Winnipeg

Legal Services Department • Services juridiques

INTER-OFFICE MEMORANDUM

TO:	**Marc Lemoine** City Clerks	**FROM:**	**Harold Dick** Legal Services
FILE:	G.3/2020 (32)	**DATE:**	June 26, 2020

RE: Amendment to Traffic By-law No. 1573/77 – Prohibit Vehicular Travel on Sunday Bike Routes Every Day until September 7, 2020

It is my understanding that two motions will be made at Council later today amending the motion adopted as Item 20 of the report of the Standing Policy Committee on Infrastructure Renewal and Public Works on June 9, 2020. I have attached the two amending motions to this memo.

I recognize that this is highly unusual, but in order to give Council an opportunity to enact an amending by-law which will operationalize these motions, I have prepared and have attached such a by-law.

I would draw your and Council's attention to the following in respect of the attached amending by-law:

- The original motion from the Standing Policy Committee refers to an amendment to By-law 91/2014. By-law 91/2014 was an amending by-law which amended the Traffic By-law No. 1573/77 to create the Sunday/holiday bicycle routes. Legally, it is not possible to amend an amending by-law after it has accomplished the amendment. However, it seems clear to me that that the intent of the Standing Policy Committee motion was to amend the Traffic By-law in order to add the additional Sunday/holiday bicycle routes and therefore I have drafted the attached amending by-law accordingly.
- Unlike the original four Sunday/holiday bicycle routes already identified and delineated by maps in the Traffic By-law, no maps of the additional five routes have been attached; they have been identified by written description only.
- The Kildonan Drive route has been split into two separate routes for the purpose of the By-law amendment.
- In order to capture the full extent of the Kilkenny Drive route referred to in the Council Motion, an additional prohibition on vehicular traffic on King's Drive between Kilkenny Drive and Patricia Avenue was required.

Subject to these comments. I am certifying that the attached amending by-law reflects the original motion from the Standing Policy Committee as amended by the two motions attached to this memo. **If the original Standing Policy Committee motion, as amended by the two amending motions attached to this memo, is approved by Council, you are authorized to present the attached amending by-law to Council for enactment.**

If you have any questions, feel free to contact me.

Original signed by Harold Dick
HAROLD DICK
Solicitor

HD/am

Enclosure


2020 06 26 - Motion 4 - Amendment to IF


2020 06 26 - Motion 3 - Amendment to IF


Bicycle Route By-law.docx