Minute No. 360
Report – Executive Policy Committee – May 15, 2018

Item No. 3 Impact Fee By-law Errors and Omissions Amendments

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That amendments to the Impact Fee By-law No. 127/2016 (draft amending by-law attached as Schedule "A") be enacted to include a mechanism for determining an address for service of notice and to correct a typographical error.

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

Report – Executive Policy Committee – May 15, 2018

DECISION MAKING HISTORY:

Moved by His Worship Mayor Bowman,

That the recommendation of the Executive Policy Committee be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 15, 2018, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

ADMINISTRATIVE REPORT

Title: Impact Fee By-law Errors and Omissions Amendments

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
B. Smith	J. Kiernan	N/A	D. McNeil

EXECUTIVE SUMMARY

Amendments to the Impact Fee By-law are proposed to provide a mechanism for establishing a person's address for service that notice may be given by registered mail, which will streamline the notification process.

RECOMMENDATIONS

1. That Council enact amendments to the Impact Fee By-law No. 127/2016 (draft amending by-law is attached as Schedule "A") to include a mechanism for determining an address for service of notice and to correct a typographical error.

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

Council approval is required to amend a by-law.

IMPLICATIONS OF THE RECOMMENDATIONS

Approval of the recommendations would assist in streamlining implementation of the impact fee by allowing for notice to be given by way of ordinary mail or email.

HISTORY/DISCUSSION

The Impact Fee By-law was enacted by Council on October 26, 2016. The impact fee came into effect on May 1, 2017.

Address for Service

The Impact Fee By-law (the “By-law”) indicates that under the Director Review process (Section 9), the Director must notify the applicant of his/her decision in accordance with the Charter. Because the By-law does not set out how a person’s address is to be determined, in accordance with the Charter, notice would need to be delivered by way of personal service via a process server, which is less convenient, adds time to the process and includes a cost. Amending the By-law to include a mechanism for establishing a person’s address for service and to provide for giving notice by registered mail will streamline the notification process.

FINANCIAL IMPACT

Financial Impact Statement Date: March 29, 2018

Project Name:

Impact Fee By-law Errors and Omissions Amendments

COMMENTS:

Thre are no financial implications associated with this report.

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

CONSULTATION

This Report has been prepared in consultation with:
Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

The proposed by-law amendments are consistent with OurWinnipeg Prosperity Directions including:
Direction 1: Provide efficient and focused civic administration and governance.
Direction 2: Provide a predictable and cost-effective business environment that promotes investment and growth.

SUBMITTED BY

Department: Planning Property and Development Department
Division: Urban Planning and Design Division
Prepared by: Valdene Lawson, MCIP RPP
Date: March 23, 2018

Attachments:
Schedule “A” – Draft Amending By-law