**THE CITY OF WINNIPEG**

**BY-LAW NO. 48/2011, AS AMENDED**

A By-law of THE CITY OF WINNIPEG to amend the City Organization By-law and to make additional consequential amendments to other by-laws

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

## *PART ONE – CITY ORGANIZATION BY-LAW AMENDED*

***City Organization By-law amended***

***1*** *The City Organization By-law No. 7100/97 is amended by this Part.*

***Standing Policy Committee on Downtown Development renamed***

***2*** *In the following provisions,* "Standing Policy Committee on Downtown Development" *is struck out and* "Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management" *is substituted:*

***RK***

*(a) subsection 5(5);*

*(b) section 7.1;*

*(c) in section 13.2 and in the section heading;*

*(d) in section 13.3.*

***Section 11 amended***

***3*** *Section 11 is amended by*

*(a) adding* "and 13.4" *after* "Subject to section 13.2"*;*

*(b) making the following amendments to the list preceding clause (a)::*

*(i) by striking out* "Housing Policy" *and substituting* "Housing Policy, including housing grant programs"*;*

*(ii) striking out* "Riverbank Management"*; and*

*(iii) adding* "Vacant and Derelict Buildings" *to the list;*

*(c) adding* ", subject to section 13.2 and 13.4," *before* "shall exercise the following powers and duties"*;*

*(d) repealing sub-clause (a)(vi);*

*(e) repealing clauses (c) and (d).*

***Section 13.2 amended***

***4*** *Section 13.2 is amended by adding the following after clause (n):*

(o) To hear and decide applications and appeals that would otherwise fall within the jurisdiction of 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. This authority includes, but is not limited to, hearing and deciding applications and appeals respecting

(i) heritage matters;

(ii) housing programs;

(iii) vacant and derelict building matters.

However, this authority does not include hearing applications and appeals under the Winnipeg Building By-law.

***Section 13.4 added***

***RK***

***5*** *The following is added after section 13.3:*

13.4 The Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management shall exercise the following powers and duties:

(a) provide policy advice to Council with respect to heritage matters throughout the City;

(b) administer the Historical Buildings By-law;

(c) report to Council on matters relating to the management of river-related issues which usually cross departmental lines and conventional reporting relationships;

(d) provide the political focus necessary for giving direction and ongoing guidance to the City's river-related endeavours;

(e) review and recommend changes to Plan Winnipeg river policies, as required;

(f) review and recommend changes to river-related legislation, as required;

(g) review and recommend adjustments to the City's riverbank acquisition program and related funding;

(h) promote river-related capital projects and programs in both the five year capital program and operating budgets;

(i) develop innovative programs for riverbank stabilization of both public and private lands;

(j) prepare reports on an issue-by-issue basis for the benefit of the Standing Policy Committees and Council so that river-related issues may be considered in an informed and structured manner;

(k) hear appeals from orders or decisions made by the designated employee in respect of waterways permits.

***Section 15.1 repealed***

***6*** *Section 15.1 is repealed.*

## *PART TWO – CONSEQUENTIAL AMENDMENTS*

***Historical Building By-law amended***

***7*** *The Historical Building By-law No. 1474/77 is amended in the definition* "Designated Committee*" in section 2 by striking out* "the Standing Policy Committee on Property and Development" *and substituting "*the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management".

***RK***

***Residential Buildings Fire Safety By-law amended***

***8*** *The Residential Buildings Fire Safety By-law No. 4304/86 is amended by repealing section 14 and substituting the following:*

14 A decision made by the Commission under this By-law or an order to remedy a contravention of this By-law in respect of a property located entirely or primarily in the area to which the Downtown Winnipeg Zoning By-law applies may be appealed to the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management. In the case of all other properties, a decision made by the Commission or an order to remedy a contravention may be appealed to the Standing Policy Committee on Property and Development.

***RK***

***Waterway By-law amended***

***9*** *The Waterway By-law No. 5888/92 is amended:*

*(a) in section 2.2, by repealing the definition* "designated committee of Council"*;*

*(b) in section 6.1, by striking out* "Riverbank Management Committee" *wherever it appears and substituting* "Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management".

