**THE CITY OF WINNIPEG**

**BY-LAW NO. 42 /2004**

**A By-law of the City of Winnipeg to establish the Standing Policy Committee on Downtown Development.**

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

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

(a) by repealing section 5 and substituting:

"5. There are hereby established five Standing Committees of Council as follows:

(1) the Standing Committee on Fiscal Issues;

(2) the Standing Policy Committee on Public Works;

(3) the Standing Policy Committee on Protection and Community Services;

(4) the Standing Policy Committee on Property and Development; and

(5) the Standing Policy Committee on Downtown Development."

(b) by adding the following after section 7:

"7.1 The Standing Policy Committee on Downtown Development shall be composed of four members as follows:

(1) the Chairperson, who shall be the Mayor or a member appointed by the Mayor;

(2) the Chairperson of the Standing Policy Committee on Public Works;

(3) the Chairperson of the Standing Policy Committee on Property and Development;

(4) one member elected by Council, from the Council members any portion of whose wards lie within the area of jurisdiction of The Downtown Winnipeg Zoning By-law (namely, the Point Douglas, Daniel McIntyre and Fort Rouge - East Fort Garry wards). In the

event all these Council members are already members of this Committee by virtue of subsections (1), (2) and (3), this member shall be elected by Council from all other Council members."

(c) in sections 9.2, 10, 11 and 13 and subsection 13.1.(1), by striking out the first "The" and substituting:

"Subject to section 13.2, the".

(d) in clause 11(g), by striking out "system" and substituting "systems".

(e) by repealing clauses 11(n), (q) and (r).

(f) by adding the following after section 13.1:

"**STANDING POLICY COMMITTEE ON DOWNTOWN DEVELOPMENT**

13.2 The Standing Policy Committee on Downtown Development shall provide policy advice to Council on matters within the following areas of jurisdiction, where the matters relate to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law:

- Asset Management
- Development Control
- Land Acquisition
- Land Development
- Planning and Land Use,

and in addition shall exercise the following powers and duties, where the matters relate to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law:

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

- Acquisition of Buildings
- Planning and Development
- Transportation Planning,

and to exercise such authority as may be delegated to it by Council concerning matters arising out of these provisions.

(b) Approving the terms and conditions of the leasing, selling or purchasing of or dealing with land, including the use of air space agreements by the City, and providing instructions regarding the acquisition of properties through the tax sale process, within

existing guidelines established by Council or as may be established from time to time.

(c) The preparation of conceptual planning in areas of urban development and transportation systems.

(d) The preparation of plans for public housing and urban renewal projects.

(e) 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.

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

(g) Approvals pursuant to The Downtown Winnipeg Zoning By-law in its capacity as the Downtown Design Board.

(h) The authority to dedicate City-owned land for street and other public purposes.

(i) Approval of matters relating to encroachments on City property.

(j) Matters under the Private Approaches By-law.

(k) Notwithstanding subsection 4(20) and clause 11(w) of this by-law and the general powers and duties delegated to the Standing Policy Committee on Public Works with respect to streets, the Committee shall have the exclusive power to deal with street, lane and walkway closings and openings.

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

(m) To hear and decide applications for approvals of variances and conditional uses, where a proposed development requires public hearings on two or more of an amendment to a secondary plan, an amendment to a zoning by-law, approval or amendment of a plan of subdivision, or an approval or a variance or a conditional use or both.

(n) To hear and decide appeals from conditional use orders or variance orders made by the Director of Planning, Property and Development. In this regard the Committee shall be the appeal

committee for purposes of subsection 13.1(1) of this By-law and sections 18, 22.2, 23, 24, 25, 27 and 28 of the Development Procedures By-law.

13.3 With the exception of clause 13.2(n) of this By-law, the Standing Policy Committee on Downtown Development shall not hear and decide appeals from orders or decisions described in subsection 13.1(1) of this By-law."

(g) by repealing Appendix "A" and substituting the attached.

**2. The Development Procedures By-law No. 5893/92 is amended**

(a) by adding the following after subsection 4(2.1):

"(2.2) (a) Notwithstanding subsections 4(1), (2) and (2.1), where the matter relates to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, a proposed zoning by-law or application for subdivision approval by by-law shall be referred under Part 6 of *The City of Winnipeg Charter* to the Standing Policy Committee on Downtown Development, which shall conduct the public hearing required by that Part 6.

(b) The Standing Policy Committee on Downtown Development shall forward its report and recommendations to the Executive Policy Committee for its consideration and forwarding of the combined report and all recommendations to Council, but nothing in this by-law precludes Council from considering additional reports and recommendations from any committee making them."

(b) by adding the following after subsection 5(2):

"(3) Notwithstanding subsections 5(1) and (2), where the matter relates to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, a proposed secondary plan by-law shall, after first reading and before second reading, be referred for conduct of a public hearing in accordance with *The City of Winnipeg Charter*, to the Standing Policy Committee on Downtown Development.

(4) The Standing Policy Committee on Downtown Development shall forward its report and recommendations to the Executive Policy Committee for its consideration and forwarding of the combined report and all recommendations to Council, but nothing in this by-

law precludes Council from considering additional reports and recommendations from any committee making them."

(c) by striking out clauses 6(3)(a) and (b) and substituting:

(a) where the 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 Downtown Development shall be the hearing committee, and shall make the order(s) in accordance with this By-law and *The City of Winnipeg Charter*, and any appeal(s) against the order(s) shall be heard and decided by the committee designated under subsection 13.1(1) of the Organization By-law, in accordance with *The City of Winnipeg Charter*; and

(b) in any other case, the Standing Policy Committee on Property and Development, which must hear any appeal, shall not be the hearing committee, and the hearing committee shall make the order(s) in accordance with this By-law and *The City of Winnipeg Charter*, and any appeal(s) against the order(s) shall be heard and decided by the Standing Policy Committee on Property and Development, in accordance with *The City of Winnipeg Charter*.

