THE CITY OF WINNIPEG

BY-LAW NO. 106/2015

A By-law of THE CITY OF WINNIPEG to amend the City Organization By-law, the Development Procedures By-law and other by-laws to reflect changes to the organizational structure of Standing Policy Committees of Council

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

PART ONE
AMENDMENTS TO THE CITY ORGANIZATION BY-LAW

City Organization By-law amended

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

Committee names changed

2. The City Organization By-law is amended by

(a) Replacing "*Standing Policy Committee on Protection and Community Services"* wherever it appears with "*Standing Policy Committee on Protection, Community Services and Parks"*;

(b) Replacing "*Standing Policy Committee on Property and Development"* wherever it appears with "*Standing Policy Committee on Property and Development, Heritage, and Downtown Development*"; and

(c) Replacing "*Alternate Service Delivery Committee*" wherever it appears with "*Standing Policy Committee on Innovation*".

Section 5 amended

3. Section 5 is amended by

(a) Replacing "*five*" with "*six*" in the first line;

(b) Replacing subsection (5) with the following:

(5) The Standing Policy Committee on Water and Waste, Riverbank Management and the Environment;

(c) Adding the following subsection:

(6) The Standing Policy Committee on Innovation.

Section 7 amended

4. Section 7 is amended by adding "*the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment, the Standing Policy Committee on Innovation,*" immediately after *"The Standing Policy Committee on Infrastructure Renewal and Public Works,*".

Section 7.1 replaced

5. Section 7.1 is replaced with the following:

7.1 Notwithstanding section 7, at least one of the members of the Standing Policy Committee on Property and Development, Heritage and Downtown Development must be a councillor whose ward lies within the area governed by the Downtown Winnipeg Zoning By-law (namely, the Point Douglas, Daniel McIntyre and Fort Rouge-East Fort Garry Wards). In the event that the Chairperson appointed by the Mayor does not represent one of these wards, Council must elect as a member of this Committee at least one councillor who meets this criteria.

Section 10 amended

6. Section 10 is amended by

(a) adding the following in the stem:

- *Parks and Open Spaces*

after

- *Zoo*

(b) replacing subclause (a)(i) with *"Parks, open spaces and campsites*"

Section 11 amended

7. Section 11 is amended by

(a) adding the following in the stem:

- *Heritage matters*
- *Matters related to downtown development applications*

after

- *Vacant and Derelict Buildings*

(b) In clause (a), striking out "*Camp Sites*";

(c) In subclause (a)(x), adding "*in respect of regional streets or streets within the area that is governed by the Downtown Winnipeg Zoning By-law,*" immediately after "*Approval of street name changes"*;

(d) Striking out clause (l);

(e) Adding the following after clause (dd)

(ee) Administer the Historical Buildings and Resources By-law;

(ff) Approving urban design guidelines, standards or criteria, appointing advisory committees, and related duties, under The Downtown Winnipeg Zoning By-law.

(gg) Hearing and deciding on appeals where an owner is aggrieved by the decision of the city official delegated to administer The Downtown Winnipeg Zoning By-law.

(hh) Approval for the erection of advertising signs pursuant to The Downtown Winnipeg Zoning By-law.

Section 13 amended

8. Section 13 is amended by

(a) adding "*, with the exception of those engineering services within the jurisdiction of the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment*" immediately after "*Engineering Services*";

(b) striking out the following:

- *Open Space Maintenance*
- *Solid Waste* and
- *Water/Waste Services*

(c) adding "*in respect of the areas of jurisdiction of the Committee"* at the end of subclauses (a)(ii), (a)(v), (a)(x) and (a)(xi) and clause (c);

(d) striking out subclause (a)(xii) and clause (b).

