

Plan Approvals Compliance Program Pilot

In response to a motion from the Standing Policy Committee on Property and Development, Heritage and Downtown Development on June 16, 2020, the City of Winnipeg is piloting a Plan Approvals Compliance Program. The Plan Approval Compliance Program Pilot is designed to proactively identify instances of non-compliance early in the construction process.

The City will be conducting inspections on an audit basis. Where applicable, Plan Approval Compliance inspections will take place during the following stages of construction:

1. Structural Framing (e.g. doors, windows, dormers, etc.)
2. Exterior Finish (e.g. finishes, materials, etc.)
3. Final (e.g. landscaping, fencing, signage, lighting, site elements, etc.) Note: if landscaping/site elements are not complete due to seasonal restrictions, applicants will be given 12 months to complete the installation. It is the responsibility of the applicant to call for a re-inspection.

If a plan approval compliance inspection is required, applicants will be contacted to setup an inspection time. If non-compliance is identified, it will need to be corrected by a specified date. Please note that deviation from the plans, including all associated site work (landscaping, fencing, signage, etc.) is not permitted and will require corrective action. Failure to correct the issue will result in enforcement action, which may include an Order to Comply, Stop Work Order, and/or monetary penalty.

The results of the pilot program will be used to help inform a long-term strategy to support compliance with Plan Approval conditions.

FAQ's

1. What is a Plan Approval?

There are a number of different instances that may generate a requirement for plan approval (and subsequent compliance inspections):

- a. **Conditions of Approval** - New development applications will often be approved with a condition requiring plan approval. This condition can originate from any of the following types of applications:
 - i. Variances (DAV)
 - ii. Conditional Use (DCU)
 - iii. Rezoning (DAZ)
 - iv. Subdivision/Rezoning (DASZ)
 - v. Zoning Amendment Agreement (ZAA)
- a. **Winnipeg Zoning By-law 200/2006 Planned Development Overlays (PDO's)** – Current Design Review Requirements:
 - i. Boulevard Provencher PDO-1 (Schedule E)
 - ii. West Alexander and Centennial PDO-1 (Schedule L)
 - iii. Downtown Transcona PDO-1 (Schedule M)
 - iv. St. Norbert Main Street PDO-1 (Schedule N)
 - v. Corydon Osborne PDO-1 (Schedule W)
 - vi. Inksbrook Employment Lands PDO-2 (Schedule X)

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b. Downtown Zoning By-law 100/2004:

- i. The Downtown Zoning By-law requires urban design review, which is the equivalent to plan approval, for all development visible from the public right-of-way.

c. Existing Zoning Agreements:

- i. Many existing zoning agreements, which are caveated on title by the City of Winnipeg, have a requirement for plan approval. These zoning agreements originate as conditions of approval from past development applications, such as rezonings (DAZ) or subdivisions/rezonings (DASZ) and continue to apply to the property as future development is proposed.

2. Will my project be selected for a Plan Approval compliance inspection?

- a. The City will be conducting inspections on an audit basis. If your project has a Plan Approval condition and is under construction, it may be selected for audit.

3. How do I schedule a compliance inspection?

- a. You will be contacted by the City to schedule a compliance inspection where applicable, when your project is at one of the applicable stages of construction.

4. Do I need to be on site during a compliance inspection?

- a. No, however you are welcome to attend the inspection.

5. Will I be notified of my compliance inspection results?

- a. Yes, you will be notified by email.

6. What happens if construction is found to be non-compliant?

- a. If non-compliance is identified, it will need to be corrected by a specified date. Failure to correct the issue will result in enforcement action, which may include an Order to Comply, Stop Work Order, and/or monetary penalty.

7. Will compliance measures be enforced on buildings that are recently completed?

- a. If non-compliance is identified, it will need to be corrected by a specified date. Failure to correct the issue will result in enforcement action, which may include an Order to Comply and/or monetary penalty.