THE CITY OF WINNIPEG

BY-LAW NO. 4/2020

A By-law of THE CITY OF WINNIPEG to amend the Heritage Conservation Districts By-law.

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

Heritage Conservation Districts By-law amended

1 The Heritage Conservation Districts By-law No. 87/2018 is amended by this By-law.

Subsection 8(3) amended

2 Subsection 8(3) is amended by replacing "*90 days*" with "*a reasonable amount of time*".

Subsection 9 amended

3 Section 9 is amended

(a) in clause (2)(a) by adding "*, within 30 days following the date on which the proposed HCD is nominated,*" after "*the designated employee must*";

(b) in subclause (2)(b)(i) by replacing "*14 days*" with "*30 days*"; and

(c) in subsection (3) by replacing "*subsection (1)*" with "*subsection (2)*".

Section 10.1 added

4 The following is added after subsection 10(3):

Certain demolitions permitted

10.1 *Despite section 10, the Director is authorized to issue a demolition permit, or lift the suspension of any existing demolition permit, where he or she determines that*

(a) the structure in respect of which the demolition permit is being sought

(i) does not embody sufficient heritage values of the proposed HCD, and the structure proposed to be built following the demolition permitted by the demolition permit would be compatible with the heritage values of the proposed HCD, based on the recommendations of the HBRC; or

(ii) represents an unsafe condition such that delaying demolition of the building represents a risk of harm to the health or safety of persons or to property; or

(b) refusing to issue the demolition permit, or failing to lift the suspension of any existing demolition permit, will cause undue prejudice to the demolition permit applicant.

Section 11 amended

5 Section 11 is amended

(a) in clause (2)(c) by adding "*along with their reasons*" after "*of the HCD*"; and

(b) in subsection (3), by adding "*may be sent by e-mail or regular mail and*" after "*letter of support*".

Subsection 13(1) amended

6 Subsection 13(1) is amended by replacing clause (g) with the following

(g) a recommendation in respect of whether an HCD Advisory Committee should be required; and

Section 16 amended

7 Section 16 is amended

(a) in subsection (4) by replacing subclause (e)(i) with the following:

(i) make a written submission to the City Clerk for consideration at the meeting of the designated committee and the date by which the written submission must be made; and

(b) in subsection (6)

(i) by replacing "*subsection (3)*" with "*subsection (5)*"; and

(ii) in clause (b), by replacing "subclause (3)(e)(i) with subsection 11(1).

Section 21 amended

8 Section 21 is amended

(a) in subsection (1), by deleting clauses (b) and (g); and

(b) in subsection (4), by

(i) replacing "*subsection (1)*" with "*subsections (1) and (2)*"; and

(ii) replacing "*subsection (2)*" with "*subsection (3)*".

Subsection 23(2)

9 Subsection 23(2) is amended by replacing subclause (e)(i) with the following:

(i) make a written submission to the City Clerk for consideration at the meeting of the designated committee and the date by which the written submission must be made; and

Subsection 23(4) amended

10 Subsection 23(4) is amended by replacing "*first regularly scheduled meeting*" with "*third regularly scheduled meeting*".

Section 35 replaced

11 Section 35 is replaced with the following:

Appeals

35(1) *Except as otherwise provided in this By-law, an appeal from an order or decision under this By-law may be made, upon payment of any applicable fee, to the designated committee by filing a written appeal with the City Clerk.*

35(2) *An appeal from a decision by the Director to nominate a neighbourhood as a proposed HCD filed in accordance with subsection (2) must be submitted by an owner within 30 days following the date on which the owner received or is deemed to have received notice of the nomination.*

35(3) *Where an appeal has been filed in accordance with this section, the City Clerk must give notice of the appeal in accordance with the Charter to*

(a) the applicant;

(b) the appellant; and

(c) any person who has submitted a letter of support or a letter of opposition in accordance with this By-law.

Schedule "A" replaced

12 Schedule "A" is replaced with the document attached as Appendix "A" to this By-law.

DONE AND PASSED this 30th day of January, 2020.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property and Development

Legally reviewed and certified as to form:

for Interim Director of Legal Services and City Solicitor