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

Item No. 8 Correction of Errors and Omissions in Winnipeg Zoning By-law No. 200/2006
E-File EZ-DAZ

STANDING COMMITTEE RECOMMENDATION:

On October 15, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submits the following to Council:

1. That the Winnipeg Zoning By-law No. 200/2006 be amended to correct errors and omissions in the text and zoning maps as outlined in Attachment "A" to the report from the Director of Planning, Property and Development dated September 12, 2008.

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

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

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On October 15, 2008, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On October 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: DAZ 230/2008 - Correction of Errors and Omissions in Winnipeg Zoning By-law No. 200/2006

FOR SUBMISSION TO: Standing Policy Committee on Property and Development

ORIGINAL REPORT SIGNED BY: Director, Planning Property and Development

REPORT DATE: September 12, 2008

RECOMMENDATION:

1. That Winnipeg Zoning By-law No. 200/2006 be amended to correct errors and omissions in the text and zoning maps 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.
- Council may amend a zoning by-law without a public hearing if the amendments correct errors and omissions and do not prejudice the rights of any person.
- Council recently passed an amending by-law correcting a number of errors and omissions in the By-law. This report recommends an amending by-law correcting additional errors and omissions.
- The recommended changes are not substantive and have no policy impacts.

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 Winnipeg Zoning 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 and maps of a by-law, there is no financial impact associated with the changes.

Report

REASON FOR THE REPORT:
Under the City Organization By-law No. 7100/97, the Standing Policy Committee on Property and Development is responsible for planning and land use matters in the city, outside the downtown, including the Winnipeg Zoning By-law No. 200/2006.

HISTORY:
On December 19, 2007 Council passed Winnipeg Zoning By-law No. 200/2006, which came into force on March 1, 2008. An amending by-law passed by Council in July 2008 corrected a long list of errors and omissions in the by-law. This amending by-law will continue to improve and update the Zoning By-law by correcting irregularities and thereby easing its administration.

DISCUSSION:
The Public Service is proposing additional amendments to correct several minor errors and omissions in the text and maps of the Winnipeg Zoning By-law. The proposed amendments are minor in nature and have no policy impacts.

Under section 276 of The City of Winnipeg Charter, Council may amend a zoning by-law without giving notice of a hearing in respect of the proposed amendment, holding a hearing, or receiving a report from a hearing body where it considers that the proposed amendment is to correct an error or omission and does not prejudice the rights of any person.

The Public Service recommends that Council amend the Winnipeg Zoning By-law No. 200/2006 to correct certain errors and omissions. The proposed amendments are outlined in a draft amending by-law in Attachment "A". The Public Service does not consider the proposed amendments to be substantive.

Financial Impact Statement Date: September 10, 2008

Project Name:

DAZ 230/2008 - Correction of Errors and Omissions in Winnipeg Zoning By-law No. 200/06

COMMENTS:

The recommendation included in this report is that Winnipeg Zoning By-law No. 200/06 be amended to correct errors and omissions in the text and maps 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:

- Internal Services Department, 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. DAZ 230/2008

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Last Updated: September 10, 2008

ATTACHMENT "A"

THE CITY OF WINNIPEG

BY-LAW NO. _____/2008

A By-law of The City of Winnipeg to amend the Winnipeg Zoning By-law No. 200/2006 to correct errors and omissions.

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

Winnipeg Zoning By-law amended

1 *This by-law amends the Winnipeg Zoning By-law No. 200/2006.*

Part 2: Definitions amended

2 *Part 2: Definitions is amended*

(1) *in section 48, in the definition* "dwelling, live-work"*, by adding* "exclusively" *before* "reserved".

Part 5: Development and Design Standards amended

3 *Part 5: Development and Design Standards is amended*

(1) *in section 137,* Table 5-2: Dimensional Standards for the RR5, RR2, R1, R2 and RMH Zoning Districts, *under* Zoning District and Designation "Principal Residential Structure", R1-Estate*, by striking out* "15" *in the* Minimum Side Yard (Ft.) *column and substituting* "10"*;*

(2) *in clause 142(2)(c), by striking out* "the" *after* "and"*.*

Schedule B: Zoning Maps amended

4 *Schedule B: Zoning Maps is amended as follows:*

(1) *The lands designated on the plan in Appendix "A" are hereby zoned as shown on the plan, the zoning districts and zoning district boundaries are hereby located as shown on the plan, and the Zoning Maps shall hereafter be read and construed as shown on the plan.*

DONE AND PASSED this day of , 2008.

