

REPEALED by By-law No. 160/2011
DECEMBER 14, 2011

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CONSOLIDATION UPDATE: JUNE 24, 2009

THE CITY OF WINNIPEG

THE DEVELOPMENT PROCEDURES BY-LAW
NO. 5893/92

**A By-law of The City of Winnipeg to provide for
procedures under Part 6 of *The City of
Winnipeg Charter*.**
amended 8162/2002

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:
added 8162/2002

1. This By-law may be cited as "**The Development Procedures By-law**".

DEFINITIONS

2. In this By-law:

"appeal committee" means the Standing Committee of Council to which the conduct of appeal hearings under this by-law has been delegated.
amended 6075/92; 7167/98; 8162/2002

"application" means a development application.

"bulk" means the size of buildings or structures and their relationships to each other and to open areas and lot lines and includes

- (a) height and floor area
- (b) the area of the zoning lot on which a building is located and the number of dwelling units or rooms within such building in relation to the area of the zoning lot
- (c) the shape of buildings or structures

- (d) the location of exterior walls of buildings in relation to lot lines, to other walls of the same building, to legally required windows, and to other buildings
- (e) open areas on a zoning lot and the relationship between or among open areas and buildings or structures on the zoning lot.

"conditional use" means a use of real property that might be approved under a zoning by-law.

amended 8162/2002

"conditional use order" means an order in respect of an application for a conditional use.

amended 8162/2002

"density" means the number of permitted dwelling units or the allowable floor area of buildings related to the area of the zoning lot on which those dwelling units or floor area are located.

"development" means the construction of a building on, over or under land, a change in the use or intensity of use of a building or land, the removal of soil or vegetation from land, the deposit or stockpiling of soil or material on land, and the excavation of land.

"development application" means an application for

- (a) adoption of, or an amendment to, a zoning by-law;
- (b) approval of a plan of subdivision, conditional use or variance; or
- (c) consent to registration or filing of a conveyance.

amended 8162/2002

"director" means the Director of Planning, Property and Development and his/her delegates.

amended 7167/98; 7948/2001; 8162/2002

"draft application" means a development application which is submitted to the City for preliminary review and discussion.

added 223/2007

"representations" means information, material or argument presented orally or submitted in writing or other form at a public hearing including representations made in person or on behalf of another person.

"variance" means the modification of a provision of a zoning by-law.
amended 7107/97; 8162/2002

"variance order" means an order in respect of an application for a variance.
amended 8162/2002

"zoning by-law" has the same meaning as in *The City of Winnipeg Charter*.
amended 8162/2002

"zoning rule" or **"rule"** means any requirement of a zoning by-law.

"zoning tolerance" means

- (i) in the case of a variance of any yard or space separation, a variance not exceeding 5% of the requirement set out in the applicable zoning by-law or 0.3 m, whichever is the greater; and
- (ii) in any other case, a variance not exceeding 5% of the requirement set out in the applicable zoning by-law.
amended 8162/2002

DEVELOPMENT APPLICATIONS

- 3. (1) Development applications shall be made in accordance with *The City of Winnipeg Charter*.
amended 8162/2002
- (2) Development applications shall be made to the Director, who shall review all development applications to ensure that the application submitted is the proper application in relation to the applicant's proposed undertaking.
amended 7107/97
- (3) The director may refuse a development application without a hearing, in accordance with *The City of Winnipeg Charter*.
amended 8162/2002
- (4) *repealed 8162/2002*

- (5) (a) Where the director refuses a development application under subsection (3) for non-conformance with a secondary plan, the director shall serve a copy of that decision on the applicant, in accordance with *The City of Winnipeg Charter*.¹
amended 8162/2002; 92/2004
- (b) The applicant may appeal the director's decision in clause (a) to the Standing Policy Committee on Property and Development, and the appeal shall be conducted in accordance with section 189 of *The City of Winnipeg Charter*.
amended 8162/2002; 92/2004
- (c) The Standing Policy Committee on Property and Development shall review an application which is the subject of an appeal under clause (b), hear any representations from the applicant concerning the application's conformance with the applicable secondary plan, make a decision and serve a copy of its decision on the applicant in accordance with *The City of Winnipeg Charter*. Where the Standing Policy Committee on Property and Development refuses the application, it shall record in its minutes the reasons for the refusal, and shall provide a copy of the reasons to the applicant on request.¹
amended 8162/2002; 92/2004
- (6) (a) Where the director refuses a development application under subsection (3) for non-conformance with Plan Winnipeg, the director shall serve a copy of that decision on the applicant, in accordance with *The City of Winnipeg Charter*.¹
amended 92/2004
- (b) The applicant may appeal the director's decision in clause (a) to the Executive Policy Committee, and the appeal shall be conducted in accordance with section 189 of *The City of Winnipeg Charter*.
amended 92/2004
- (c) The Executive Policy Committee shall review an application which is the subject of an appeal under clause (b), hear any representations from the applicant concerning the application's conformance with Plan Winnipeg, make a decision and serve a copy of its decision on the applicant in accordance with *The City of Winnipeg Charter*. Where the Executive Policy Committee refuses the application, it shall record in its minutes the reasons for the refusal, and shall provide a copy of the reasons to the applicant on request.¹
amended 8162/2002; 92/2004
- (7) *repealed 7948/2001*

- (8) Where, in the opinion of the Standing Policy Committee on Property and Development, Executive Policy Committee or the Director, as the case may be, the development application is the proper application in relation to the applicant's proposed development, and it conforms with Plan Winnipeg and any secondary plan for the area in which the land or building is located, the Committee or the Director shall direct that the development application be referred to the appropriate designated city administrator, committee of council, or board of adjustment, as the case may be.

added 7948/2001

- (9) *repealed 8162/2002*

DRAFT APPLICATIONS

- 3.1 (1) An applicant may submit a draft application for approval of

- (a) a proposed zoning by-law,
- (b) a plan of subdivision,
- (c) a variance,
- (d) a conditional use,
- (e) a proposed Plan Winnipeg by-law,
- (f) a proposed secondary plan by-law, or
- (g) any combination of (a) through (f).

- (2) If submitting a draft application, the applicant shall submit it to the director and shall pay the fee prescribed in the Planning, Development and Building Fees By-law, which shall be non-refundable.
- (3) An applicant who has submitted a draft application may subsequently notify the director that the applicant intends to proceed with an application for approval of the same matter, with or without amendments to the draft application.
- (4) An applicant who has given the director notification under subsection (3) shall proceed by submitting an application. The director shall review and process the application in accordance with section 3.
- (5) Where an applicant who has given the director notification under subsection (3) submits an application, the fee paid in accordance with subsection (2) shall be credited toward the application fees payable under Parts 2, 3 and 4 of the Planning, Development and Building Fees By-law.

added 223/2007

PUBLIC HEARING ON ZONING BY-LAW, SUBDIVISION APPROVAL OR PLAN WINNIPEG BY-LAW*amended 8162/2002*

4. (1) Subject to subsections (2) and (2.01) a proposed zoning by-law or application for subdivision approval by by-law shall be referred under Part 6 of *The City of Winnipeg Charter* to the community committee for the community in which the land is located, or where that land is located in more than one community to the Standing Policy Committee on Property and Development or to one of those community committees as designated by the Standing Policy Committee on Property and Development and the committee to which the application is referred shall conduct the public hearing required by that Part 6.
amended 7167/98; 7948/2001; 8162/2002; 27/2009
- (2) Subject to subsection 6(1) a proposed zoning by-law which would enact or amend a zoning by-law establishing or amending the text of a zoning by-law without changing the zoning classification of any land shall be referred to the Standing Policy Committee on Property and Development to conduct the public hearing referred to in subsection (1).
amended 7167/98; 7948/2001
- (2.01) Notwithstanding subsection (2) but subject to subsection 6(1), a proposed zoning by-law which would establish or amend the text of a zoning by-law (including establishing or amending a planned development overlay district) without changing the zoning classification of any land and would affect land in only one community shall be referred to the community committee for the community in which the land is located to conduct the public hearing referred to in subsection (1), and subsections (2.1.1) and (2.1.2) do not apply to that matter.
added 27/2009
- (2.1) (a) The committee of council that conducts a public hearing under subsections (1), (2) or (2.01) to consider a proposed zoning or subdivision approval by-law shall forward its report and recommendation to council to the Standing Policy Committee on Property and Development for consideration and its recommendations to council unless that committee is the hearing committee, and
amended 7167/98; 7948/2001; 8162/2002; 92/2004; 27/2009
- (b) The Standing Policy Committee on Property and Development shall forward any report and recommendation of the community committee together with its own recommendations or report and recommendations to the executive policy committee for its consideration and forwarding of the combined report and all recommendations to City council but nothing in this By-law precludes council considering additional reports and recommendations from any committee making them.
amended 7167/98; 7948/2001; 42/2004

