in aforesaid Recommendation 1. 3. That the Proper Officers of the City are hereby authorized to execute said Amending Agreement. 4. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
532	Rezoning – 12 Rothwell Road File DAZ 225/2014	The Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and recommended to Council: 1. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DAZ 225/2014 dated September 3, 2014 to an "M1" Manufacturing Light District, subject to the following: A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions:	Council

Minute	Subject/File	Recommendations	Action Required
		i. That for the development of any building and/or accessory parking area and/or signage, plans shall be submitted showing the location and design of the proposed buildings, the location and design of accessory parking areas, private approaches, garbage enclosures, fencing, lighting, landscaping and signage to the Director of Planning, Property and Development and the Assiniboia Community Committee for plan approval prior to the issuance of any building or development permit, and thereafter all to be maintained to the satisfaction of the Director of Planning, Property and Development. ii. A caveat, in favour of the City, being registered against the title of the subject property prohibiting any new buildings, signs, or other permanent structures from being constructed within 18 metres of the existing east property line of Kenaston Boulevard for future right-of-way purposes to accommodate the widening of Kenaston Boulevard. 2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land. 3. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 4. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings. 5. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed.	

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		6. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement 7. That the Director of Legal Services and City Solicitor be requested to do all things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
533	Subdivision and Rezoning – 267 Sherbrook Street File DASZ 22/2014	The Executive Policy Committee concurred in the recommendation of the City Centre Community Committee and recommended to Council: 1. That the plan of subdivision under File DASZ 22/2014 be approved for preparation as a plan of subdivision by a Manitoba Land Surveyor in accordance with Schedule "A" for File DASZ 22/2014 dated September 1, 2014 with such minor changes as may be required, and registration in the Winnipeg Land Titles Office. 2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land as shown on Schedule "A" for File DASZ 22/2014 dated September 1, 2014 to an "RMU" Residential Mixed Use District, subject to the following conditions: A. That the applicant enter into a Zoning Agreement with the City pursuant to Section 240(1) of The City of Winnipeg Charter to include the following conditions: 1. i. That for the development of any building or structure, plans shall be submitted showing the location and design of proposed buildings, the location and design of accessory parking areas, garbage enclosures, fencing, landscaping, and lighting to the City Centre Community Committee, and the Director of Planning, Property and Development for plan approval prior to the issuance of any building or development permits, and thereafter all to be constructed and maintained to the satisfaction of the Director of Planning, Property and Development. 2. That a ten percent (10%) dedication be made by a payment of a sum of money to the City in lieu of the requirement for land dedication based on the increase in market value of the land.	Council

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		4. That the Director of Planning, Property and Development be authorized to certify any documents in connection therewith. 5. That in the event the application is not proceeded with expeditiously and the by-law is not enacted within twenty-four (24) months after adoption of the report by Council, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twenty-four (24) month period and the extension is subsequently approved by Council. 6. That the Director of Legal Services and City Solicitor be requested to prepare the necessary rezoning by-law and forward the same to Council for all three (3) readings. 7. That the subdivision section of the by-law shall come into force and effect upon registration of the Plan of Subdivision in the Winnipeg Land Titles Office. 8. That the zoning section of the by-law comes into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by caveat against the subject lands, provided that the said effective date occurs within one year from the date by-law is passed. 9. That the plan of subdivision shall be approved and signed by the Director of Planning, Property and Development within one (1) year from the date the by-law is passed, failing which the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of the one-year period and Council approves the extension. 10. That in the event the necessary City of Winnipeg mylar approval signatures have not been secured within twelve (12) months after adoption of the by-law, the matter shall be deemed to be concluded and shall not be proceeded with unless an extension of time is applied for prior to the expiry of this twelve (12) month period and the extension is subsequently approved by Council. 11. That the Proper Officers of the City are hereby authorized to execute said Zoning Agreement. 12. That the Director of Legal Services and City Solicitor be requested to do all	

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		things necessary for implementation in accordance with the terms of The City of Winnipeg Charter.	
534	Land Dedication Reserve – St. Gianna Beretta Molla Roman Catholic Church	The Executive Policy Committee concurred in the recommendation of the Assiniboia Community Committee and recommended to Council: 1. That the following eligibility criteria for the Land Dedication Reserve Fund be waived in this instance, namely: A. Funds may be utilized for: i. the acquisition of land for parks or recreation facilities; ii. the development of properties for parks and recreation purposes including such ancillary equipment and structures as may be necessary to that development; iii. the construction or renovation of recreation facilities on parks and recreation properties. B. The expenditures of Reserve funds will be limited by the following exclusions for use. Specifically, funds will not be utilized for: i. Salaries related to the regular operation of the City's services; ii. Operating materials and supplies; iii. Regular maintenance of parks and recreation facilities or equipment; iv. Acquisition of equipment not directly related to the development or renovation of parks properties; v. Property management costs including utilities, taxes, and other related costs. C. The use of funds will result in the creation or continuation of a physical legacy of parks and recreation facilities for the City of Winnipeg. 2. That funding in the amount of $67,000.00 from the Assiniboia Land Dedication Reserve (Charleswood – Tuxedo Ward allocation) be approved to St. Gianna Beretta Molla Roman Catholic Church to assist with the cost of the Chair Campaign, subject to the following condition: A. Approval of final plans and specifications for the project by the City of Winnipeg,	Council

