Agenda – Council – March 20, 2020

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

Item No. 10 Establishment of a Planning Commission

STANDING COMMITTEE RECOMMENDATION:

On March 10, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the following to Council:

1. That the report of the Winnipeg Public Service be referred to all five Community Committees for discussion and recommendations, and report back to the Standing Policy Committee within 60 days.

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

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On March 10, 2020, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development, Heritage and Downtown Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On March 2, 2020, the Standing Policy Committee on Property and Development, Heritage and Downtown Development passed the following motion:

1. That the report of the Winnipeg Public Service be referred to all five Community Committees for discussion and recommendations, and report back to the Standing Policy Committee within 60 days.

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

and submitted the matter to the Executive Policy Committee and Council.

On September 4, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development passed the following motion:

WHEREAS the City of Winnipeg is committed to improving development approval processes;

AND WHEREAS the City of Winnipeg has recently commissioned a private consultant to undertake a review of the City of Winnipeg governance structure;

AND WHEREAS section 273(1) of the *City of Winnipeg Charter Act* gives Council the authority to establish a planning commission by by-law;

AND WHEREAS Council has discretion in the membership structure, as well as the powers, duties, functions and responsibilities assigned to a planning commission as described in the *City of Winnipeg Charter Act*;

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

AND WHEREAS a planning commission would allow for Councillors to provide representation at public hearings in support of, or in objection to, development proposals occurring in their ward;

AND WHEREAS decisions of a planning commission on development proposals could result in more consistency and a more stable environment across the City and informed by Council policies;

AND WHEREAS the creation of a planning commission comprised of skilled experts to deal with planning or development matters referred to the commission by Council be advantageous to residents of the City of Winnipeg;

AND WHEREAS assigned duties could be a whole menu of things that could be delegated or directed to the planning commission; everything from conditional uses, variances, subdivisions, consents, down to Our Winnipeg amendments;

THEREFORE BE IT RESOLVED that the Winnipeg Public Service engage stakeholders, including key professional organizations, and a Member of Council as an observer to the process, and report back to the March 2020 meeting of the Standing Policy Committee on Property and Development, Heritage and Downtown Development on the following:

1. Recommendations related to the role, responsibilities and membership structure of a Winnipeg Planning Commission; and

2. Draft Terms of Reference for a Winnipeg Planning Commission.

Tom Scott submitted a presentation titled “Winnipeg Building Permits Summary” with respect to the matter.

On June 24, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development laid the matter over to its meeting on September 4, 2019.

On May 27, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development laid the matter over for 30 days.

Report – Standing Policy Committee on Property and Development, Heritage and Downtown Development – March 2, 2020

DECISION MAKING HISTORY (continued):

STANDING COMMITTEE RECOMMENDATION (continued):

On April 1, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development passed the following motion:

WHEREAS section 273(1) of the City Winnipeg Charter gives Council the authority to establish a planning commission;

AND WHEREAS the creation of a planning commission comprised of skilled experts to deal with all planning or development matters referred to the commission by Council would be advantageous to residents in the City of Winnipeg;

AND WHEREAS the planning commission would ensure consistent planning standards, practices and approvals across the City, thereby removing politics from the approval process;

THEREFORE BE IT RESOLVED that the Winnipeg Public Service report back within 60 days on the establishment of a planning commission to deal with all planning or development matters referred by Council.

ADMINISTRATIVE REPORT

Title: Towards a City of Winnipeg Planning Commission

Critical Path: Standing Policy Committee on Property and Development, Heritage and Downtown Development

AUTHORIZATION

Author	Department Head	CFO	CAO
M. Pittet	J. Kiernan	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

On September 4 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development adopted a motion to have the Public Service prepare recommendations on the role, responsibilities, membership structure, and a draft Terms of Reference of a Winnipeg Planning Commission.

The *City of Winnipeg Charter Act* Sections 273(1) grants the City of Winnipeg the powers to create a planning commission with the authority to hold public hearings and make or recommend decisions on a wide spectrum of development applications and planning matters referred by Council.

The attached report, 'Towards a City of Winnipeg Planning Commission' provides background research, context, and a brief analysis on how a planning commission would impact the City of Winnipeg decision-making structure.

RECOMMENDATIONS

1. That the attached report titled 'Towards a City of Winnipeg Planning Commission' be received as information.

REASON FOR THE REPORT

On September 4th, 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development directed the Winnipeg Public Service to engage stakeholders, including key professional organizations, and a Member of Council as an observer to the process, and report back to its March 2020 meeting on the following:

1. Recommendations related to the role, responsibilities and membership structure of a Winnipeg Planning Commission.

2. Draft Terms of Reference for a Winnipeg Planning Commission.

IMPLICATIONS OF THE RECOMMENDATIONS

There are no implications to receiving this report as information.

HISTORY/DISCUSSION

On March 22 2017, Council adopted a motion to include a Civic Governance and Operational Review and Performance Assessment in the 2018 budget, and in 2018 the City of Winnipeg hired a private consultant to undertake a review of the City of Winnipeg governance structure.

On September 4 2019, the Standing Policy Committee on Property and Development, Heritage and Downtown Development directed the Public Service to conduct a scan of planning commissions and to prepare recommendations on the role, responsibilities, membership structure, and draft terms of reference of a Winnipeg Planning Commission. The Standing Policy Committee motion notes the timing of the governance review, along with the provincial legislation, Section 273(1) of the *City of Winnipeg Charter Act*, which permits Council to establish a planning commission by by-law.

The City of Winnipeg Charter grants the City of Winnipeg the powers to create a planning commission with the authority to hold public hearings and make or recommend decisions on a wide spectrum of development applications. In addition, a planning commission may be granted the authority to make recommendations on ‘any planning or development matter referred to by Council’. However, under the current version of *The City of Winnipeg Charter,* a planning commission does not have the authority to hold appeals on development applications – this power remains with Council or a committee of Council.

If a City of Winnipeg Planning Commission is to hold public hearings, it would impact the roles and responsibilities of existing public hearing bodies of Council. It would also duplicate the mandate and authorities of other existing decision-making bodies. This speaks to the need for a comprehensive review of the various governance structures in advance of consideration for the creation of a planning commission. Given the extent of impacts that a planning commission could have on City of Winnipeg decision-making processes, consideration for a planning commission would be best considered and evaluated in the context of the Civic Governance and Operational Review and Performance Assessment.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 19, 2020

Project Name:

Towards a City of Winnipeg Planning Commission

COMMENTS:

There are no financial imiplications associated with this report.

"Original Signed By"
Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:
N/A

OURWINNIPEG POLICY ALIGNMENT

This report is consistent with OurWinnipeg Section 01-3 'Prosperity' Direction 1 – 'Provide efficient and focused civic administration and governance.' Specifically, it complies with the enabling strategy to "continuously pursue innovative, streamlined service delivery and decision-making processes."

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The Climate Action Plan key direction 2.1 "engage community leadership and associations on an ongoing basis to help shape the implementation of the Climate Action Plan" could apply if a Winnipeg Planning Commission is tasked with the powers under Section 274(1) of the City of Winnipeg Charter. That is, if the planning commission is tasked to with the authority to "report and make recommendations to Council in respect to any planning or development matter referred by Council."

SUBMITTED BY

Department: Planning Property and Development
Division: Urban Planning
Prepared by: Mike Lennon, Planner
Date: February 20, 2020

Attachments: