Report of the Standing Policy Committee on Property and Development dated November 1, 2001

Proposed Amendment to the Development Procedures By-law – Delegation of Authority to Director of Planning, Property and Development
File EP-1 (Vol. 20)

1. The Standing Policy Committee on Property and Development at its meeting on July 5, 2001, instructed the Planning, Property and Development Department to review the Development Procedures By-law so as to streamline approvals in Downtown Winnipeg. Section 607 of The City of Winnipeg Act enables Council, by by-law, to authorize a designated employee to grant or refuse a variance order.

The Administration has prepared a draft by-law to amend the Development Procedures By-law, which authorizes the Director of Planning, Property, and Development or designate to make an order on variance applications for any development occurring within the boundaries of the Downtown Winnipeg Zoning By-law No. 4800/88. This course of action is consistent with direction expressed in CentrePlan: Development Framework, and CentrePlan: Vision and Strategies, to simplify development review procedures and streamline development approvals in Downtown Winnipeg.

The Development Procedures By-law currently authorizes the Director of Planning, Property, and Development or designate to make an order to allow or reject variances of a minor nature (tolerances) citywide and to allow or reject specified variances within the boundaries of Winnipeg Zoning By-law No. 6400/94 - outside the Downtown Winnipeg Zoning By-law No. 4800/88 boundaries. At present, the Board of Adjustment has jurisdiction to allow or reject variances within the boundaries of the Downtown Winnipeg Zoning By-law, with appeals of Board of Adjustment decisions heard by the Council appointed Appeals Committee.

The proposed amendment of the variance approval process is intended to streamline development review processes in Downtown Winnipeg. The mechanism for appeals of Director (or designate) decisions, heard before the Council appointed Appeals Committee, will remain in place.

It should be noted that this amendment is proposed within the context of the comprehensive review of the Development Procedures By-law requested by the Standing Policy Committee on Property and Development on July 5, 2001. The draft by-law is a first step in instituting more sweeping changes to Downtown Winnipeg development review and approval processes, expected to result in more integrated decision making.

The amended Development Procedures By-law clause would read as follows:

14(2) The Director may make an order allowing or rejecting any of the following variances:

Downtown

(1) Any variance of the applicable zoning rules in any zoning district contained within the Downtown Winnipeg Zoning By-law No. 4800/88.

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The Standing Policy Committee on Property and Development recommends:

I. That the Development Procedures By-law No. 5893/92 be amended as outlined, so as to authorize the Director of Planning, Property and Development or designate to make an order allowing or rejecting any variance application within the Downtown Winnipeg Zoning By-law No. 4800/88.

II. That the City Solicitor/Manager of Legal Services be requested to prepare the necessary amending by-law for submission to Council.

III. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.