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		3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	
535	Transcona East End Community Club Arena Expansion Project – Additional Cost Items and Project Scope	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the Transcona East End Community Club (TEECC) Arena Expansion Project Budget of $11,500,000 approved by Council on February 26, 2014, be revised to reflect a Total Project Cost of $12,832,046 as a result of the additional cost items outlined in Appendix A. 2. That the additional funding requirement of $1,332,046 be funded by: A. a contribution of $1,132,046 provided from unrestricted funds currently available in the TEECC bank account as approved by the TEECC Board on June 23, 2014; and B. a contribution of $200,000 from the Community Centre Renovation Fund (CCRF), subject to Recommendation three (3) below. 3. That the Community Centre Renovation Fund grant application process and criteria be waived and a $200,000 Community Centre Renovation Fund grant be provided to TEECC as follows: A. $50,000 in the Fall of 2014 against the 2014 Adopted CCRF; and B. $150,000 in 2014 or prior to the adoption of the 2015 Capital Budget as a first charge against the General Capital Fund in accordance with Subsection 288(2) of the City of Winnipeg Charter. 4. That the Winnipeg Public Service be authorized to enter into an amendment to the funding agreement between TEECC and the City of Winnipeg to implement the recommendations set forth in this Report, and that the Chief Administrative Officer be delegated the authority to negotiate and approve the terms and conditions of such amending agreement. 5. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	Council
536	Restructuring the City of Winnipeg Employees' Group Life Insurance Plans	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:	Council

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		1. That the Province of Manitoba be requested to pass a regulation pursuant to Subsection 212(2) of The City of Winnipeg Charter that authorizes the City to incorporate a new company (Newco) controlled by the City for the purposes of operating the Group Life Insurance Plans (Plans). 2. That subject to passage of the Provincial regulation pursuant to Subsection 212(2) of The City of Winnipeg Charter, the Director of Legal Services and City Solicitor be instructed to prepare for submission to Council the governing by-law for Newco and the restructuring of the Plans, in accordance with the terms and conditions of such regulation and the City's restructuring proposal as set forth in this Report. 3. That authority be delegated to the Chief Administrative Officer to negotiate and approve any and all documents and agreements relating to the incorporation of Newco and the restructuring of the Plans. 4. That an additional over-expenditure of up to $150,000 be approved beyond the original amount approved by Executive Policy Committee on September 18, 2013 for professional services related to the incorporation of Newco and the restructuring of the Plans. 5. That in accordance with the current by-laws governing the Plans, the Winnipeg Public Service be instructed to obtain written reports with respect to the restructuring of the Plans from the Boards and a Fellow of the Canadian Institute of Actuaries, to be submitted to Council for consideration along with the by-law to be submitted pursuant to Recommendation 2 hereof. 6. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	
537	Proposed General Council of Winnipeg Community Centres' 2013 - 2015 Business Plan	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the General Council of Winnipeg Community Centres' 2013 - 2015 Business Plan be approved. 2. That all future General Council of Winnipeg Community Centres (GCWCC)' Business Plans include program details and a financial summary for the Operating Grant, Programming Grant, Community Centre Program Registration Fee Subsidy Grant and Community Centre Janitorial Program.	Council

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		3. That GCWCC be required to use the attached Business Plan Template (Appendix B), in order that pertinent details and financial accountability be included in all future Business Plan submissions. 4. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	
538	Increase to Legal Services Staff Complement and Implementation of New Development-Related Fees and Charges	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the permanent staff establishment for the Legal Services Department be increased by 1.0 Full Time Equivalent (FTE) comprised of 1.0 Solicitor (Winnipeg Association of Public Service Officers – Exempt). 2. That the new fees set out in this Report be approved to defray the legal costs incurred by the City of Winnipeg in the area of land planning and development, and the Legal Services Department be authorized to utilize the revenues from such fees and charges to fund the additional 1.0 Solicitor. 3. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.	Council
539	Award of Contract for the Supply and Delivery of Fuels – Bid Opportunity 634-2014	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the contract for the Supply and Delivery of Fuels for the period of January 1, 2015 to December 31, 2017 be awarded to Suncor Energy Inc., 1277136 Alberta Ltd., and Suncor Energy Products Inc., operating as Suncor Energy Products Partnership the bidder who submitted the lowest responsive bid in the estimated amount of $92,563,313.62 plus GST. 2. That the authority be delegated to the Chief Administrative Officer to award the additional three (3) mutually agreed upon two (2) year extensions. 3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	Council
540	Award of Contract for the Winnipeg Police Service and Winnipeg Fire Paramedic Service - MTS Advanced 9-1-1 Solution	The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That a new 2014 capital project entitled ‘Next Generation 911’ for the	Council