***RK***

***Downtown Winnipeg Zoning By-law amended***

***10*** *The Downtown Winnipeg Zoning By-law No 100/2004 is amended by striking out* "the Standing Policy Committee on Downtown Development" *and substituting* "the Standing Policy Committee on Downtown Development**, Heritage** and Riverbank Management" in the following provisions:

**RK**

*(a) subsection 110(12);*

*(b) subsection 120(6);*

*(c) wherever it appears in subsections 250(11), (12), (13) and (14);*

*(d) the definition* "advisory committee" *and the definition* "Standing Policy Committee on Downtown Development" *in subsection 700(2).*

***Procedure By-law amended***

***11*** *The Procedure By-law No. 50/2007 is amended in subsection 52(3) by striking out* "the Standing Policy Committee on Downtown Development" *and substituting* "the Standing Policy Committee on Downtown Development**, Heritage** and Riverbank Management"

**RK**

***Residential Infill Tax Credit Program By-law amended***

***12*** *The Residential Infill Tax Credit Program By-law No. 124/2007 is amended by repealing subsection 7(4) and substituting the following:*

7(4) A decision made by the Director or the Tax Collector under this By-law in respect of properties located entirely or primarily in the area to which the Downtown Winnipeg Zoning By-law applies may be appealed to the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management. In the case of all other properties, a decision made by the Director or the Tax Collector under this By-law may be appealed to the Standing Policy Committee on Property and Development.

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***Private Access By-law amended***

***13*** *The Private Access By-law No. 49/2008 is amended by striking out* "the Standing Policy Committee on Downtown Development" *and substituting* "the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management" in the following provisions:

RK

*(a) the definition* "Council Committee" *in section 2;*

*(b) subsections 13(1), 13(3), and 31(3).*

***Downtown Residential Development Grant Program By-law amended***

***14*** *The Downtown Residential Development Grant Program By-law No. 77/2010 is amended by striking out* "Standing Policy Committee on Downtown Development" *in subsection 10(4) and substituting* "Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management".

***RK***

***Vacant Buildings By-law amended***

***15*** *The Vacant Buildings By-law No. 79/2010 is amended by repealing the definition* "Designated Committee" *in subsection 2(1) and substituting the following:*

**"Designated Committee"** means,

(a) in the case of a property to which the Downtown Winnipeg Zoning By-law applies, the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management; and

RK

(b) in the case of a property to which the Downtown Winnipeg Zoning By-law does not apply, the Standing Policy Committee on Property and Development;

***Taking Title to Vacant and Derelict Buildings By-law amended***

***16*** *The Taking Title to Vacant and Derelict Buildings By-law No. 89/2010 is amended*

*(a) in subsection 2(1), by repealing the definition* "Designated Committee" *and substituting the following:*

**"Designated Committee"** means,

(a) in the case of a property to which the Downtown Winnipeg Zoning By-law applies, the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management; and

RK

(b) in the case of a property to which the Downtown Winnipeg Zoning By-law does not apply, the Standing Policy Committee on Property and Development;

*(b)* *in section 7, by striking out* "Standing Policy Committee on Property and Development" *and substituting* "Designated Committee"*;*

*(c)* *in Schedule A, by adding* "or, if your property is located in the area to which the Downtown Winnipeg Zoning By-law applies, to the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management" *after* "Standing Policy Committee on Property and Development"*;*

RK

*(d)* *in Schedule B, by adding* "or, if your property is located in the area to which the Downtown Winnipeg Zoning By-law applies, to the Standing Policy Committee on Downtown Development, **Heritage** and Riverbank Management" *after* "Standing Policy Committee on Property and Development"*.*

RK

**DONE AND PASSED**, in respect of sections 1 to 15, this 23rd day of March, 2011.

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Mayor

_____
City Clerk

**SECTION 16**

Received first reading this 23rd day of March, 2011.

Received second reading this day of , 2011.

Received third reading this day of , 2011.

**DONE AND PASSED**, in respect of section 16, this day of , 2011.

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Mayor

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City Clerk

Approved as to form and content:

*for* Director of Legal Services/City Solicitor