Agenda – Council – July 19, 2017

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – July 4, 2017

Item No. 11 Membership of the Winnipeg Building Commission

STANDING COMMITTEE RECOMMENDATION:

On July 12, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That John Frye, John Guenther, Jim Wagner, and Dale Verville each be reappointed as members of the Winnipeg Building Commission for a term of 3 years ending June 30, 2020.

2. That the following be referred to the 2018 Budget Review Process:

    A. That the hourly rate paid to Winnipeg Building Commission members be increased by 1.4% for the period of time beginning the date on which this report is adopted and ending on December 31, 2017.

    B. That the Chief Financial Officer be authorized to increase the hourly rate paid to Winnipeg Building Commission members on January 1 of each year, beginning on January 1, 2018, by an amount equal to the rate of inflation.

3. 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, Heritage and Downtown Development – July 4, 2017

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 12, 2017, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 4, 2017, the Standing Policy Committee on Property and Development, Heritage and Downtown Development concurred in the recommendation of the Winnipeg Public Service with the following amendments:

- Delete recommendation 2 and 3 and replace it with the following:

    2. That the following be referred to the 2018 Budget Review Process:

        A. That the hourly rate paid to Winnipeg Building Commission members be increased by 1.4% for the period of time beginning the date on which this report is adopted and ending on December 31, 2017.

        B. That the Chief Financial Officer be authorized to increase the hourly rate paid to Winnipeg Building Commission members on January 1 of each year, beginning on January 1, 2018, by an amount equal to the rate of inflation.

- Renumber the remaining recommendation accordingly.

and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: **Membership of the Winnipeg Building Commission**

Critical Path: **Standing Policy Committee on Property and Development, Heritage and Downtown Development - Executive Policy Committee - Council**

AUTHORIZATION

Author	Department Head	CFO	CAO
S. Dueck	J. Kiernan	M. Ruta	D. McNeil

EXECUTIVE SUMMARY

The Winnipeg Building Commission is established under the Winnipeg Building By-Law No. 4555/87 to provide technical advice and recommendations regarding interpretations and alternative solutions associated with the various codes enforced by the City. Under the terms of the By-law, the nine-member Commission requires that eight of its members be replaced, or have their terms renewed, on a 3 year basis. The terms of four members of the Winnipeg Building Commission will expire on June 30, 2017. This report recommends renewing the terms of these four members each for a period of three years (June 30, 2020).

At the time that the hourly rates were set for Winnipeg Building Commission members in 2012, no allowance was made for inflationary increases. This report also recommends establishing inflationary increases going forward.

RECOMMENDATIONS

1. That John Frye, John Guenther, Jim Wagner, and Dale Verville each be reappointed as members of the Winnipeg Building Commission for a term of 3 years ending June 30, 2020.

2. That the hourly rate paid to Winnipeg Building Commission members be increased by 1.4% for the period of time beginning the date on which this report is adopted and ending on December 31, 2017.

3. That the Chief Financial Officer be authorized to increase the hourly rate paid to Winnipeg Building Commission members on January 1 of each year, beginning on January 1, 2018, by an amount equal to the rate of inflation.

4. 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

Council has authority for increases in rates, and to appoint members to the Winnipeg Building Commission.

IMPLICATIONS OF THE RECOMMENDATIONS

Members listed in recommendation 1 will be appointed to the WBC for a term of 3 years ending on June 30, 2020.

The hourly rate will increase and authority will be delegated to the Chief Financial Officer to approve annual inflationary increases.

HISTORY/DISCUSSION

The Winnipeg Building Commission (the "WBC") is established pursuant to *The City of Winnipeg Charter* and the Winnipeg Building By-law No. 4555/87.

The purpose of the WBC has evolved since it was established. In the 1960's, it was responsible for the City's building by-law, and for the adoption of the National Building Code and associated municipal amendments. In the mid–eighties, with the adoption of the Residential Buildings Fire Safety By-law, the WBC became more important as an appeal board for orders issued to property owners under that by-law. That role largely disappeared as most buildings subject to that by-law have been upgraded.

On March 21, 2012, Council passed amendments to the Winnipeg Building By-law which expanded the authority of the WBC to include providing advice and recommendations to the Designated Employee regarding interpretations and alternative solutions associated with the Manitoba Building Code, the Manitoba Plumbing Code, the Manitoba Fire Code, and the Winnipeg Electrical By-law.

The amendments to the By-law also included adjustments to the composition of the membership categories.

The existing WBC has met 9 times since 2012 to deal with specific applications. Although in most cases the building industry and the Winnipeg Public Service are able to resolve disagreements on matters relating to Code interpretations and alternative solutions without involving the WBC, the WBC is an important forum to present issues where the matter is not resolved satisfactorily and there is a request for an independent recommendation.

The terms of four members of the WBC will expire on June 30, 2017: John Frye, John Guenther, Jim Wagner, and Dale Verville. This report recommends extending the terms of these four members for a period of three years each.

The hourly rate set for WBC members ($100.00 for first hour and $50.00 for each subsequent hour) was set in 2012 and has not been adjusted since because no Council provision allowing

for such an adjustment was established at that time. The fee that the City charges an applicant for submission to the WBC was set at $1,500.00 and has increased annually by an amount equal to the rate of inflation.

All proposed members are knowledgeable and respected in their fields. The rate of pay set for the WBC members is well below what many members would bill as part of their professional practices.

Setting an annual inflationary increase will prevent the need for periodic larger adjustments.

The list of existing and recommended members is set out in Appendix A.

FINANCIAL IMPACT

Financial Impact Statement

Date: May 29, 2017

Project Name:

Establishment of Membership of the Winnipeg Building Commission

COMMENTS:

There are no material financial implications associated with this report.

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

CONSULTATION

N/A

OURWINNIPEG POLICY ALIGNMENT

N/A

SUBMITTED BY

Department: Planning Property and Development
Division: Development and Inspections
Prepared by: Stan Dueck
Date: June 12, 2017
File No:

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Appendix A:

Name	Company / Organization	Membership Category	Term
Members to be Renewed			
John Frye	University of Manitoba	Member at Large	Appoint to June 30, 2020
John Guenther	Nova 3 Engineering	Engineer	Appoint to June 30, 2020
Jim Wagner	Parks Canada	Architect	Appoint to June 30, 2020
Dale Verville (new)	Qualico	Member, Manitoba Home Builders Association	Appoint to June 30, 2020
Other Existing Members			
John Wells	Crosier Kilgour	Engineer	June 30, 2018
Chris Hewitt	SMS Engineering	Member at Large	June 30, 2018
Rick Marshall (new)	Bird Construction	Member, Winnipeg Construction Association	June 30, 2018
Director of Fire Prevention (or Designate)	City of Winnipeg	Senior Fire Officer, City of Winnipeg	Permanent seat
Doug Hanna	Number TEN Architectural Group	Architect	June 30, 2018