Section 13.2, 13.3 and 13.4 replaced

9. Section 13.2, 13.3 and 13.4 are replaced with the following:

STANDING POLICY COMMITTEE ON WATER AND WASTE, RIVERBANK MANAGEMENT AND THE ENVIRONMENT

13.2 The Standing Policy Committee on Water and Waste, Riverbank Management and the Environment shall provide policy advice to Council on matters within the following areas of jurisdiction:

- *Water, wastewater and land drainage services;*
- *Solid waste services;*
- *Riverbank management;*
- *Environment;*

- *Engineering services related to water, wastewater, land drainage and solid waste services, riverbank management and the environment;*

and in addition shall exercise the following powers and duties:

(a) To consider and report to Council through the Executive Policy Committee on matters respecting:

(i) Utilities and Other Undertakings in respect of the areas of jurisdiction of the Committee;

(ii) Service Agreements with Province in respect of the areas of jurisdiction of the Committee;

(iii) Work with Other Municipalities in respect of the areas of jurisdiction of the Committee;

(iv) Aid for Works Outside City in respect of the areas of jurisdiction of the Committee;

(v) Award of contracts in accordance with existing Council policy in respect of the areas of jurisdiction of the Committee;

(vi) The management of river-related issues which usually cross departmental lines and conventional reporting relationships, and specifically:

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

(B) review and recommend changes to Our Winnipeg river policies, as required;

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

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

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

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

(G) consider 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;

(vii) the management of environmental issues which usually cross departmental lines and conventional reporting relationships, and specifically:

(A) provide the political focus necessary for giving direction and on-going guidance to the City's environmental endeavours;

(B) review and recommend changes to Our Winnipeg environmental policies, as required;

(C) review and recommend changes to environmental legislation, as required;

(D) develop innovative environmental programs;

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

(b) To deal with matters pertaining to the Clean Environment Commission;

(c) To consider and make recommendations on the operating and capital budgets formulated by the Executive Policy Committee and covering those administrative units having responsibility for the Committee's areas of jurisdiction.

(d) To consider matters referred to it by Council, the Executive Policy Committee, or brought before it by the Chief Administrative Officer.

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

Section 14A amended

10. Section 14A is amended by renumbering it as 14.1 and replacing the first three lines with "*The responsibilities and areas of jurisdiction of the Standing Policy Committee on Innovation shall be as follows:*"

Appendix "A" replaced

11. Appendix "A" is replaced with Appendix "A" which is attached to and forms part of this By-law.

PART TWO
AMENDMENTS TO THE DEVELOPMENT PROCEDURES BY-LAW

Development Procedures By-law amended

12. The Development Procedures By-law No. 160/2011 is amended by this Part.

Committee name changed

13. The Development Procedures By-law is amended by replacing "*Standing Policy Committee on Property and Development*" wherever it appears with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development*";

Introduction amended

14. The Introduction is amended:

(a) in subclause C(i)(c) by replacing the last sentence with *"Amendment Applications for property located in the area to which the Downtown Winnipeg Zoning By-law applies require a public hearing at the Standing Policy Committee on Property and Development, Heritage and Downtown Development"*;

(b) by strking out subclause C(ii)(e);

(c) in subclause C(ii)(h) by replacing the last two sentences with "*The appeal is heard by the Standing Policy Committee on Property and Development, Heritage and Downtown Development, which will make an interpretation of the relevant policy.*";

(d) in subclause C(ii)(i) by replacing the last sentence with "*The appeal is heard by the Standing Policy Committee on Property and Development, Heritage and Downtown Development.*";

(e) in subclause D(i)(c) by striking out "*Standing Policy Committee on Downtown Development, Heritage and Riverbank Management;*";

Part 2 amended

15. Part 2 is amended by replacing subclause C(b)(i) with "*The owner may appeal the Director's decision within one year of the date of the decision to the Standing Policy Committee on Property and Development, Heritage and Downtown Development. The appeal shall be conducted in accordance with section 189 of* The City of Winnipeg Charter."

Part 3 amended

16. Part 3 is amended:

(a) in subclause 3B(i)(d) by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*;

(b) in subclause 4A(ii) by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*;

(c) in subsection 4B by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* wherever it appears with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*;

(d) by striking out subclause 4C(iii);

(e) in subclause 4D(v), by striking out *"the Standing Policy Committee on Downtown, Heritage and Riverbank Management,"*;

(f) in subclause 7A(i), by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development";*

(g) by replacing subclauses 7B(v), (vi) and (vii) with the following:

v Where a matter relates to real property located entirely or primarily in the area covered by one community committee, except the area covered by the Downtown Winnipeg Zoning By-law, that community committee shall consider in a combined hearing all applications for a proposed development which proposes:

a. an amendment to a secondary plan by-law;

b. an amendment to a zoning by-law;

c. an amendment to a zoning agreement;

d. a plan of subdivision;

and one or more of the following:

e. a conditional use, other than those in respect of which the Director decides;

f. a variance, other than those in respect of which the Director decides;

g. closing of a street right-of way;

h. closing and opening of streets rights-of-way; and/or

i. a demolition permit without compliance with subclauses 6B(ii) and 6B(iii) in Part 3 of this By-law.

