Agenda - Executive Policy Committee - September 17, 2008

Report - Standing Policy Committee on Property and Development - September 2, 2008

Item No. 16 Correction of Errors and Omissions in Development Procedures By-law No. 5893/92
E-File EP-1

STANDING COMMITTEE RECOMMENDATION:

On September 2, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submits the following to Council:

1. That Development Procedures By-law No. 5893/92 be amended to correct errors and omissions as outlined in Attachment "A" to the report from the Director of Planning, Property and Development dated July 30, 2008.

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

Agenda - Executive Policy Committee - September 17, 2008

Report - Standing Policy Committee on Property and Development - September 2, 2008

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On September 2, 2008, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

RE: Correction of Errors and Omissions in Development Procedures By-law No. 5893/92

FOR SUBMISSION TO: Standing Policy Committee on Property and Development

ORIGINAL REPORT SIGNED BY: Director, Planning Property and Development

REPORT DATE: July 30, 2008

RECOMMENDATION:

1. That Development Procedures By-law No. 5893/92 be amended to correct errors and omissions as outlined in Attachment "A".
2. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report Summary

Key Issues:

- On December 19, 2007 Council passed Winnipeg Zoning By-law No. 200/2006 which came into force on March 1, 2008.
- The Development Procedures By-law contains cross-references to certain sections of the Winnipeg Zoning By-law which are now out-of-date with the passage of the new by-law.
- The proposed amendments seek to correct cross-referencing and typographical errors.

Implications of the Recommendation(s):

General Implications

(X) None

( ) For the organization overall and/or for other departments

( ) For the community and/or organizations external to the City

( ) Involves a multi-year contract

Comment(s):

Policy Implications

(X) No

( ) Yes

Comment(s): There are no policy impacts as the proposed amendments serve only to correct errors in existing legislation.

Regulatory Implications

(X) None

( ) Eliminates or reduces regulatory impact

( ) Proposes regulatory impact

Comment(s): There are no regulatory impacts as the amending by-law proposes only to correct errors and omissions in the Development Procedures By-law.

Environmental Implications

(X) No

( ) Yes

Comment(s):

Human Resources Implications

(X) No

( ) Yes

Comment(s):

Financial Implications

(X) Within approved current and/or capital budget

( ) Current and/or capital budget adjustment required

Comment(s): As the proposed amendments only recommend changes to the text of a by-law, there is no financial impact associated with the changes.

Report

REASON FOR THE REPORT:
The Standing Policy Committee on Property and Development is responsible for overseeing the Development Procedures By-law.

HISTORY:
On December 19, 2007 Council passed Winnipeg Zoning By-law No. 200/2006, which came into force on March 1, 2008. The Development Procedures By-law contains references to certain sections of the Zoning By-law which are now out-of-date with the passing of a new Zoning By-law.

DISCUSSION:
The Public Service is proposing amendments to correct several minor errors and omissions in the Development Procedures By-law to complement the introduction of the new Winnipeg Zoning By-law. The proposed amendments can be grouped into 2 categories:

1. Incorrect cross-references – errors in cross-referencing sections and zoning district names.

2. Typographical errors – words spelled incorrectly and grammatical errors.

The proposed amendments are outlined in a draft amending by-law in Attachment "A".

Financial Impact Statement Date: July 28, 2008

Project Name:

Correction of Errors and Omissions in Development Procedures By-law No. 5893/92

COMMENTS:

The recommendation included in this report is that the Development Procedures By-law No. 5893/92 be amended to correct errors and omissions as outlined in Attachment "A". There are no financial implications associated with this recommendation.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

IN PREPARING THIS REPORT THERE WAS:

Internal Consultation With and Concurrence By:

- Legal Services Division

External Consultation With:

- None

THIS REPORT SUBMITTED BY:

Planning Property and Development Department
Office of the Director
Prepared by: Valdene Buckley, MCIP
PPD File No.

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Last Updated: July 28, 2008

ATTACHMENT "A"

THE CITY OF WINNIPEG

BY-LAW NO. _____/2008

A By-law of The City of Winnipeg to amend Development Procedures By-law No. 5893/92 to correct errors and omissions.

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

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

(1) *in subsection 14(2):*

(a) *in the heading before clause (b), by adding* "and Parks" *after* "Agricultural"*;*

(b) *by adding the following after clause (b):*

(b.1) In each park district a variance not exceeding 25% of any yard, bulk or density rule.

(c) *in clause (c), by striking out* ""RA", "RR-2", "R1-20", "R1-9", "R1-6", "R1-5.5", "R1-5", "R1-4.5", "R1-4", "R1-3.5", "R1-3", "R1-2.5", "RP-L", "R2" and "R2-T"" *and substituting* ""RR5", "RR2", "R1", "R2", "RMU" and "RMH"";

(d) *in clause (d), by striking out* "paragraph (2)" *and substituting* "clause";

(e) *in clause (e), by striking out* "including "R2T"";

(f) in the heading before clause (f), by adding "and Institutional" *after* "Commercial";

(g) in clause (f), by adding "and Institutional" *after* "Commercial" *and striking out* "for" *after* "excepting"*;*

(h) *in the heading before clause (h), by striking out* "Industrial" *and substituting* "Manufacturing";

(i) *in clause (h), by striking out* "Industrial" *and substituting* "Manufacturing" *and by striking out* "excepting multiple-family dwelling requirements,";

(j) *by repealing clauses (i) and (j) and the heading before clause (j);*

(k) in clause (k), by striking out "paragraphs" *and substituting* "clauses";

(2) *in section 29, by striking out* “Development” *and substituting* “Planning, Development and Building”.

DONE AND PASSED this day of , 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