

MOTION – Amendment to Downtown Winnipeg Zoning By-law 100/2004

WHEREAS there was recent media coverage of a serious incident at the Citizen Nightclub located at 291 Bannatyne Avenue;

AND WHEREAS Citizen Nightclub has had constant negative issues with the Winnipeg Police and Liquor, Gaming and Cannabis Authority (LGCA) over the last 12 months;

AND WHEREAS the Exchange District neighbourhood is a mixed use residential and commercial community that accommodates a wide variety of local store front commercial businesses, nightclubs, restaurants and other community amenities to support the growing neighbourhood for residents who live and want to live in the Exchange District;

AND WHEREAS the residents, together with the ward Councillor, have been working together with the Winnipeg Police and LGCA to deal with the constant negative issues that arise from Citizen Nightclub;

AND WHEREAS in Section 105(2) of *The Liquor Gaming and Cannabis Control Act* (Manitoba) states as follows: “An applicant is not required to give public notice of the application if the applicant seeks a liquor service licence for premises in respect of which the executive director issued the same category of liquor service licence in the year before the application.”

AND WHEREAS the Minister of Justice, Attorney General advised that a legislative amendment to Section 105(2) would not be warranted at this time as the LGCA cannot withhold a licence and that the LGCA liquor service licensing requirements are predicated on respecting municipal zoning requirements and standards;

THEREFORE BE IT RESOLVED THAT the Lord Selkirk – West Kildonan Community Committee recommend to the Standing Policy Committee on Property and Development, Heritage, and Downtown Development that the Winnipeg Public Service be directed to review the Downtown Winnipeg Zoning By-law 100/2004 and report back within 60 days with a recommendation on amending the Downtown Zoning By-law 100/2004 to require new business/tenant applications for an occupancy permit for a drinking establishment, nightclub, lounge, bar and/or restaurant, in a venue larger than 3,000 square feet or a 400 person plus capacity, be required to obtain written approval from the Lord Selkirk West Kildonan Community Committee to establish such a use within the Downtown Winnipeg boundary which falls within the area covered by the Lord Selkirk–West Kildonan Community Committee.