vi Where a matter relates to real property located entirely or primarily in areas covered by two or more community committees, except the area covered by the Downtown Winnipeg Zoning By-law, the Standing Policy Committee on Property and Development, Heritage and Downtown Development, or a community committee designated by the Standing Policy Committee on Property and Development, Heritage and Downtown Development, shall consider in a combined hearing all applications for a proposed development

which proposes:

a. an amendment to a secondary plan by-law;

b. an amendment to a zoning by-law;

c. an amendment to a zoning agreement;

d. a plan of subdivision

and one or more of the following:

e. a conditional use, other than those in respect of which the Director decides;

f. a variance, other than those in respect of which the Director decides;
g. closing of a street right-of way;

h. closing and opening of streets rights-of-way; and/or

i. a demolition permit without compliance with subclauses 6B(ii) and 6B(iii) in Part 3 of this By-law.

vii Where a matter relates to real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law, the Standing Policy Committee on Property and Development, Heritage and Downtown Development shall consider in a combined hearing all applications for a proposed development which proposes:

a. an amendment to a secondary plan by-law;

b. an amendment to a zoning by-law;

c. an amendment to a zoning agreement;

d. a plan of subdivision

and one or more of the following:

e. a conditional use, other than those in respect of which the Director decides;

f. a variance, other than those in respect of which the Director decides;

g. closing of a street right-of way;

h. closing and opening of streets rights-of-way; and/or

i. a demolition permit without compliance with subclauses 6B(ii) and 6B(iii) in Part 3 of this By-law.

Part 4 amended

17. Part 4 is amended:

(a) in subclause 3A(xi) by striking out *"except where the matter relates to real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law, in which case the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management shall hear the appeal"*.

(b) in subclause 3A(xv) by striking out *"where the matter relates to real property located entirely or primarily in the area covered by the Winnipeg Zoning By-law; and the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management where the matter relates to real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law"*;

(c) in subclause 3B(vi) by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* with *Standing Policy Committee on Property and Development, Heritage and Downtown Development"*;

(d) in subclause 3B(xi) by striking out *", except where the matter relates to real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law, in which case the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management shall hear the appeal"*;

(e) in subclause 3B(xii)(a) by striking out *", except where the matter relates to real property located entirely or primarily in the area covered by the Downtown Winnipeg Zoning By-law, in which case the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management shall hear and decide any appeals"*.

PART THREE
AMENDMENTS TO OTHER BY-LAWS

Downtown Winnipeg Zoning By-law amended

18. The Downtown Winnipeg Zoning By-law No. 100/2004 is amended by

(a) replacing the definition "*Standing Policy Committee on Downtown Development, Heritage and Riverbank Management*" in subsection 700(2) with the following:

"Standing Policy Committee on Property and Development, Heritage and Downtown Development" *means the standing policy committee of that name established by the City Organization By-law.*"

(b) replacing "*Standing Policy Committee on Downtown Development, Heritage and Riverbank Management*" wherever it appears with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Historical Resources By-law amended

19. The Historical Resources By-law No. 55/2014 is amended by replacing the definition "*Designated Committee*" in section 2 with the following:

"Designated Committee" *means the Standing Policy Committee on Property and Development, Heritage and Downtown Development;*

Responsible Pet Ownership By-law amended

20. The Responsible Pet Ownership By-law No. 92/2013 is amended by replacing the definition "*Designated Committee*" in section 2 with the following:

"Designated Committee" *means the Standing Policy Committee on Protection, Community Services and Parks;*

Winnipeg Police Board By-law amended

21. The Winnipeg Police Board By-law No 148/2012 is amended by replacing "*Standing Policy Committee on Protection and Community Services*" wherever it appears with "*Standing Policy Committee on Protection, Community Services and Parks*".

Solid Waste By-law amended

22. Subsection 9(1) of the Solid Waste By-law No. 110/2012 is amended by replacing "Standing *Policy Committee on Infrastructure Renewal and Public Works"* with "*Standing Policy Committee on Water and Waste, Riverbank Management and the Environment*".

