Agenda – Executive Policy Committee – June 18, 2024

Report – Standing Policy Committee on Property and Development – June 4, 2024

Item No. 4 Amendment to Execution of Documents By-law No. 78/2015

STANDING COMMITTEE RECOMMENDATION:

On June 4, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That a By-law be enacted to amend the Execution of Documents By-law No. 78/2015, a draft of which is attached as Appendix A to this report.

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

Agenda – Executive Policy Committee – June 18, 2024

Report – Standing Policy Committee on Property and Development – June 4, 2024

DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On June 4, 2024, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Amendment to Execution of Documents By-law No. 78/2015

Critical Path: Standing Policy Committee on Property and Development – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	H. Borys	N/A	M. Jack

EXECUTIVE SUMMARY

The Public Service recommends that the Execution of Documents By-law No. 78/2015 be amended to delegate the authority to approve plans of easement to the Director of Planning, Property and Development, the Director of Public Works, and the Director of Water and Waste.

This delegation will ensure that the appropriate Director is responsible for signing plans of easement within their area of responsibility and will improve the efficiency of the Public Service.

RECOMMENDATIONS

1. That a by-law be enacted to amend the Execution of Documents By-law No. 78/2015, a draft of which is attached as Appendix A to this report.

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 by-laws.

IMPLICATIONS OF THE RECOMMENDATIONS

Should the recommendation be approved, the Execution of Documents By-law No. 78/2015 will be amended to delegate the authority to execute approvals of plans of easement to the Director of Planning, Property and Development, the Director of Public Works and the Director of Water and Waste. There are no financial implications associated with this report.

HISTORY/DISCUSSION

The Execution of Documents By-law No. 78/2015 (the “By-law”) was enacted by Council on July 15, 2015, pursuant to Section 500(1)(a) of the City of Winnipeg Charter. The By-law authorizes the execution of documents by designated members of the Public Service.

The By-law delegates a number of execution authorities to the Director of Planning, Property and Development under Section 13(1).

The Public Service has identified an unintended omission in the By-law for delegating execution authorities on plans of easement. It has been a longstanding practice to have plans of easement signed by/for the Director of the Department for which an easement is required to protect City interests. Easements are required when City infrastructure, such as a sewer main, is constructed within private property.

The Public Service recommends an amendment to the By-law to delegate authority to the Director of Planning, Property and Development, the Director of Public Works and the Director of Water and Waste, to sign, on behalf of the City, plans of easement that are within their respective areas of responsibility. Including the delegation in the By-law provides clarity and ensures consistency on how plans of easement are reviewed, processed and signed.

FINANCIAL IMPACT

Financial Impact Statement Date: May 8, 2024

Project Name:

Amendment to Execution of Documents By-Law No. 78/2015

COMMENTS:

There are no financial implications associated with this report.

Mike McGinn May 8, 2024
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Public Works Department
- Water and Waste Department
- Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

Our Winnipeg provides the following policy direction:

Goal: Leadership and Good Governance

1.4 Integrated Knowledge and Resources
Coordinate inter-departmental systems, projects and resources, making the best use of internal and external expertise to better understand service needs, find the most appropriate solutions, optimize resources, and maximize community outcomes.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to any of the Strategic Opportunities and Key Directions in the Climate Action Plan, and it was determined that the Plan is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the Poverty Reduction Strategy (PRS), as well as the corresponding 2021-2023 Implementation Plan, and it was determined that the Strategy is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development Department
Division: Real Estate and Land Development
Prepared by: Catherine P. Gagnon
Date: May 8, 2024

Attachment:
Appendix A - Draft Amending By-law

APPENDIX A – EXECUTION OF DOCUMENTS BY-LAW 78/2015 AMENDMENT

THE CITY OF WINNIPEG

BY-LAW NO. /2024

A By-law of THE CITY OF WINNIPEG to amend the Execution of Documents By-law to delegate authority to execute approvals of plans of easement to each of the Director of Planning, Property and Development, the Director of Public Works, and the Director of Water and Waste.

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

The Execution of Documents By-law No. 78/2015 is amended by adding the following after section 21:

Execution of Plans of Easement

21.1(1) *The Director of Planning, Property and Development, the Director of Public Works and the Director of Water and Waste are each authorized to execute approvals of plans of easement on behalf of the City.*

21.1(2) *All of the authorizations in subsection (1) may be sub-delegated to another City employee.*

DONE AND PASSED this day of , 2024.

Mayor

City Clerk

Approved as to content:

Director of Planning, Property
and Development

Legally reviewed and certified as to form:

for Director of Legal Services
and City Solicitor

DRAFT