_____
Mayor

_____
City Clerk

Approved as to planning details:

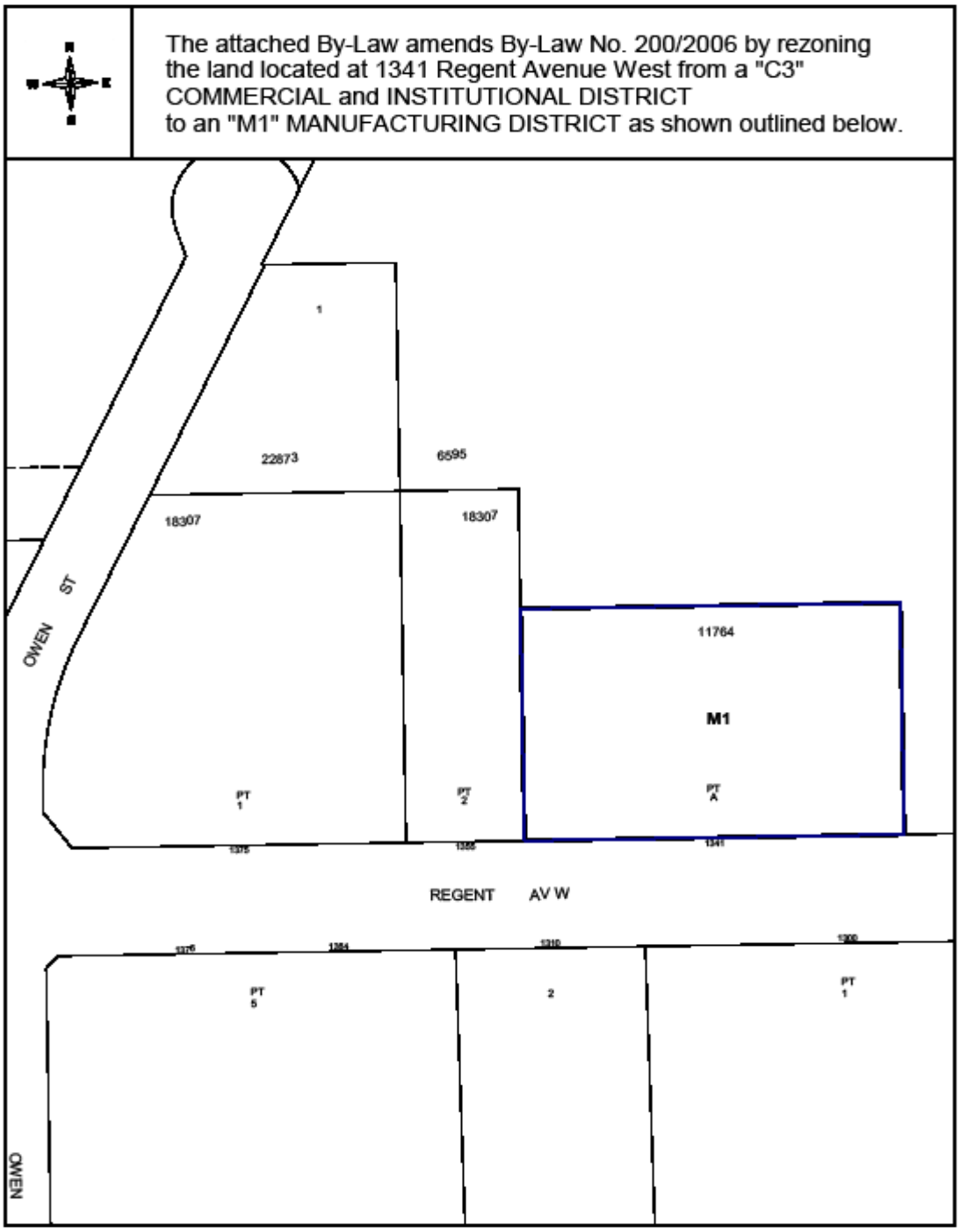
_____
for Director of Planning, Property and Development

Approved as to form:

_____

for City Solicitor/Manager of Legal Services

APPENDIX "A"


The attached By-Law amends By-Law No. 200/2006 by rezoning
the land located at 1341 Regent Avenue West from a "C3"
COMMERCIAL and INSTITUTIONAL DISTRICT
to an "M1" MANUFACTURING DISTRICT as shown outlined below.
1
22873
6595
18307
18307
11764
M1
OWEN ST
PT 1
PT 2
PT A
1375
1355
1341
REGENT AV W
1376
1364
1310
1300
PT 5
2
PT 1
OWEN