CITY CLERK'S DEPARTMENT

DISPOSITION OF ITEMS

COUNCIL MEETING

WEDNESDAY, MARCH 25, 2015

MEMBERS PRESENT:	**His Worship Mayor Bowman** **The Speaker, Councillor Sharma** **Deputy Speaker Councillor Gerbasi** **Councillor Allard** **Councillor Browaty** **Councillor Dobson** **Councillor Eadie** **Councillor Gillingham** **Councillor Gilroy** **Councillor Lukes** **Councillor Mayes** **Councillor Morantz** **Councillor Orlikow** **Councillor Pagtakhan** **Councillor Schreyer** **Councillor Wyatt**
WINNIPEG PUBLIC SERVICE:	**Mr. M. Lemoine, Deputy City Clerk** **Mr. C. Gameiro, Manager of the Decision Making Process** **Mr. A. Poitras, Senior Committee Clerk** **Mr. M. Jack, Acting Chief Administrative Officer**

COUNCIL MEETING – MARCH 25, 2015
DISPOSITION OF ITEMS

REPORT OF THE EXECUTIVE POLICY COMMITTEE dated March 4, 2015

1. Rezoning – 260 Wellington Crescent – DAZ 235/2014 ..... ADOPTED
2. Zoning Agreement Amendment – 127 Bellemer Drive – ZAA 17/2014 ..... ADOPTED
3. Opening of the Southeast Corner of Century Street and Saskatchewan Avenue – DAO 1/2015 ..... ADOPTED
4. Vacant Buildings, Taking Title to Vacant and Derelict Buildings, Neighbourhood Liveability, and Zoning By-laws – 2014 Performance Measurement Report ..... ADOPTED

REPORT "A" OF THE EXECUTIVE POLICY COMMITTEE dated March 18, 2015

1. 2015 Business Improvement Zone Levies ..... ADOPTED
2. St. Vital Minor Hockey Association ..... ADOPTED
3. Zoning Agreement Amendment – 2901 Sturgeon Road – ZAA 16/2014 ..... ADOPTED
4. Subdivision and Rezoning– 909 St. Mary's Road – DASZ 39/2014 ..... ADOPTED
5. Fort Rouge Yards Brownfield Development Project – Loan Guarantee Update on the recommendations approved by Council on October 19, 2011 ..... ADOPTED
6. 2015 Mill Rates for the Education Support Levy and Special Levy ..... ADOPTED
7. Jonathan Toews Community Centre – Field House Development Proposal ..... ADOPTED
8. Appointment of Chief Administrative Officer ..... ADOPTED

REPORT OF THE EXECUTIVE POLICY COMMITTEE dated March 24, 2015

1. Repeal of Public Health Licences - Doing Business in Winnipeg By-law No. 91/2008, and Consequential By-law Amendments ..... ADOPTED
2. Building Canada Fund Application ..... AMENDED AND ADOPTED (See Motion 7)

REPORT OF THE STANDING POLICY COMMITTEE ON INFRASTRUCTURE RENEWAL AND PUBLIC WORKS dated March 16, 2015

1. Costs of Implementing a Universal Transit Pass (UPass) for Post-Secondary Students at the University of Manitoba and the University of Winnipeg ..... ADOPTED
2. Addition of a New Project to the 2014 Regional and Local Street Program and Budget Increase for 2014 Regional Street Renewal Program Related to Servicing Agreement AG 215/05 ..... ADOPTED
3. Approval of the 2015 Edition of the Manual of Temporary Traffic Control on City Streets ..... ADOPTED
4. Traffic Engineering Improvements – Various Locations – Amendment of approved 2014 Capital Budget to include funding for Preliminary Survey and Design from the Department of National Defence ..... ADOPTED

Disposition of Items – Council Meeting – March 25, 2015

REPORT OF THE STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT, HERITAGE AND RIVERBANK MANAGEMENT dated March 2, 2015