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		Winnipeg Fire Paramedic Service (WFPS) be approved. 2. That expenditure of up to $585,400 be authorized on the new 'Next Generation 911' capital project in 2014 as a first charge against the 2015 'Facilities Replacement and Relocation Program'. 3. That subject to approval of recommendations 1 and 2, reinstatement of the 'Facilities Replacement and Relocation Program' and the annual maintenance charges for the Next Generation 911 system be referred to the 2015 budget process. 4. That authority be delegated to the Chief Administrative Officer to negotiate, approve and award a contract with MTS Inc. for a multi-year term as detailed in this report with respect to the MTS Advanced 9-1-1 Solution, in accordance with terms and conditions set forth herein and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City. 5. That authority be delegated to the Chief Administrative Officer to negotiate, approve and award future agreements with MTS Inc. with respect to the MTS Advanced 9-1-1 Solution, in accordance with terms and conditions similar to those set forth herein and such other terms and conditions deemed necessary by the Director of Legal Services and City Solicitor to protect the interests of the City. 6. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	
AUDIT COMMITTEE			
541	Accountability Report – 1st Quarter 2014	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Service and received as information the Accountability Report 1st Quarter 2014 dated September 10, 2014.	Nil
542	Audit Plan 2011-2014, 2014 Update	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the Audit Plan 2011 – 2014, 2014 Update be approved in principle. 2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	Council

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543	2013 Report on Performance	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Service and recommended to Council: 1. That the 2013 Report on Performance be received as information.	Council
544	Fraud and Waste Hotline Annual Report 2013	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Service and received as information the Fraud Hotline Annual Report 2013 dated February 2014.	Nil
545	Quarterly Report Card – September 30, 2013	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Service and received as information the Quarterly Report Card dated September 30, 2013.	Nil
546	Quarterly Report Card – December 31, 2013	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Service and received as information the Quarterly Report Card dated December 31, 2013.	Nil
547	Workplace Safety Audit – November 2013	The Executive Policy Committee, in its capacity as the Audit Committee, concurred in the recommendation of the Winnipeg Public Services, as amended, and recommended to Council: 1. That the Workplace Safety Audit dated November 2013 be received as information. 2. That an Annual Report be submitted to Council within 6 months of the previous year-end.	Council
COMMITTEE REPORTS			
548 – 551	Standing Policy Committee on Downtown Development, Heritage and Riverbank Management Report dated September 8, 2014	The Executive Policy Committee concurred in the recommendation for Items 1 to 4 of the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management and forwarded the items to Council.	Council
552 – 560	Standing Policy Committee on Infrastructure Renewal and Public Works Report dated September 9, 2014	The Executive Policy Committee concurred in the recommendation for Items 1 to 9 of the Standing Policy Committee on Infrastructure Renewal and Public Works and forwarded the items to Council.	Council
	Standing Policy Committee on Finance Report dated September 11, 2014	No Report	Nil
561 – 562	Governance Committee of Council Report dated September 11, 2014	The Executive Policy Committee concurred in the recommendation for Items 1 and 2 of the Governance Committee of Council and forwarded the items to Council.	Council
563 -565	Standing Policy Committee on Protection and Community Services Report dated September 15, 2014	The Executive Policy Committee concurred in the recommendations for Items 1 to 3 of the Standing Policy Committee on Protection and Community Services and forwarded the items to Council.	Council

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566 - 592	Standing Policy Committee on Property and Development Report dated September 16, 2014	The Executive Policy Committee • concurred in the recommendations for Items 3 - 7, 9 - 27 of the Standing Policy Committee on Property and Development • referred Item 1 back to the Standing Policy Committee on Property and Development • referred Item 2 back to the Lord Selkirk-West Kildonan Community Committee • concurred in the recommendation for Item 8 of the Standing Policy Committee on Property and Development, as amended, and forwarded the items to Council.	Council
		The Executive Policy Committee directed the Public Works and Planning, Property and Development Departments, and the Winnipeg Police Service, to mitigate any traffic and safety issues in the area of the Public Lane North of Notre Dame Avenue, East of Lydia Street.	Director of Planning, Property and Development Director of Public Works Chief of the Winnipeg Police Service