THE CITY OF WINNIPEG

BY-LAW NO. 59/2023

A By-law of THE CITY OF WINNIPEG to amend the Development Procedures By-law No. 104/2020.

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

Development Procedures By-law amended

1 The Development Procedures By-law No. 104/2020 is amended by this By-law.

Section 10.1 added

2 The following is added after section 10:

General condition of approval

10.1(1) *In addition to any condition imposed by the approving authority, and subject to any requirements of the Charter, it is a condition of approval of every CA, DAS, DASZ, DASSF and DAZ that, in the sole discretion of the approving authority, either:*

(a) at least 10% of the land be conveyed to the City for purposes of the City other than streets; or

(b) a cash payment in lieu of land, in an amount determined by the approving authority, be paid to the City.

Section 44 repealed

3 Section 44 is hereby repealed.

Section 45 repealed

4 Section 45 is hereby repealed.

Section 46 amended

5 Section 46 is amended

(a) in subsection (1), by replacing "*hearing body for that application*" with "*Director*".

(b) In subsection (2), by replacing "*Following the close of representations at a public hearing*" with "*In making a decision*"; and

(c) in subsection (3),

(i) by deleting "*without conditions*";

(ii) in clause (a), by deleting "*and*";

(iii) in clause (b), by adding " *and*" after "*adjoining properties;*"; and

(iv) by adding the following after clause (b):

(c) would not increase pressure to approve a new land use that is not supported by policies in Plan Winnipeg or any secondary plan that applies to the subject site.

Section 47 repealed
6 Section 47 is hereby repealed.

Section 48 amended
7 Section 48 is amended by replacing clauses (a) and (b) with the following:

(a) the relevant Community Committee where the site is located entirely within the geographical boundaries of one community; and

(b) SPC in all other instances.

Section 2 Coming Into Force
8 Section 2 of this By-law is intended to take effect retroactively and is deemed to have come into force on the date on which the Development Procedures By-law No. 104/2020 came into force.

DONE AND PASSED this 22nd day of June, 2023.

Mayor

City Clerk

Approved as to content:

A/ Director of Planning, Property
and Development

Legally reviewed and certified as to form:

"S. Rentz" April 17, 2023
for Director of Legal Services
and City Solicitor