Street Names By-law amended

23. The Street Names By-law No. 115/2011 is amended

(a) by replacing subsection 10(3) with the following:

10(3) For the purpose of considering an application to rename a street, the designated committee is:

(a) the Standing Policy Committee on Property and Development, Heritage and Downtown Development, in the case of a proposed renaming of a regional street or a street within the area that is governed by the Downtown Winnipeg Zoning By-law; and

(b) the relevant Community Committee, in the case of all other streets.

(b) by replacing subsection 18(3) with the following:

18(3) For the purpose of approving or rejecting an application to assign an honourary street name, the designated committee is:

(a) the Standing Policy Committee on Property and Development, Heritage and Downtown Development, in the case of a proposed assignment of an honourary renaming of a regional street or a street within the area that is governed by the Downtown Winnipeg Zoning By-law; and

(b) the relevant Community Committee, in the case of all other streets.

Taking Title to Vacant and Derelict Buildings By-law amended

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

(a) by replacing the definition "*Designated Committee"* in section 2 with the following:

"Designated Committee" *means the Standing Policy Committee on Property and Development, Heritage and Downtown Development*;

(b) in Schedule A, by replacing *"to the Standing Policy Committee on Property and Development 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."* with *"to the Standing Policy Committee on Property and Development, Heritage and Downtown Development."*; and

(c) in Schedule B, by replacing *"to the Standing Policy Committee on Property and Development 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"* with *"to the Standing Policy Committee on Property and Development, Heritage and Downtown Development*".

Vacant Buildings By-law amended

25. The Vacant Buildings By-law No. 79/2010 is amended by replacing the definition *"Designated Committee"* in section 2 with the following:

"Designated Committee" *means the Standing Policy Committee on Property and Development, Heritage and Downtown Development;*

Vacant and Derelict Buildings By-law amended

26. Schedule "D" of the Vacant and Derelict Buildings By-law No. 35/2004 is amended by replacing "*Standing Policy Committee on Property and Development*" with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development*".

Downtown Residential Development Grant Program By-law amended

27. Subsection 10(4) of the Downtown Residential Development Grant Program By-law No. 77/2010 is amended by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development*".

Planning, Development and Building Fees By-law amended

28. The Planning, Development and Building Fees By-law No. 77/2009 is amended by replacing *"Standing Policy Committee on Property and Development"* wherever it appears with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development*".

Doing Business in Winnipeg By-law amended

29. The Doing Business in Winnipeg By-law No. 91/2008 is amended by replacing *"Standing Policy Committee on Protection and Community Services"* wherever it appears with *"Standing Policy Committee on Protection, Community Services and Parks"*.

West Alexander & Centennial Neighbourhood Plan By-law amended

30. The section entitled "*Plan Review*"in the document entitled "West Alexander & Centennial Neighbourhood Plan", attached as Schedule 1 to the West Alexander & Centennial Neighbourhood Plan By-law No. 64/2008, is amended by replacing *"Standing Policy Committee on Property and Development"* wherever it appears with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Private Access By-law amended

31. The Private Access By-law No. 49/2008 is amended by replacing *"Standing Policy Committee on Downtown Development, Heritage and Riverbank Management"* wherever it appears with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Neighbourhood Liveability By-law amended

32. Section 104 of the Neighbourhood Liveability By-law No. 1/2008 is amended by replacing *"Standing Policy Committee on Protection and Community Services"* with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Cemeteries By-law amended

33. Section 18 of the Cemeteries By-law No. 130/2007 is amended by replacing *"Standing Policy Committee on Planning, Property & Development"* with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development".*

Osborne Village Neighbourhood Plan By-law amended

34. Section 11 of the document entitled "Osborne Village Neighbourhood Plan" attached as Schedule 1 to the Osborne Village Neighbourhood Plan By-law No. 220/2006 is amended by replacing *"Standing Policy Committee on Property and Development"* and *"Standing Policy Committee on Property, Planning and Development"* wherever they appear with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Waverley West Northeast Neighbourhood Area Structure Plan By-law amended

35. Section 9.2.4 of the document entitled "Waverley West Northeast Neighbourhood Area Structure Plan" attached as Schedule 1 to the Waverley West Northeast Neighbourhood Area Structure Plan By-law No. 210/2006 is amended by replacing *"Standing Policy Committee on Property and Development"* with *"Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Body Modification By-law amended

36. Subsection 14(5) of the Body Modification By-law No. 40/2005 is amended by replacing "*the Standing Policy Committee on Protection and Community Services*" with "*the Standing Policy Committee on Protection, Community Services and Parks*".