(2.1.1) Notwithstanding subsection (2.1), where a community committee that conducts

- (a) a public hearing under subsection (1) to consider a proposed zoning or subdivision approval by-law, or
- (b) a combined public hearing under section 6 not involving an amendment to a Secondary Plan,

concur, in its recommendation, in all respects with the director's recommendation, and no person registers in opposition or submits an objection to the application, the community committee shall forward its report and recommendation to the executive policy committee for its consideration and forwarding of the combined report and all recommendations to council.

amended 223/2007

(2.1.2) Where

- (a) a public hearing under subsection (1) to consider a proposed zoning or subdivision approval by-law, or
- (b) a combined public hearing under section 6 not involving an amendment to a Secondary Plan

is scheduled before a community committee, the hearing must not be adjourned or laid over to a date later than the second regularly scheduled meeting of that committee after the meeting at which the hearing is first scheduled.

amended 223/2007

- (2.2) (a) Notwithstanding subsections (1), (2) and (2.1), where the matter relates to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, a proposed zoning by-law or application for subdivision approval by by-law shall be referred under Part 6 of *The City of Winnipeg Charter* to the Standing Policy Committee on Downtown Development, which shall conduct the public hearing required by that Part 6.

added 42/2004; 92/2004

- (b) The Standing Policy Committee on Downtown Development shall forward its report and recommendations to the Executive Policy Committee for its consideration and forwarding of the combined report and all recommendations to Council, but nothing in this by-law precludes Council from considering additional reports and recommendations from any committee making them.

added 42/2004

- (c) Notwithstanding clauses (a) and (b) but subject to subsection 6(1), a proposed zoning by-law under subsection (2.01) which would affect land in a community within the area of jurisdiction of the Downtown Winnipeg Zoning By-law shall be referred under Part 6 of The City of Winnipeg Charter to the community committee for the community in which the land is located, which shall conduct the public hearing required by that Part 6. The community committee shall forward its report and recommendations to Council to the Standing Policy Committee on Downtown Development for consideration and its recommendations to Council. The Standing Policy Committee on Downtown Development shall forward any report and recommendation of the community committee together with its own recommendations to the Executive Policy Committee for its consideration and forwarding of the combined report and all recommendations to Council, but nothing in this By-law precludes Council from considering additional reports and recommendations from any committee making them.
added 27/2009
- (3) A public hearing to consider a Plan Winnipeg By-law shall be held by the Executive Policy Committee.
added 6303/94; amended 8162/2002

PUBLIC HEARING ON SECONDARY PLAN

- 5. (1) A proposed Secondary Plan By-law shall, after first reading and before second reading, be referred for conduct of a public hearing in accordance with *The City of Winnipeg Charter*.
amended 8162/2002
 - (a) where the land to which the proposed Secondary Plan By-law applies is located in one community to the community committee for that community;
 - (b) where the land is located in two or more communities to the community committee for one of those communities as designated by resolution of City Council;

but if council deems it more appropriate it may by resolution designate either the executive policy committee or a standing committee to conduct the public hearing.

- (2) Starting at whichever committee of council conducts the public hearing referred to in subsection (1) its report and recommendations shall be forwarded up to council, with the combined report and recommendations of each subsequent committee considering the matter, in the sequence community committee - any standing committee other than the Standing Policy Committee on Property and Development - the Standing Policy Committee on Property and Development and Executive Policy Committee; but nothing in this By-law precludes council considering additional reports and recommendations from any committee making them.
amended 7167/98; 7948/2001; 42/2004
- (3) Notwithstanding subsections (1) and (2), where the matter relates to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, a proposed secondary plan by-law shall, after first reading and before second reading, be referred for conduct of a public hearing in accordance with *The City of Winnipeg Charter*, to the Standing Policy Committee on Downtown Development.
added 42/2004; 92/2004
- (4) The Standing Policy Committee on Downtown Development shall forward its report and recommendations to the Executive Policy Committee for its consideration and forwarding of the combined report and all recommendations to Council, but nothing in this by-law precludes Council from considering additional reports and recommendations from any committee making them.
added 42/2004

