Exhibit "4" referred to in File EX - Amendment to the Taking Title to Vacant and Derelict Buildings By-law 89/2010

ADMINISTRATIVE REPORT

Title: **Charter Required EPC Public Hearing - To Allow Amendments Under the Taking Title To Vacant and Derelict Buildings By-law No. 89/2010**

Critical Path: **EPC / Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
Garry Solkoski	Deepak Joshi	N/A	A. Robinson Acting CAO/ Deputy CAO

RECOMMENDATIONS

1. That section 16 of By-law No. 48/2011, with respect to amendments to the Taking Title to Vacant and Derelict Buildings By-law No. 89/2010 that would give the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management responsibility for any vacant and derelict properties located in the downtown area, be forwarded to Council for second and third reading.

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

REASON FOR THE REPORT

Pursuant to *The Winnipeg Charter*, any amendments to the by-law that permits the City to take title to vacant and derelict buildings may only be made after public hearings are held by Executive Policy Committee. The public hearing must be held before Council gives second and third readings to the amendment.

IMPLICATIONS OF THE RECOMMENDATIONS

The City of Winnipeg Charter requires that public notice must be given by way of newspaper advertisement, and must be given at least 14 days in advance of the meeting. To be considered by EPC on April 20, the newspaper advertisement must be placed on Thursday, March 31, 2011. This will enable the matter to proceed to Council for second reading of the By-law amendment on April 27, 2011. A copy of the advertisement is attached.

Note that the three by-law readings for the Taking Title to Vacant and Derelict Buildings By-law must take place at separate Council meetings. After public hearings are held by EPC on April 20, second reading could take place on April 27 and third reading on May 25. After that date, the SPC DDHRM would be fully capable of dealing with downtown vacant and derelict properties under the Taking Title to Vacant and Derelict Buildings By-law.

Explanatory notes are attached and have been made available at the Zoning and Permits Office of PP&D to anyone interested in having this information, as referred to in the newspaper Notice of Public Hearing.

HISTORY

On March 23, 2011, Council concurred with the March 16, 2011 recommendation of the Executive Policy Committee to amend the City Organization By-law No. 7100/97 to rename the Standing Policy Committee on Downtown Development as the “Standing Policy Committee on Downtown Development and Riverbank Management” and to expand its responsibilities. Among the new responsibilities being given to the Committee was ”the authority to hear all applications and appeals that would otherwise be heard by the Standing Policy Committee on Property and Development involving real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law including, without limitation:

iii. Vacant and derelict building matters;

In order to ensure consistency with the newly amended City Organization By-law, it was also necessary to amend several other by-laws, including the Taking Title to Vacant and Derelict Buildings By-law No. 89/2010, to reflect the new powers of the Standing Policy Committee on Downtown Development and Riverbank Management.

Accordingly, on March 23, 2011, Council passed sections 1 to 15 of a by-law to amend the City Organization By-law and to make additional consequential amendments to other by-laws. However, it was possible only to give first reading to section 16, which amended the Taking Title to Vacant and Derelict Buildings By-law No. 89/2010. This is because *The City of Winnipeg Charter* requires that any amendment to this By-law can take place only after a public hearing is held. Therefore, before second and third reading of section 16 can proceed to Council, a public hearing must be held by the Executive Policy Committee.

FINANCIAL IMPACT

Financial Impact Statement **Date:** March 30, 2011

Project Name: Charter Required EPC Public Hearing

COMMENTS:

There are no financial implications associated with this recommendation.

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

CONSULTATION

In preparing this report there was consultation with:

Legal Services

SUBMITTED BY

Department: Planning, Property and Development
Division: Development and Inspections
Prepared by: Garry Solkoski
Date: March 31, 2011
File No. “O” Reports Directive Development & Inspections Manager of D&I EPC Public Hearing Amend TTWC



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Explanatory Notes
Public Hearing by the Executive Policy Committee
Wednesday, April 20th, 2011

Re:
Amendments to The Taking Title To Vacant and Derelict Buildings By-law No. 89/2010

Reason:
On March 23, 2011, City Council concurred with the March 16, 2011 recommendation of the Executive Policy Committee and adopted a motion that, in part, will change the designated Committee to which appeals and approvals under The Taking Title to Vacant and Derelict Buildings By-law No. 89/2010 will be heard for buildings located in the area covered by the Downtown Winnipeg Zoning By-law to the Standing Committee on Downtown Development, Heritage and Riverbank Management.

Under the provisions and requirements of *The Winnipeg Charter*, amendments to a derelict building by-law dealing with the taking title provisions requires a public hearing to be held by Executive Policy Committee before Council may proceed to give second and third readings required to adopt the amendments.

Purpose:
The public hearing by EPC provides the opportunity for any and all interested persons to express their views on the matter.

Process:
Persons wanting to make representation at the EPC public hearing are requested to notify Jo-Ann Park, Manager of the Decision Making Process, at the Council Building, 510 Main Street R3B 1B9, telephone 986-3732.

Written submissions are requested to be submitted in advance of the hearing.

Exhibit “4” referred to in File EX - Amendment to the Taking Title to Vacant and Derelict Buildings By-law 89/2010

Winnipeg

City of Winnipeg

NOTICE OF PUBLIC HEARINGS

Under the authority of The City of Winnipeg Charter, the Executive Policy Committee will conduct a PUBLIC HEARING to receive representation on the matter listed hereunder. Information may be obtained between 8:30 a.m. and 4:30 p.m. at Unit 15 - 30 Fort Street or at the City Clerk's Department, Council Building, 510 Main Street.

Winnipeg

NOTICE OF PUBLIC HEARING
EXECUTIVE POLICY COMMITTEE

Date: Wednesday, April 20, 2011

Time: 9:00 a.m.

Location: Council Building,
510 Main Street

Re: TAKING TITLE TO VACANT AND DERELICT BUILDINGS BY-LAW

A public hearing will be conducted for the purpose of allowing interested persons to make submissions, ask questions or register objections in respect of the matter listed. Relevant documents are available for inspection by contacting Gary Solkoski, Manager of Development and Inspections, Planning Property and Development Department at 986-5552.

Persons wanting to make representation at the above hearing are requested to notify Jo-Ann Park, Manager of the Decision-Making Process, Council Building, 510 Main Street, Winnipeg, R3B 1B9, telephone 986-3732. Written submissions are requested in advance of the public hearing.

French/English interpretation will be available if requested in writing at least 48 hours prior to the hearing by contacting Ms Park at the above location.