Fire Prevention By-law amended

37. Subsections 6(1) and 6(4) of The Fire Prevention By-law No. 150/2004 are amended by replacing "*Standing Policy Committee on Protection and Community Services*" with "*Standing Policy Committee on Protection, Community Services and Parks*".

Library Board By-law

38. Clause 4(2)(b) of the Library Board By-law No. 119/2004 is amended by replacing "*Standing Policy Committee on Protection and Community Services*" with "*Standing Policy Committee on Protection, Community Services and Parks*".

Gail Parvin Hammerquist Fund By-law amended

39. The Gail Parvin Hammerquist Fund By-law No. 7633/2000 is amended by replacing "*Standing Policy Committee on Property and Development*" wherever it appears with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Secondary Dyke By-law amended

40. Section 14 of the Secondary Dyke By-law No. 7600/2000 is amended by replacing "*the Standing Policy Committee on Public Works*" with "*the Standing Policy Committee on Infrastructure Renewal and Public Works*".

Lot Grading By-law amended

41. Subsection 4(7) and section 9.3 of the Lot Grading By-law No. 7294/98 are amended by replacing "*the Standing Policy Committee on Public Works*" with "*the Standing Policy Committee on Infrastructure Renewal and Public Works*".

Unserviced Residential Premises Tax Credit By-law amended

42. Section 8.2 of the Unserviced Residential Premises Tax Credit By-law No. 7075/97 is amended by replacing "*the Standing Policy Committee on Fiscal Issues*" with "*the Standing Committee on Finance*".

Fire Paramedic Service By-law amended

43. The Fire Paramedic Service By-law No. 6311/94 is amended in the definition "*Committee*" in section 1 by replacing "*Standing Policy Committee on Property and Development*" with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Bio-Medical Waste Sharps By-law amended

44. Section 6.3 of the Bio-Medical Waste Sharps By-law No. 6001/92 is amended by replacing "*the Standing Policy Committee on Public Works*" with "*the Standing Policy Committee on Infrastructure Renewal and Public Works*".

Waterway By-law amended

45. Section 6.1 of the Waterway By-law No. 5888/92 is amended by replacing "*the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management*" wherever it appears with *"the Standing Policy Committee on Water and Waste, Riverbank Management and the Environment*".

Food Service Establishment By-law amended

46. Section 36.5 of the Food Service Establishment By-law No. 5160/89 is amended by replacing "*Standing Policy Committee on Protection and Community Services*" with "*Standing Policy Committee on Protection, Community Services and Parks*".

Alarms By-law amended

47. Subsection 5(12) of the Alarms By-law No. 4676/87 is amended by replacing "*Standing Policy Committee on Protection and Community Services*" with "*Standing Policy Committee on Protection, Community Services and Parks*".

Winnipeg Building By-law amended

48. Section 10 of the Winnipeg Building By-law is amended by replacing "*Standing Policy Committee on Property and Development*" with "*Standing Policy Committee on Property and Development, Heritage and Downtown Development"*.

Incinerator Control By-law amended

49. Section 17 of the Incinerator Control By-law No. 1979/78 is amended by replacing "*the Standing Policy Committee on Public Works*" with "*the Standing Policy Committee on Infrastructure Renewal and Public Works*".

Traffic By-law amended

50. Sections 6.1 and 55.1 of the Traffic By-law No. 1573/77 are amended by replacing "*the Standing Policy Committee on Public Works*" with "*the Standing Policy Committee on Infrastructure Renewal and Public Works*".

Streets By-law amended

51. Section 7.1 of the Streets By-law No. 1481/77 is amended by replacing "*the Standing Policy Committee on Public Works*" with "*the Standing Policy Committee on Infrastructure Renewal and Public Works*".

Effective date
52. This By-law comes into force on November 4, 2015.

DONE AND PASSED, this 28th day of October, 2015.

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Mayor

_____
City Clerk

Approved as to form:

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For Director of Legal Services/City Solicitor