COMBINED HEARING

amended 8162/2002

6. (1) Subject to subsections (2) and (3) where a proposed development requires public hearings on two or more of an amendment to Plan Winnipeg, an amendment to a Secondary Plan, an amendment to a zoning by-law, approval or amendment of a plan of subdivision, or an application for approval of a variance or a conditional use, the required public hearings shall be combined and shall be held by the committee set by or designated under sections 4 and 5.
amended 6303/94; 8162/2002
- (2) Where an amendment to Plan Winnipeg is included in a combined hearing it shall be held by the Executive Policy Committee.
amended 6303/94; 8162/2002
- (3) Where an application for a conditional use order or variance order or both is included in the combined hearing:

- (a) where the matter relates to real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law, the Standing Policy Committee on Downtown Development shall be the hearing committee, and shall make the order(s) in accordance with this By-law and *The City of Winnipeg Charter*, and any appeal(s) against the order(s) shall be heard and decided by the committee designated under subsection 13.1(1) of the Organization By-law, in accordance with *The City of Winnipeg Charter*, and
amended 42/2004
- (b) in any other case, the Standing Policy Committee on Property and Development, which must hear any appeal, shall not be the hearing committee, and the hearing committee shall make the order(s) in accordance with this By-law and *The City of Winnipeg Charter*, and any appeal(s) against the order(s) shall be heard and decided by the Standing Policy Committee on Property and Development, in accordance with *The City of Winnipeg Charter*.²
amended 42/2004

SUBDIVISION BY "SHORT-FORM" OR CONSENT

7. An application for

- (i) approval of a plan of subdivision under clause 256(1)(b) of *The City of Winnipeg Charter*, or
amended 92/2004
- (ii) a consent under section 260 of *The City of Winnipeg Charter*,

shall be referred to the Standing Policy Committee on Property and Development as the authorized committee under those sections, except where the matter relates to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, in which case the application shall be referred to the Standing Policy Committee on Downtown Development as the authorized committee under those sections.
amended 8162/2002; 42/2004

8. *renumbered as 4(2.1) (a) and (b)*
8162/2002

NOTICE OF HEARING OR DECISION

9. (1) Notice of hearings held under Part 6 of *The City of Winnipeg Charter* shall be given in accordance with *The City of Winnipeg Charter*.
- (2) A decision under this By-law shall be prepared and served in accordance with *The City of Winnipeg Charter*.¹
- (3) Where an address for sending a decision or notice of hearing is required, one of the following shall be used:
- (i) if the person to be served is the owner of real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property;
 - (ii) if the person to be served is the occupant of real property, the street address for that property;
 - (iii) the address for service provided by the person to be served in an application to the City under this By-law; or
 - (iv) if the person to be served has made a representation at a hearing under this by-law, the address for service provided by the person.
- amended 8162/2002 (entire section 9)*

NOTICE BY POSTING

10. (1) In addition to providing the notice of hearings required under subsection 9(1), the Director must post on a building or parcel of land and maintain in good condition, notice of hearing which notice must be:
- (a) at least 215.9 mm by 279.4 mm (8.5 inches by 11 inches) in dimension; and
 - (b) printed in legible characters of at least 10 point size.
- (2) The Standing Policy Committee on Property and Development may identify circumstances in which the manner of posting notice under subsection (1) is insufficient or ineffective due to the nature of the proposed development or the uniqueness of the subject site and the surrounding lands, and in those circumstances, subject to the discretion of the Director, the applicant must post signage, at the applicant's expense, which meets the specifications set out in Schedule "A".

amended 155/2007; 168/2008

NOTICE OF COMMITTEE REPORT

11. Where a hearing body conducts a hearing under Part 6 of *The City of Winnipeg Charter* for the purpose of making a recommendation to council respecting a proposed by-law or an application, and submits a report to council, the city shall give notice of the report and the meeting where council is to consider the report, in accordance with *The City of Winnipeg Charter*.

amended 8162/2002

APPLICATION FOR VARIANCE OR CONDITIONAL USE WHERE RECENT COMMUNITY COMMITTEE HEARING ON REZONING OR SUBDIVISION

added 126/2008 (effective January 1, 2009)

11.1 (1) Where an application for approval of a variance or a conditional use on land in a Commercial, Manufacturing, or Residential Multi-Family zoning district is submitted to the City within two years after Council has, after a public hearing held by a community committee, passed a by-law approving either or both of

(i) an amendment to a zoning by-law, or

(ii) a plan of subdivision

respecting the land, the application, if not decided by the director, shall be heard and decided by the same community committee, in accordance with *The City of Winnipeg Charter*.

