

2nd Session, 43rd Legislature

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Bill 3

THE CITY OF WINNIPEG CHARTER AMENDMENT AND PLANNING AMENDMENT ACT

[Bilingual version \(PDF\)](#)

[Explanatory Note](#)

(Assented to)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

THE CITY OF WINNIPEG CHARTER

S.M. 2002, c. 39 amended

1(1) **The City of Winnipeg Charter** is amended by this section.

1(2) *Subsection 236.1(1) is replaced with the following:*

Interpretation: when are objections sufficient?

236.1(1) For a proposed by-law that adopts or amends a zoning by-law, objections must be received from at least 300 voters to be sufficient for the purpose of this section.

THE PLANNING ACT

C.C.S.M. c. P80 amended

2(1) **The Planning Act** is amended by this section.

2(2) *Subsections 73.1(2) and (3) are replaced with the following:*

Sufficient objections re adopting or amending a zoning by-law

73.1(2) For a proposed by-law that adopts or amends a zoning by-law, objections must be received from the following to be sufficient for the purposes of sections 74 to 79:

- (a) at least 300 eligible persons;
- (b) despite clause (a), in the case of a municipality or planning district with a population of fewer than 6,000, the greater of at least
 - (i) 100 eligible persons, or
 - (ii) eligible persons who total 5% of the population of the municipality or district.

References to population

73.1(3) A reference in clause (2)(b) to the population of a municipality or a planning district means the population of the municipality or district as shown by the most recent census taken and available under the *Statistics Act* (Canada).

2(3) *Subsection 73.1(4) is repealed.*

2(4) *Subsection 80(3) is amended by striking out "Subsection 73.1(3)" and substituting "Subsection 73.1(2)".*

TRANSITIONAL PROVISIONS

Proposed zoning by-laws under City of Winnipeg Charter

3(1) *A proposed zoning by-law that has been given first reading under Part 6 of The City of Winnipeg Charter before the coming into force of this section is to be dealt with under that Act as if this Act had not come into force.*

Proposed zoning by-laws under Planning Act

3(2) *A proposed zoning by-law that has been given first reading under Part 5 of The Planning Act before the coming into force of this section is to be dealt with under that Act as if this Act had not come into force.*

COMING INTO FORCE

Coming into force

4 *This Act comes into force on the day it receives royal assent.*

Explanatory Note

The City of Winnipeg Charter and The Planning Act provide that the Municipal Board must hold a hearing on a proposed

zoning by-law if a sufficient number of people object to the by-law.

The City of Winnipeg Charter is amended to increase the sufficient number of objections from at least 25 to at least 300.

The Planning Act is amended to increase the sufficient number of objections from at least 25 to at least

- 300, for a municipality or planning district with a population of at least 6,000; or
- the greater of 100 or 5% of the population, for a municipality or planning district with a population of fewer than 6,000.

In addition, each Act currently provides that the Municipal Board must hold a hearing when objections to a zoning by-law affecting a particular parcel of land are received from at least 50% of the land owners within 100 metres from the parcel. The provisions are repealed.