EXECUTIVE POLICY COMMITTEE
DISPOSITION OF ITEMS

MARCH 5, 2019

MEMBERS PRESENT: His Worship Mayor Bowman, Chairperson
Councillor Allard
Councillor Gillingham
Councillor Gilroy
Councillor Mayes
Councillor Orlikow
Councillor Rollins

COMMITTEE CLERK: Andrew Poitras, Manager of the Decision Making Process
City Clerk's Department

EXECUTIVE POLICY COMMITTEE
MARCH 5, 2019
DISPOSITION OF ITEMS

Item	Subject/File	Recommendations	Action Required By
		REPORTS	
1	Subdivision and Rezoning – 1415 Regent Avenue West – DASZ 21/2018	The Executive Policy Committee concurred in the recommendation of the East Kildonan-Transcona Community Committee and recommended to Council: 1. That the plan of survey proposed under Development Application No. DASZ 21/2018 be approved for preparation as a plan of survey (the "Plan") by a Manitoba Land Surveyor in accordance with the map dated January 28, 2019, and attached as Schedule "A" to this report, with such minor changes as may be required, and registration in the Winnipeg Land Titles Office, subject to the following condition: A. That the developer be required to enter into a Servicing Agreement with the City pursuant to subsection 259(1) of The City of Winnipeg Charter in accordance with the report of the Administrative Coordinating Group dated January 30th, 2019, and attached as Schedule "B" to this report. 2. That the Winnipeg Zoning By-law No. 200/2006 be amended by rezoning the subject land to a "C3" Commercial Corridor District as shown on the map dated January 28, 2019, and attached as Schedule "A" to this report, subject to the following conditions: A. That the developer enter into a Zoning Agreement with the City pursuant to subsection 240(1) of The City of Winnipeg Charter in accordance with the following: i. That the Owner must submit plans showing the location and design of any and all proposed: a. buildings; b. accessory parking areas; c. driveways; d. walkways; e. pathways; f. garbage enclosures; g. fencing; h. landscaping;	Council

EXECUTIVE POLICY COMMITTEE
MARCH 5, 2019
DISPOSITION OF ITEMS

Item	Subject/File	Recommendations	Action Required By
		i. exterior lighting; and j. free-standing signage; on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the East Kildonan – Transcona Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director. 3. That the City enter into, execute and deliver with the Developer A. a Servicing Agreement in accordance with recommendation 1; and B. a Zoning Agreement in accordance with recommendation 2, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements"). 4. That Caveat 2520389 be discharged. 5. That authority be delegated to the City's Director of Planning, Property and Development (the "Director") to negotiate and approve the terms and conditions of the Servicing Agreement, the Zoning Agreement and any Ancillary Agreements in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City. 6. That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No. DASZ 21/2018 as determined by the City's Director of Planning, Property and Development.	

EXECUTIVE POLICY COMMITTEE
MARCH 5, 2019
DISPOSITION OF ITEMS

Item	Subject/File	Recommendations	Action Required By
		7. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2 year period and Council approves the extension. 8. That, upon instruction from the Director of Planning, Property and Development, the Director of Legal Services/City Solicitor prepare and bring it directly to Council for enactment the By-law in accordance with the above. 9. That the subdivision section of the By-law, by virtue of a Plan of Survey with Consent, will come into force when the Servicing Agreement is fully executed and the Plan is registered in the Winnipeg Land Titles Office. 10. That the zoning section of the By-law will come into force when the Zoning Agreement is registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein. 11. That the By-law will be repealed without coming into force 1 year after the date it is enacted if the Plan and the Zoning Agreement are not registered in accordance with recommendations 9 and 10 unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension. 12. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if the necessary Plan approval signatures on behalf of the City have not been secured within 1 year after the date on which the By-law is enacted unless the developer applies for an extension of time before the expiration of the 1 year period and Council approves the extension. 13. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	
2	Rezoning – 140 Alfred Avenue – DAZ 213/2018	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 under	Council

Item	Subject/File	Recommendations	Action Required By
		Development Application No. DAZ 213/2018 by rezoning the subject land to a "C2" Commercial Community District as shown on the map dated February 19, 2019, and attached as Schedule "A" to this report subject to the following conditions: A. That the owner of the subject land (the "Owner") enter into, execute and deliver a Zoning Agreement with the City pursuant to Section 240 (1) of The City of Winnipeg Charter in accordance with the following: i. The Owner must submit plans showing the location and design of any and all proposed: a. buildings; b. accessory parking areas; c. private approaches; d. garbage enclosures; e. fencing; f. exterior lighting; g. landscaping; and h. free-standing signage on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the Lord Selkirk - West Kildonan Community Committee for approval prior to the issuance of any building or development permit, and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director. ii. That there shall be no billboard signs, mobile signs, or A-board signs on the entire site, except that a mobile sign shall be permitted on the site for a period of up to thirty (30) days in association with a new occupancy permit. iii. That uses on the land be restricted to:	

Item	Subject/File	Recommendations	Action Required By
		a. Parking, surface; b. Dwelling, Single-family; c. Dwelling, Two-family. B. That the City enter into, execute and deliver with the Developer a Zoning Agreement in accordance with recommendation 1.A, and such other agreements as determined necessary by the City Solicitor/Director of Legal Services to implement the intent of the foregoing (the "Ancillary Agreements"). C. That authority be delegated to the City's Director of Planning, Property and Development to negotiate and approve the terms and conditions of the Zoning Agreement, and any Ancillary Agreements, in accordance with this report and such other terms and conditions determined necessary by the City Solicitor/Director of Legal Services to protect the interests of the City. 2. That, in lieu of the dedication of land, the Developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of the Development Application, as determined by the City's Director of Planning, Property and Development. 3. That this matter will be deemed to be concluded and all approvals in connection with this matter will expire if a by-law to implement this report (the "By-law") is not enacted within 2 years after the date on which this report is approved by Council unless the developer applies for an extension of time before the expiration of the 2-year period and Council approves the extension. 4. That, upon instruction from the Director of Planning, Property and Development, the City Solicitor/Director of Legal Services shall prepare and bring directly to Council for enactment the By-law in accordance with the above. 5. That the By-law will come into force when the Zoning Agreement is	

EXECUTIVE POLICY COMMITTEE
MARCH 5, 2019
DISPOSITION OF ITEMS

Item	Subject/File	Recommendations	Action Required By
		fully executed and registered in the Winnipeg Land Titles Office by way of caveat against the lands described therein. 6. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.	
COMMITTEE REPORTS			
1 - 3	Governance Committee of Council Report dated February 20, 2019	The Executive Policy Committee laid over Items 1-2 of the Governance Committee of Council to its meeting on March 12, 2019.	Executive Policy Committee
		The Executive Policy Committee concurred in the recommendation for Item 3 of the Governance Committee of Council and forwarded the item to Council.	Council