(2) Any appeal(s) against an order made under subsection (1) shall be heard and decided by the Standing Policy Committee on Property and Development, in accordance with *The City of Winnipeg Charter*.

added 126/2008 (effective January 1, 2009)

BOARD OF ADJUSTMENT ORDERS

12. Subject to sections 6 and 11.1, conditional use applications and variance applications, other than those in respect of which the director makes an order pursuant to sections 14 or 14.1, shall be referred to the Board of Adjustment established by *The City of Winnipeg Charter*, to be dealt with in accordance with this by-law and The Board of Adjustment By-law.

amended 8162/2002; 68/2003; 126/2008 (effective January 1, 2009)

NOTICE OF BOARD OF ADJUSTMENT ORDER AND RIGHT TO APPEAL

13. (1) Where the Board of Adjustment makes a decision on an application for a variance or a conditional use, the secretary of the Board of Adjustment or his/her delegate shall give notice of the decision by ordinary mail to the applicant and each person who made submissions at the hearing respecting the application, in accordance with *The City of Winnipeg Charter*.
- (2) Any decision by the Board of Adjustment on an application for a variance or a conditional use may be appealed to the appeal committee, in accordance with *The City of Winnipeg Charter*.
- (3) Where a decision of the Board of Adjustment on an application for a variance or a conditional use is appealed, the city shall give notice of the appeal hearing in accordance with section 9. The appeal committee shall conduct a hearing on the appeal and give its decision on the appeal, in accordance with *The City of Winnipeg Charter*.
- amended 8162/2002*

VARIANCE ORDERS BY THE DIRECTOR

amended 7167/98

14. (1) The director may consider and make decisions in respect of applications for the types of variances specified in subsection (2), in accordance with *The City of Winnipeg Charter*.
- amended 8162/2002*
- (2) The director may consider and make decisions in respect of applications for the following types of variances:
- amended 8162/2002*

Zoning tolerances

- (a) The grant of any zoning tolerance in any zoning district.

Agricultural and Parks districts

amended 144/2008

- (b) In an agricultural district any variance of any yard or bulk rule.
- (b.1) In each park district a variance not exceeding 25% of any yard, bulk or density rule.
- added 144/2008*

Residential districts

- (c) In the "RR5, "RR2", "R1", "R2", "RMU" and "RMH" Districts any variance of any zoning rule, except lot area for one-family dwellings, single-family dwellings and two-family dwellings.
amended 144/2008
- (d) In the districts and for the uses described in clause (c) a variance of lot area not exceeding 10% of the zoning rule set out in the applicable zoning by-law.
amended 144/2008
- (e) In each Multiple-Family District but not including "R2", a variance of the zoning rules set out in the applicable zoning by-law:
amended 144/2008
 - (i) not exceeding 10% of any density rule;
 - (ii) not exceeding 25% of any yard or bulk rule;
 - (iii) not exceeding 25% of any parking or loading rule;
 - (iv) not exceeding 25% of any sign rule; and
 - (v) allowing the temporary development of a parking lot or loading area or both not exceeding 1 year.

Commercial and Institutional districts*amended 144/2008*

- (f) In each Commercial and Institutional District, excepting multiple-family dwelling requirements, a variance of the zoning rules in the applicable zoning by-law:
amended 144/2008
 - (i) not exceeding 25% of any yard, bulk or floor area limitation rule;
 - (ii) not exceeding 25% of any sign rule;
 - (iii) not exceeding 25% of any parking and loading space rule; and

- (iv) allowing the temporary development of a parking or loading area or both not exceeding 1 year.
- (g) For multiple family-dwellings in commercial districts a variance as set out in clause (2) (e).

