

THE CITY OF WINNIPEG

BY-LAW NO. 5301/89

A By-law of THE CITY OF WINNIPEG to
amend By-law No. 1474/77 being The
Historical Winnipeg Buildings By-law.

THE CITY OF WINNIPEG, in Council assembled,
enacts as follows:

1. By-law No. 1474/77 is hereby re-numbered as follows:

- (1) re-number section A1 as section 1.;
- (2) re-number section 1 as section 2.;
- (3) re-number section 2 as section 3.;
- (4) re-number section 3 as section 4.;
- (5) re-number clause 3.(2)(a) as subsection 4.(2).;
- (6) re-number clause 3.(2)(b) as subsection 4.(3).;
- (7) re-number clause 3.(2)(c) as subsection 4.(4).;
- (8) re-number section 4 as section 5.;
- (9) re-number subsection 5.(1) as section 6.;
- (10) re-number section A6 as section 7.;
- (11) re-number section 6. as section 8.;
- (12) re-number subsection 7.(1) as section 9.;
- (13) re-number subsection 7.(2) as section 10.;
- (14) re-number section 8. as section 11.;
- (15) re-number section 9. as section 12.;
- (16) re-number section 10. as section 13.;
- (17) re-number subsection 10.(3) as section 14.;
- (18) re-number subsection 10.(4) as subsection 15.(1).;
- (19) re-number subsection 10.(5) as subsection 15.(2).;
- (20) re-number subsection 10.(6) as subsection 16.(1).;
- (21) re-number subsection 10.(7) as subsection 16.(2).;
- (22) re-number subsection 11.(1) as section 17.;
- (23) re-number clause 11.(1)(i) and 11.(1)(ii) as clauses 17.(a) and 17.(b).;
- (24) re-number subsection 11.(2) as subsection 18.(1).;
- (25) re-number subsection 11.(3) as subsection 18.(2).;
- (26) re-number subsection 11.(4) as subsection 18.(3).;
- (27) re-number subsection 11.(5) as section 19.;
- (28) re-number subsection 11.(6) as section 20.;
- (29) re-number section 12 as section 21.;
- (30) re-number section 13 as section 22.;

2. Symbols (a), (b), (c), (d), (e), (f), (g), (h), (i) and (j) are hereby deleted from section 2 of By-law No. 1474/77.

3. Cross-reference notations contained throughout By-law No. 1474/77 are hereby changed as follows:

- (1) cross-reference "subsection 2(1)" found within the wording for definition "BUILDINGS CONSERVATION LIST" is changed to read "subsection 3.(1)";
- (2) cross-references "subsections 10(1) and 10(2)" found within the wording for definition "CERTIFICATE OF SUITABILITY" is changed to read "subsections 13.(1) and 13.(2)";
- (3) cross-reference "subsection 10(3)" found within the wording for definition "CERTIFICATE OF ORDINARY MAINTENANCE" is changed to read "subsection 14.(1)";

- (4) cross-reference "Section 3" found within the wording for "HISTORICAL BUILDINGS COMMITTEE" is changed to read "Section 4";
 - (5) cross-reference "subsection 2(2)" found within the wording for "INVENTORY OF BUILDINGS" is changed to read "subsection 3.(2)";
 - (6) cross-reference "subsection 4(c)" found in clause 5.(b)(iii) is changed to read "clause 5.(c)";
 - (7) cross-reference "subsection 7(1)" found in subsection 8.(3) is changed to read "section 9.";
 - (8) cross-reference "subsection 6(5) found in section 9. is changed to read "subsection 8.(5)";
 - (9) cross-references "Section 6, 8 or 9" found in section 10. is changed to read "Sections 8, 11 or 12";
 - (10) cross-references "subsection 9(3) or subsection 9(5)" found in subsection 12.(6) is changed to read "subsection 12.(3) or subsection 12.(5)";
 - (11) cross-reference "subsection 10(3)" found in subsection 13.(1) is changed to read "section 14.";
 - (12) cross-reference "section 11" found in subsection 13.(1) is changed to read "Sections 17, 18, 19 and 20";
 - (13) cross-reference "subsection 10(4)" found in section 14. is changed to read "subsection 15.(1)";
 - (14) cross-reference "subsection 10(5)" found in subsection 15.(1) is changed to read "subsection 15.(2)";
 - (15) cross-reference "subsection 10(7)" found in subsection 16.(1) is changed to read "subsection 16.(2)";
 - (16) cross-reference "Section 6" found in subsections 16.(1) and 16.(2) is changed to read "Section 8";
 - (17) cross-reference "subsection 10(6)" found in subsection 16.(2) is changed to read "subsection 16.(1)"; and
 - (18) cross-reference "Section 4" found in section 17. and subsection 18.(1) is changed to read "Section 5".
4. Titles for sections of By-law No. 1474/77 as amended by section 1 of the by-law are inserted, maintained or amended as follows:
- (1) For section 1 insert the word "TITLE" as the title;
 - (2) For section 4 insert the title "HISTORICAL BUILDINGS COMMITTEE";
 - (3) Title for section 7 amended to read as follows: "ECONOMIC VIABILITY";
 - (4) Delete title "PROHIBITION AND REGULATION OF ALTERATION, REPAIR, DEMOLITION AND REMOVAL/PERMITS:" found prior to section 13;
 - (5) For section 13 maintain the title "CERTIFICATE OF SUITABILITY"