1. Amendment to Downtown Residential Development Grant Program By-law No. 77/2010 ..... ADOPTED

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT dated March 10, 2015

1. Subdivision and Rezoning – 5715 Roblin Boulevard - DASZ 20/2014…..... ….THE EXECUTIVE POLICY COMMITTEE LAID OVER THE MATTER TO ITS MEETING ON APRIL 8, 2015
2. Subdivision and Rezoning – 1060 Chevrier Boulevard (formerly 1052 & 1058 Chevrier Boulevard) – DASZ 34/2014 ..... ADOPTED
3. Subdivision and Rezoning – 1286, 1290 & 1294 Ravelston Avenue West - DASZ 32/2014 ..... ADOPTED
4. Subdivision and Rezoning – 780 Ravelston Avenue West - DASZ 36/2014 ..... ADOPTED
5. Rezoning – 100 Maryland Street - DAZ 236/2014 ..... ADOPTED
6. Rezoning – 839 Panet Road - DAZ 231/2014 ..... ADOPTED
7. Zoning Agreement Amendment – 3194 St. Mary's Road - ZAA 14/2014 ..... ADOPTED
8. Openings - Chief Peguis Trail Street Openings and Rededications - DAO 2/2013 ..... ADOPTED
9. Extension of Time – Rezoning of Land Located at 956 Notre Dame Avenue - DAZ 240/2012 ..... ADOPTED
10. Extension of Time – 1505 Molson Street - DASZ 6/2013 ..... ADOPTED
11. Strategy and Parameters Surrounding the Use of Recurring Revenue from Signs Located within City-owned Properties and/or Rights-of-way ..... ADOPTED
12. Proposed Sale of 212 Rue Dumoulin and the Associated Easement Requirement ..... ADOPTED
13. Proposed Lease Agreement to Allow for the Use of City-Owned Property at 669 St. Matthews Avenue for the purpose of a Day Care Centre ..... ADOPTED
14. Declaration of Surplus Land - North of 497 Tissot Street (Lot 33, Plan 30000) ..... ADOPTED
15. Declaration of Surplus Land adjacent to 34 Riverbend Avenue (Parcels A, B, C, H, U & T, Plan 22025) ..... ADOPTED
16. Proposed Amendment to the Encroachment Agreement between the City and Allredekopp Ltd. For Lands in the Stadacona Street Right-of-Way between Riverton Avenue and Gordon Avenue ..... ADOPTED
17. Rail Safety ..... ADOPTED
18. Results of Expression of Interest 617-2014 and Approval of the Sale of 825 Tache Avenue .....THE EXECUTIVE POLICY COMMITTEE LAID OVER THE MATTER FOR 30 DAYS
19. Approval to Waive that Portion of the City Policy Pertaining to the Sale or Lease of City Lands to Non-Profit Organizations – 547 Selkirk Avenue ..... ADOPTED
20. Expropriation of Lands – Polo Park Infrastructure Improvements Project – Westside of St. James Street ..... ADOPTED
21. Expropriation of Land – Portion of 1780 Taylor Avenue for the Winnipeg Fire Paramedic Station No. 12 – Fire Paramedic Facilities Replacement and Relocation Program ..... ADOPTED

REPORT OF THE STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT dated March 13, 2015

1. Subdivision and Rezoning – Gunn Hewitson - DASZ 18/2014 ..... ADOPTED

Disposition of Items – Council Meeting – March 25, 2015

COUNCIL MOTIONS			
MOTION	**MOVER & SECONDER**	**SUBJECT**	**DISPOSITION**
1	Orlikow / Browaty	That the Declaration of Expropriation dated April 30, 2014, made pursuant to By-law No. 22/2014 and expropriating the following lands: The lands taken for Works and shown as Parcel A on Plan Deposit 397/2014 WLTO, prepared by Kelly Wayne Mantik, of the City of Winnipeg, Manitoba Land Surveyor, is hereby confirmed. The lands described above are expropriated subject only to the following existing interest: ▪ Caveat (Instrument No. 2478832/1) registered by 3177751 Manitoba Ltd. on April 13, 2000. The aforesaid lands except: A. mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under The Real Property Act or are not owned by the owner of the surface under The Registry Act; and B. reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of The Real Property Act. That Council's reasons for proceeding with the expropriation of the property located at 1780 Taylor Avenue as described in By-law No. 22/2014, rather than: ▪ that the eastern boundary of the land to be expropriated should be established approximately five feet to the west of the existing property line. The five foot strip should extend southerly from the triangle piece (i.e. from parcel B). The existing easement rights should remain in place and should not be expropriated; which in the opinion of the Inquiry Officer is fair and reasonably necessary for the achievement of the City's objectives, are as follows: ▪ Endorsing the recommendation creates a potential liability, in which the City is required to service and maintain the Fire Hall by encroaching upon private property (i.e. the five feet retained by the expropriated party). ▪ The intent of the recommendation can be accommodated through an easement agreement with the adjacent property owners. ▪ If the expropriation plan is confirmed, the Public Service would consider an easement agreement with the adjacent property owners at their request, which would give the City ownership over the disputed laneway (approximately the most westerly five feet of the laneway) while still providing access to the laneway to the adjacent owners.	CARRIED