(d) in section 7, by adding the following after "sections":

", 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 application shall be referred to the Standing Policy Committee on Downtown Development as the authorized committee under those sections"

(e) in clause 4(2.1)(b) and subsection 5(2), by striking out "shall preclude" and substituting "precludes".

**3. The Downtown Winnipeg Zoning By-law No. 4800/88 is amended**

(a) in subsections 120(6) and 701(1), by striking out "Property and" and substituting "Downtown".

**4. The Private Approaches By-law No. 6546/95 is amended**

(a) by repealing the definition of "Committee" and substituting:

""Committee" means the Standing Policy Committee on Public Works, except where the matters relate to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, in which case it means the Standing Policy Committee on Downtown Development."

**5. The Encroachment By-law No. 692/74 is amended**

(a) by adding the following definition to section 2:

""Standing Policy Committee" means the Standing Policy Committee on Property and Development, except where the matters relate to real property located entirely or primarily in the area covered by The Downtown Winnipeg Zoning By-law, in which case it means the Standing Policy Committee on Downtown Development."

(b) in section 2, by striking out "Standing Policy Committee on Property and Development of The City of Winnipeg" and substituting "the Standing Policy Committee".

**DONE AND PASSED**, in Council assembled, this day of , 2004.

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Mayor

_____
City Clerk

Certified as to form:

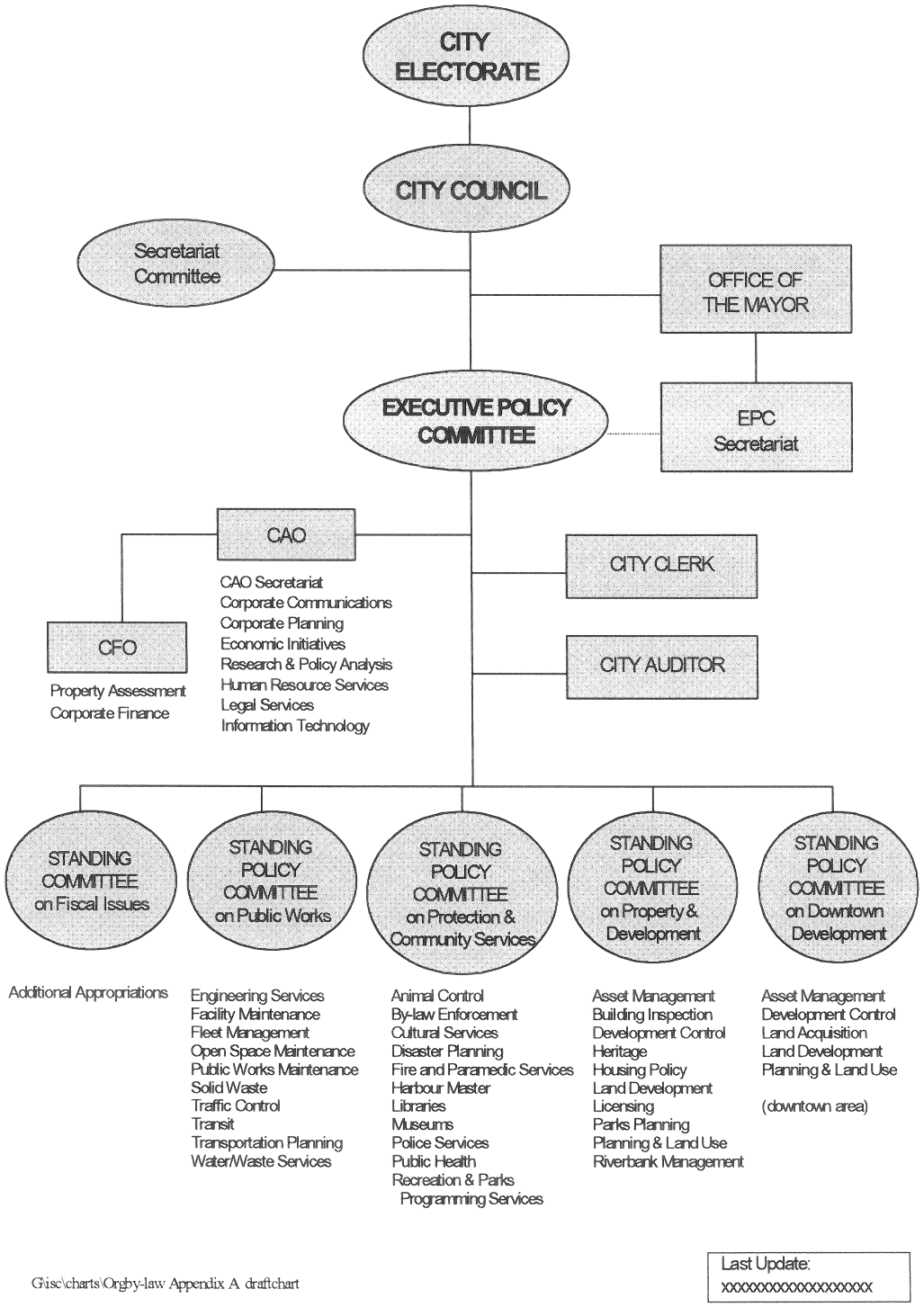
_____
*for* City Solicitor/Manager of
Legal Services

File No. P.13/2004(1) JC

# CITY OF WINNIPEG
## EXECUTIVE AND FUNCTIONAL ORGANIZATION

(amended by 7170/98; 7435/98; 7516/99; 7702/2000; 8162/2002)

APPENDIX "A" to
By-law No. 7100/97

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Last Update:
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