

FactSheet

City of Winnipeg Charter Amendment & Planning Amendment Act

The goal of the legislation is to streamline land use planning, remove unnecessary administrative burdens on the City of Winnipeg, property owners, and the court system and modernize building inspection processes in Winnipeg.

Establishing timelines on planning processes ensures timely decision-making and provides greater certainty needed for development and investment.

Key highlights of the legislation are as follows:

Planning Timelines

The following new changes complement existing timelines in The City of Winnipeg Charter and The Planning Act:

- Statutory timelines for application processing and planning appeals are clarified and can be extended with the agreement of the applicant.
- Planning authorities have an additional 30 days on the longest applicable timeline when holding combined hearings on two or more planning applications.
- Planning authorities have 20 days to determine if an application is complete.
- The timeline to file an appeal with the Municipal Board of subdivisions, aggregate quarries, and large-scale livestock operations is reduced from 30 days to 14 days under The Planning Act to align with other appeal timelines.

Secondary Plans in Winnipeg

Land developers observed that the requirement for a secondary plan led to delays in land use planning approvals. Secondary plans are primarily used in Winnipeg. A secondary plan is a land use plan for a specific neighbourhood, district or area of a municipality. In Winnipeg, these are housed within their 'complete communities' framework. They guide development for the specific area, such as public spaces, infrastructure, servicing and urban design.

Once proclaimed, section 275 (1.6) will place secondary plan considerations within the same timelines that exist for other plan amendment decision-making, eliminating the potential delays due to secondary plan amendment requirements.

Property owners may now appeal missed timelines and Council decision on an applicant prepared secondary plan to the Municipal Board.

Reducing Red Tape in Winnipeg

This legislation will alleviate unnecessary administrative burdens on the City of Winnipeg, property owners and the court system, which aligns with key government mandates to reduce red tape.

The amendments remove outdated and duplicative auditing measures regarding the Sinking Fund Trustees of the City of Winnipeg, remove the requirement for a duplicative step to approve the removal or demolition properties in tax arrears, and remove red tape around substitutional service provisions for compliance/demolition orders.

Modernizing Building and Fire Inspections in Winnipeg

This legislation amends The City of Winnipeg Charter to enable the City the option to appoint designated officials (third parties) to conduct building and fire inspections.

The amendments align the City of Winnipeg with other municipalities in Manitoba.

Other Updates

The legislation clarifies and updates key terms and definitions in planning legislation, including:

- Updates the hearing notification requirements in all areas of the province.
- Updates outdated terminology by replacing 'Plan Winnipeg' with 'Development Plan' and 'Permit' with 'Development Permit' to make consistent with other municipalities.
- Clarifies that development permits are required for any development in Winnipeg, making it consistent with all other municipalities.
- Updates terms 'rejected' and 'refused'. Generally, the term 'refuse' applies when an application is inconsistent with local by-laws or if information is missing. Whereas, 'rejection' is a decision of council on a completed planning application.
- Clarifies that Winnipeg Zoning by-laws must be consistent with its Development Plan and applicable secondary plans to align with the rest of the province.
- Under The Planning Act, the expiry of an approved variance can be extended for an additional year for a maximum of three years, to align with the expiry of approved conditional uses and with the City of Winnipeg Charter.