		▪ It is uncertain whether the City could secure an easement on the disputed laneway if ownership of the laneway resides with the expropriated party. ▪ Furthermore, the cost and terms of an easement with the expropriated property are also uncertain. ▪ Therefore, it is in the City's best interests to make and confirm the Amended Declaration of Expropriation.	
2	Orlikow / Browaty	That the Declaration of Expropriation made May 27, 2014, executed pursuant to By-law No. 47/2014 and expropriating the following lands: The lands taken for Works and shown as Parcels A, B, C, D, E, F, G, H, J, K, M, N and P on Plan Deposit 522/2014 WLTO, prepared by Donald Neil Bourgeois, of the City of Winnipeg, Manitoba Land Surveyor, The lands described above are expropriated free of encumbrances, except for Parcel H on (amended) Plan Deposit 522/2014 WLTO which is expropriated subject to Canadian National Railway Company Easement Declaration No. 2587830/1, registered in the Winnipeg Land Titles Office on April 18, 2001 and Canadian National Railway Company Caveat No. 3267550/1, registered in the Winnipeg Land Titles Office on March 23, 2006. The lands described above except: A. mines, minerals and named substances which are excepted from or not included in the Certificate of Title of the registered owner of the surface under The Real Property Act or are not owned by the owner of the surface under The Registry Act; and B. reservations in favour of the Crown as excepted from the Title of the owner of the surface, or to which Title is subject by implication under the provisions of The Real Property Act. be amended to provide that the lands described are as follows: The lands taken for Works and shown as Parcels A, B, C, D, E, H, J, K, N and P on Plan Deposit 522/2014 WLTO, prepared by Donald Neil Bourgeois, of the City of Winnipeg, Manitoba Land Surveyor, and be amended to replace the original Plan Deposit 522/2014 WLTO with a revised version which: ▪ deletes Parcels F, G and M from the lands to be expropriated. That the Declaration of Expropriation dated May 27, 2014, as amended herein and thereby replaced by an Amended Declaration of Expropriation dated March 25, 2015, is hereby confirmed. That Council's reasons for proceeding with the partial expropriation of the property located at 1688 St. Matthews Avenue, rather than a full taking which in the opinion of the Inquiry Officer is fair and reasonably necessary for the achievement of the City's objectives, are as follows: ▪ There was no evidence (i.e. financial data) provided at the hearing to prove the affected property was no longer commercially viable as a result of the taking.	CARRIED

		▪ The affected owner has the ability to forward their position at the Land Value Appraisal Commission (LVAC) for the purposes of compensation. ▪ A full taking would increase land acquisition costs and create a liability for the City due to the maintenance of an existing building on the property. That Council's reasons for proceeding with the partial expropriation of the property located at 890 St. James Street, rather than a full taking which in the opinion of the Inquiry Officer is fair and reasonably necessary for the achievement of the City's objectives, are as follows: ▪ There was no evidence (i.e. financial data) provided at the hearing to prove the affected property was no longer commercially viable as a result of the taking. ▪ The affected owner has the ability to forward their position at the Land Value Appraisal Commission (LVAC) for the purposes of compensation. ▪ A full taking would increase land acquisition costs and create a liability for the City due to the maintenance of an existing building. That Council's reasons for proceeding with the expropriation of the property located at 496 and 500 Madison Avenue, without implementing the installation of traffic controls and a median cut, which in the opinion of the Inquiry Officer is fair and reasonably necessary for the achievement of the City's objectives, are as follows: ▪ Creating a median cut would disrupt eastbound traffic on St. Matthews Avenue and increase the risk of rear end collisions, since an eastbound storage lane cannot be accommodated due to the presence of a westbound left turn lane at this location. ▪ The median cut would also require eastbound traffic on St. Matthews Avenue to navigate through the westbound storage lane which could create collisions; the median cut would not align with Kensington Street, which could generate improper turning movements. ▪ Installing traffic controls at St. Matthews Avenue and Kensington Street would not meet City guidelines for signal control and would create safety issues, queuing issues and vehicle delay. ▪ Installing traffic controls at St. Matthews Avenue and Madison Street would not meet City guidelines, would unduly delay vehicle movements and could create safety issues. ▪ Installing pedestrian traffic control is deemed unnecessary since the St. Matthews Avenue extension will include creating sidewalks within the right-of-way (none existed before) and the site is within close proximity to an existing crossing (Route 90 and St. Matthews Avenue). Therefore, it is in the City's best interests to make and confirm the Amended Declaration of Expropriation.	