Manufacturing districts*amended 144/2008*

- (h) In each Manufacturing District, a variance of the zoning rules set out on the applicable zoning by-law:
amended 144/2008
 - (i) not exceeding 25% of any yard, bulk or floor area limitation rule;
 - (ii) not exceeding 25% of any sign rule;
 - (iii) not exceeding 25% of parking and loading space rules; and
 - (iv) allowing the temporary development of a parking or loading area or both not exceeding 1 year.
- (i) *repealed 144/2008*
- (j) *repealed 144/2008*

Accessory structures

- (k) Subject to clauses (a) to (j) any variance of the applicable zoning rules for accessory structures in any zoning district.
amended 144/2008

Downtown

- (l) Any variance of the applicable zoning rules in any zoning district contained within the Downtown Winnipeg Zoning By-law.
added 7933/2001; amended 111/2004
- (3) The director may approve an application for a variance subject to conditions that will ensure that any development to be carried out under the variance meets the criteria set out in *The City of Winnipeg Charter*. The director shall not make the approval of a variance subject to conditions unless the applicant for the variance has been given a reasonable opportunity to make submissions respecting the variance.
added 8162/2002

CONDITIONAL USE ORDERS BY THE DIRECTOR

added 68/2003

- 14.1 (1) The director may consider and make decisions in respect of applications for the types of conditional uses specified in subsection (2), in accordance with *The City of Winnipeg Charter*.
- (2) The director may consider and make decisions in respect of applications for the following types of conditional uses:

Home Occupations

- (a) A conditional use to allow a home occupation under The Winnipeg Zoning By-law.

Downtown

- (b) Any conditional use under The Downtown Winnipeg Zoning By-law.
- (3) The director may approve an application for a conditional use subject to conditions that will ensure that such use meets the criteria set out in *The City of Winnipeg Charter*. The director shall not make the approval of a conditional use subject to conditions unless the applicant for the conditional use has been given a reasonable opportunity to make submissions respecting the conditional use.

added 68/2003

15. *repealed 8162/2002*

16. *repealed 8162/2002*

ZONING TOLERANCES

amended 8162/2002

17. A zoning tolerance may be granted by the director endorsing on the relevant document or accompanying plans by rubber stamp or other means the phrase "tolerance granted" or any words to the same effect accompanied by a clear indication of the nature of that tolerance by any one or more of words, dimensions and drawings.

amended 7167/98; amended 8162/2002

NOTICE OF DIRECTOR'S ORDER AND RIGHT TO APPEAL

amended 68/2003

18. (1) When the director makes a decision on an application for a variance or a conditional use, the director shall give notice of the decision in accordance with *The City of Winnipeg Charter*.
- (2) Any decision by the director on an application for a variance or a conditional use may be appealed to the appeal committee, in accordance with *The City of Winnipeg Charter*.
- (3) Where a decision of the director on an application for a variance or a conditional use is appealed, the City shall give notice of the appeal hearing in accordance with section 9. The appeal committee shall conduct a hearing on the appeal and give its decision on the appeal, in accordance with *The City of Winnipeg Charter*.

amended 68/2003

19. *repealed 8162/2002*

20. *repealed 8162/2002*

21. *repealed 8162/2002*

22.1 *repealed 8162/2002*

APPEAL COMMITTEE

added 8162/2002

22.2 A majority of the members of the Appeal Committee shall constitute a quorum but where one or more members are disqualified due to participation in the original hearing or having advised the committee they have a conflict of interest the majority of councillors remaining, if not fewer than two, shall constitute a quorum.

added 6217/93; 93/2009

23. At a hearing, the appeal committee must hear any person who may be affected by the result of the hearing and who wishes to make submissions, ask questions or register objections on their own behalf or on behalf of others.

amended 8162/2002

24. Prior to receiving representations on an application any member of the Planning, Property and Development Department present shall briefly explain the nature of the application and read out the report and any recommendations of that Department on the application; unless otherwise directed by the appeal committee.

amended 7167/98; 7948/2001

25. Unless otherwise directed by the appeal committee the appellant shall make his/her/its representations first, followed in order by others in support and others opposed; after which the appellant shall be heard in rebuttal.

26.

repealed 8162/2002

27. The appeal committee may question persons making representations at a public hearing and shall allow opportunity to reply to the appellant and supporters and to rebut those responding to the appeal as provided in section 25 but the board shall not allow cross-examination.

28. After completion of all representations the appeal committee shall not receive further representations unless the appeal committee re-opens representations on one or more issues to all persons wishing to be heard applying the process described in section 25 as closely as practical, subject to the direction of the appeal committee.

TERMINATION OF VARIANCE OR CONDITIONAL USE

28.1 The director may terminate an approval of a variance or a conditional use in accordance with *The City of Winnipeg Charter*.

added 7167/98; amended 8162/2002

28.2

repealed 8162/2002

FEES

29. An applicant shall pay to the city the fees required by the Planning, Development and Building Fees By-law in respect of a development application and related approvals and permits.

amended 8162/2002; 144/2008

FORMS

30. The form and content of application forms and information to be submitted in support of an application shall be as determined by the director from time to time.

