**THE CITY OF WINNIPEG**

**BY-LAW NO. 126/2008**

A By-law of The City of Winnipeg to amend the Development Procedures By-law No. 5893/92 and the Board of Adjustment Bylaw No. 5894/92.

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

1 *The Development Procedures By-law No. 5893/92 is amended*

(a) *by adding the following after section 11:*

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

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*.

(b) *in section 12, by striking out* "section 6" *and substituting* “sections 6 and 11.1”.

2 *The Board of Adjustment By-law No. 5894/92 is amended*

(a) *in clause 4(1)(a), by striking out* "section 6" *and substituting* “sections 6 and 11.1”.

3 This By-law comes into force on January 1, 2009.

**DONE AND PASSED** this day of July, 2008.

_____
Mayor

_____
City Clerk

Approved as to planning details:

_____ _____
*for* Director of Planning, Property and Development

Approved as to form:

_____ _____
*for* City Solicitor/Manager of Legal Services