3	Browaty / Wyatt	That the Winnipeg Public Service prepare a report on the potential vehicular implications of this development to the April 14, 2015 meeting of the Standing Policy Committee on Infrastructure Renewal and Public Works and on to Council.	CARRIED
4	Bowman / Orlikow	That Winnipeg City Council strongly supports Councillor Jenny Gerbasi with her intention to run for the following positions: ▪ 2nd Vice President of the Federation of Canadian Municipalities in 2015 ▪ 1st Vice President of the Federation of Canadian Municipalities in 2016 ▪ President of the Federation of Canadian Municipalities in 2017	CARRIED
5	Orlikow / Morantz	That "Building Canada Fund Applications" be amended to add the following recommendations: 2. That the City be authorized to enter into funding agreements with the Government of Canada and the Province of Manitoba that set out the terms and conditions of the federal and provincial funding contributions to approved Building Canada Fund projects; 3. That the Chief Financial Officer be authorized to negotiate and approve the terms and conditions of such funding agreements in accordance with the foregoing, and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City; 4. That final approval of City funding be contingent upon Council approval; 5. That "Chief Peguis Trail - Main to McPhillips" be amended to "Chief Peguis Trail - Main to Route 90".	WITHDRAWN
6	Wyatt / Eadie	That Council amend its January 28, 2015 decision with respect to Item 1 of the January 26, 2015 Report of the Executive Policy Committee by deleting the following Clause in its entirety: 3. ii. CentreVenture and/or CCC Properties Inc. (CCC) undertake a public bid process with respect to future development of the Site.	WITHDRAWN
7	Bowman / Lukes	That "Building Canada Fund Applications" be amended to add the following recommendations: 2. That the City be authorized to enter into funding agreements with the Government of Canada and the Province of Manitoba that set out the terms and conditions of the federal and provincial funding contributions to approved Building Canada Fund projects; and 3. That the Chief Financial Officer be authorized to negotiate and approve the terms and conditions of such funding agreements in accordance with the foregoing, and such other terms and conditions deemed necessary by the City Solicitor / Director of Legal Services to protect the interests of the City. 4. That final approval of City funding for project(s) and overall scope be contingent upon Council approval. 5. That "Chief Peguis Trail - Main to McPhillips" be amended to	CARRIED

Disposition of Items – Council Meeting – March 25, 2015

		"Chief Peguis Trail - Main to Route 90."	
8	Mayes / Browaty	1. That the decision of Council from March 25, 2015 in regards to Item 2 of the Report of EPC dated March 18, 2015 be rescinded. 2. That the original recommendations of EPC on the above item be adopted.	CARRIED

Disposition of Items – Council Meeting – March 25, 2015

BY-LAWS PASSED (RECEIVED THIRD READING)		
BY-LAW NO.	**SUBJECT**	**DISPOSITION**
9/2015	To amend the Downtown Residential Development Grant Program By-law No. 77/2010.	PASSED
10/2015	To amend Schedule 1 of the Traffic By-law 1573/77 and Schedule E of the Streets By-law 1481/77	PASSED
13/2015	To recognize the quashing of By-laws 136/2012, 46/2013 and 141/2013	PASSED
30/2015	To approve the budgets of sixteen Business Improvement Zones and, for the purposes of raising money for each zone's approved budget, to impose business improvement zone taxes on each business within each zone at a uniform rate based on the business assessment of each business.	PASSED
31/2015	To amend the fees found in several by-laws	PASSED
32/2015	To acquire land for the purpose of extending and widening St. Matthews Avenue and widening St. James Street for Polo Park Area Infrastructure Improvements, in the City of Winnipeg, in Manitoba and to repeal By-Law No. 47/2014	PASSED
33/2015	To acquire land for the purpose of construction of the Southwest Rapid Transit Bus Corridor including widening Markham Road, Southpark Drive, Seel Avenue, Chancellor Drive and Pembina Highway, in the City of Winnipeg, in Manitoba	PASSED
39/2015	To fix and impose taxes to raise the amounts required in the year 2015 by certain School Divisions for school purposes	PASSED
40/2015	To fix and impose taxes to raise the amounts required in the year 2015 by The Public Schools Finance Board of the Province of Manitoba for education purposes	PASSED
41/2015	To approve a plan of subdivision for land located at Elizabeth Road and Plessis Road in the Riel Community. -	PASSED
42/2015	To amend the Doing Business in Winnipeg By-law No. 91/2008 and other By-laws to reflect the termination of licencing of food service establishments and body modification establishments and technicians	PASSED