

Bulletin #2023-17

MUNICIPAL RELATIONS

Important Notice to All Elected Officials and Chief Administrative Officers

Amendments to: The City of Winnipeg Charter The Planning Act

On September 1, 2023, the remaining sections of The City of Winnipeg Charter Amendment and Planning Amendment Act S.M. 2022, c. 27 (the former Bill 34) will come into force. The Act streamlines land use planning processes, modernizes building inspections processes and reduces red tape for stakeholders and Manitobans.

Phase One Proclamation

On December 31, 2022, key red tape amendments came into force addressing removal of buildings from land in tax arrears, eliminating a duplicative sinking fund audit requirement and authorizing the City of Winnipeg to appoint individuals who are not employees of the City to act as inspectors and issue orders to remedy contraventions related to the building and fire code.

Phase Two Proclamation

The remaining amendments will come into force September 1, 2023. One red tape amendment will allow for processing of substitutional service orders through Manitoba Land Titles and Personal Property Office for compliance of demolition orders in the City of Winnipeg.

Planning amendments include:

- 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 for the following applications: a development plan amendment, secondary plan, zoning by-law, development agreement, variance, conditional use of land, an application for approval of or amendment to a plan of subdivision.
- The timeline to file an appeal with the Municipal Board for 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.
- Hearing notification requirements are updated for planning applications in the City of Winnipeg to make them more consistent with the rest of the province.

- 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.
- Clarifications in French and English and new definitions and language updates.

Secondary Plans

Moving forward there will be greater clarity and transparency around secondary plan processes within the City of Winnipeg.

The City can only require an applicant to prepare a secondary plan if they have adopted a by-law that sets consistent rules on when a secondary plan is required and what the requirements are. The Act establishes a 20-day timeline to accept secondary plan applications and 150 days for Council to make a decision on the secondary plan. Property owners will have the right to appeal a missed timeline or Council decision on their secondary plan application to the Municipal Board.

For more information, including FAQs and a fact sheet, detailing changes introduced by The City of Winnipeg Charter Amendment and Planning Amendment Act please visit the department's website at: https://www.gov.mb.ca/mr/land_use_dev/about_planning.html

You can access The City of Winnipeg Charter Amendment and Planning Amendment Act on the Manitoba Legislative Assembly website at: <https://web2.gov.mb.ca/laws/statutes/2022/c02722e.php>

If you have questions or require further information, please contact your regional Community Planning office, or call the Winnipeg Office at (204) 945-2150.

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