31. By-law No. 5769/91 is hereby repealed.

32. The director has the powers of a "designated employee" under *The City of Winnipeg Charter*.

added 8162/2002

DONE AND PASSED in Council assembled, this 4th day of March, 1992.

1 [See sections 116 and 117 of The City of Winnipeg Charter for information about how to serve orders, decisions and other documents.](#)

2 [See sections 189 and 121 of The City of Winnipeg Charter for information about appeals, including information about the time limit for appeals and how appeals are to be filed.](#)

SCHEDULE "A" OF BY-LAW No. 5893/92
added 155/2007

SITE POSTING SPECIFICATIONS

Sign Specifications

1. Materials for a 4 foot X 8 foot sign shall include laminated plywood or other wood by-product board (½ inch thick) or corrugated plastic (10 mil thick). Sign shall be affixed to a building wall or free-standing using 4 inch X 4 inch posts or secured to a skid structure and anchored to the ground. Sign installation shall be certified by a qualified, registered professional engineer.
2. Plywood or wood by-product board shall have front and back sides, and all edges shall be painted with white acrylic exterior enamel.
3. All lettering shall be black with fonts and sizes as per attached sample and requirements set out on page 2 of this Schedule.
4. All signs shall be pre-approved by the Director of Planning, Property and Development (or designate) prior to installation and shall be placed on the site in accordance with the approved plan.

Applicant Information Area (located at the bottom of the sign)

1. Applicant area shall be not less than 8 inches and not more than 16 inches from the bottom of the sign.
2. Applicant information may not be used for promoting, selling or advertising a product and/or service.
3. Applicant information area may contain: developer/owner/applicant name(s), address, phone number, email or web site address including a rendering of the proposed building or development.
4. Colour may be used in the applicant information area; however, this area is not intended to detract from the primary purpose of the Public Notice.
5. Applicant information area, including size, colour and content, is subject to the approval of the Director of Planning, Property and Development (or designate).

Site Posting Instructions

1. The site shall be posted no more than 21 days or less than 10 days prior to the date of the first public hearing.
2. If the sign is for a Variance and or Conditional Use application, either in whole or in part, the site shall be posted no more than 21 or less than 14 days prior to the date of the first public hearing.
3. Sign posting shall be maintained until final disposition of the application(s); that is, until after the decision of the designated Committee is posted on the City's website.

4. Sign shall be removed no sooner than 1 day nor more than 14 days after the final disposition of the application.
5. Bottom edge of the 4' X 8' sign shall be a minimum of 4 feet and a maximum of 8 feet above ground level.
6. Sign shall be located no further than 3 feet from a property line.
7. Applicant may use a sign vendor of their choice.
8. If installing a sign using 4" X 4" posts, applicant must Call Before You Dig (480-1212) - Manitoba Hydro.



PUBLIC NOTICE

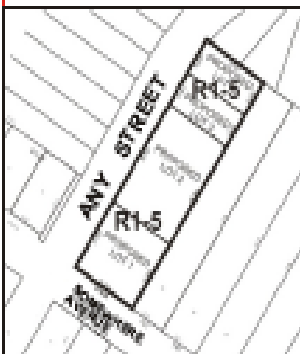
REZONING & SUBDIVISION - DASZ 123/07

TO RE-ZONE LANDS FROM, "C1" COMMERCIAL DISTRICT
TO "R1-5" RESIDENTIAL DISTRICTS AND ESTABLISH
FOUR BUILDING LOTS

PUBLIC HEARING TUESDAY, JANUARY 23, 2007
AT 6:00 PM, CITY HALL
COUNCIL BUILDING,
510 MAIN STREET

For more information go to: www.winnipeg.ca/notices

FOR FURTHER INFORMATION CONTACT:
XYZ Developers, 555-5555 or visit www.xyzdevelopers.com



SIGN SPECIFICATIONS:

Sign Size - 8 ft. width x 4 ft. height minimum

A = 7.5" black band

B = 5" lettering (Public Notice wording)

C = 2.75" lettering (Type of application/file #)

D = 1.75" lettering (Description of request)(Date/time/location)

E = 2.25" lettering (Public Hearing wording)

F = 1.5" lettering (website info)

G = 8" minimum area for developers information

H = 2 ft. width diagram