- (6) For section 14 maintain the title "CERTIFICATE OF ORDINARY MAINTENANCE";
 - (7) For section 15 maintain the title "SANDBLASTING, CLEANING, TREATING";
 - (8) For section 16 maintain the title "BUILDINGS ON INVENTORY - NO DEMOLITION PERMIT";
 - (9) Title for section 17 amended to read as follows "CERTIFICATE OF SUITABILITY FOR A GRADE I OR II BUILDING"; and
 - (10) For section 18 insert the title "CERTIFICATE OF SUITABILITY FOR A GRADE III BUILDING".
5. Section 2 of By-law No. 1474/77 is hereby amended by adding thereto immediately at the beginning thereof the following:
- "In this By-law"
6. Section 2 of By-law No. 1474/77 is amended by adding immediately at the end of the definition for "COMMISSIONER" the following new words:
- ", or other person designated by and to act on behalf of that Commissioner."
7. Subsection (1) of section 4 of By-law No. 1474/77 is hereby amended by deleting therefrom the words "paragraphs" and "paragraph" where they appear therein, and substituting therefor in both cases the words "clauses" and "clause".
8. Section 19 of By-law No. 1474/77 is repealed and the following new section substituted:

"HW" DESIGNATION - BY-LAW NO. 4800/88

- 19.(1) Where an application is made in respect of the alteration, repair, or removal of any part of the exterior of a building situated on a lot designated "HW" under The Downtown Winnipeg Zoning By-law No. 4800/88, a recommendation from the Historic Winnipeg Advisory Committee appointed under that by-law shall be required in respect of that exterior instead of from the Historical Buildings Committee.
- (2) Where a Certificate of Suitability is applied for in respect of a listed interior element of a building included on the Buildings Conservation List and situated on a lot designated "HW", recommendation from the Historical Buildings Committee shall be required in respect of that interior.
- (3) Where a Certificate of Suitability is applied for in respect of the demolition of a Grade III building situated on a lot designated "HW", a recommendation from the Historical Buildings Committee shall be required in respect of that application.

9. Section 20 of By-law No. 1474/77 is repealed and the following new section substituted:

ISSUE OF CERTIFICATE BY HISTORICAL BUILDINGS COMMITTEE

- 20.(1) Subject to subsection 20.(2), where the applicant for a Certificate of Suitability agrees in writing with the recommendations of the Historical Buildings Committee, the Historical Buildings Committee may issue that Certificate without proceedings under Sections 17 and 18 of this By-law.
- (2) Where, in the Downtown as defined by Zoning By-law No. 4800/88 the applicant for a Certificate of Suitability affecting the exterior of a building agrees in writing with the recommendations of the Historical Buildings Committee, the Historical Buildings Committee may issue that Certificate without proceedings under Sections 17 and 18 of this By-law after written approval by the Downtown Design Board.

DONE AND PASSED in Council assembled this 29th
of November A.D., 19 89

(Sgd.) William Norrie
Mayor

(SEAL)

(Sgd.) R. B. Hayes
City Clerk

Certified as to Planning Details:


for Director of Environmental Planning

Certified as to Form:


for City Solicitor