Agenda – Council – December 15, 2022

Report – Standing Policy Committee on Property and Development – November 30, 2022

Item No. 18 Repeal of By-law No. 1810 of the Former City of St. Boniface

STANDING COMMITTEE RECOMMENDATION:

On December 7, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the following to Council:

1. That a by-law to repeal By-law No. 1810 of the former City of St. Boniface (draft by-law is attached as Appendix B to this report) be enacted.

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 – November 30, 2022

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2022, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Property and Development and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On November 30, 2022, the Standing Policy Committee on Property and Development concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Repeal of By-law No. 1810 of the former City of St. Boniface

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

AUTHORIZATION

Author	Department Head	CFO	CAO
J. Veitch	J. Kiernan	N/A	M. Jack

EXECUTIVE SUMMARY

Properties within the Norwood West Neighbourhood are subject to an antiquated By-law, By-law No. 1810 of the former City of St. Boniface, originally enacted in 1927 that only permits single-family uses and accessory uses incidental to single-family uses and prescribes a minimum lot width of 33 feet in the neighbourhood. This By-law does not align with the policies for Established Neighbourhoods - Mature Communities in the *Complete Communities Direction Strategy 2.0* or with the *Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities (Residential Infill Strategy)*, and therefore, the Public Service is recommending it be repealed.

RECOMMENDATIONS

1. That a by-law to repeal By-law No. 1810 of the former City of St. Boniface (draft by-law is attached as Appendix B to this report) be enacted.

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

REASON FOR THE REPORT

The Norwood West neighbourhood is identified as an Established Neighbourhood - Mature Community under the *Complete Communities Direction Strategy 2.0 ("CCDS 2.0").* By-law No. 1810 does not align with the policies for Mature Communities as outlined in *CCDS 2.0* and the *Residential Infill Strategy* and, therefore, the Public Service is recommending the By-law be repealed.

Only Council has the authority to enact by-laws.

IMPLICATIONS OF THE RECOMMENDATIONS

By-law No. 1810 of the former City of St. Boniface will be repealed. There are no direct financial implications associated with this report.

HISTORY/DISCUSSION

In 1927, the City of St. Boniface enacted By-law No. 1810, which placed a number of building restrictions on the properties located in the Norwood West neighbourhood (see Figure 1 for map of area). The majority of these restrictions were repealed in 1982 under By-law No. 3177/82 (a copy of which is attached as Appendix A), while others were amended including:

(c) The following uses only shall be permitted on said land:

(i) Single-family dwellings; and

(ii) Accessory uses incidental to single-family dwellings, pursuant to the applicable zoning regulations under the Town Planning Scheme for the City of St. Boniface 1957."

(d) The minimum cost and the minimum perpendicular width of each single-family dwelling shall be Five Thousand Dollars ($5,000.00) and Thirty-three (33) feet respectively, and the design thereof shall require approval of the Building Inspector of the City prior to such dwelling being constructed or located on any parcel of said land.

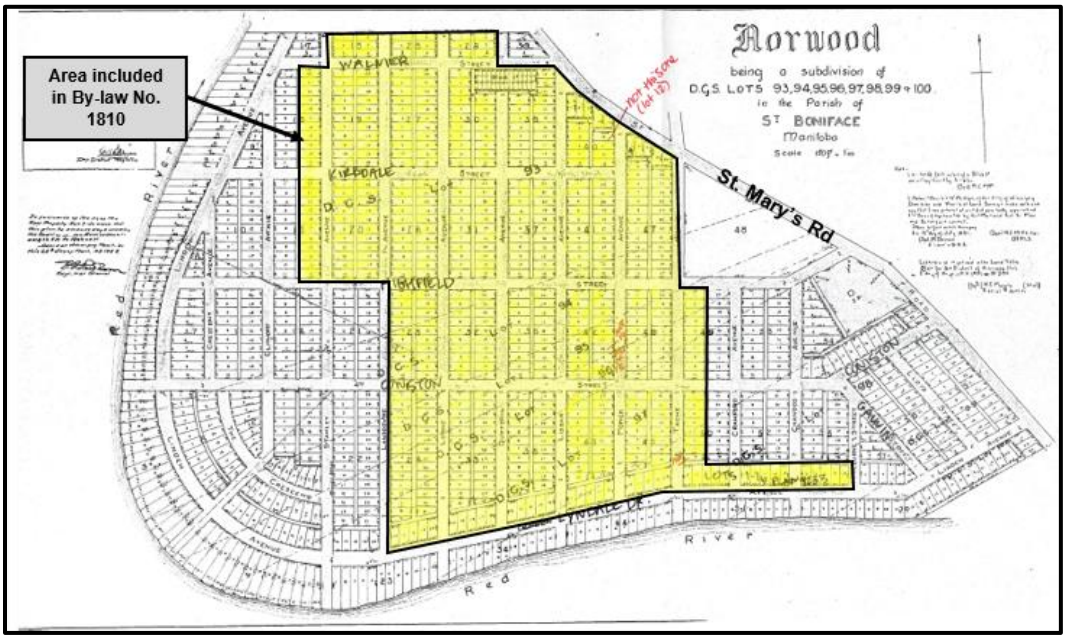


Figure 1: Area included in By-law No. 1810.

On May 26, 2022, Council approved *OurWinnipeg 2045* and *Complete Communities Direction Strategy 2.0* (*CCDS 2.0*) which provide a vision for how the city will sustainably grow over the next 25 years. A key aspect of this vision is accommodating more housing within Established Neighbourhoods – Mature Communities in an effort to help meet the City's intensification target

as outlined in the City's Climate Action Change Plan and *CCDS 2.0* which states that a minimum of 50% of all new dwelling units be accommodated in the intensification target area of the City (see Map 2, *CCDS 2.0*, page 21 for boundaries of Intensification target areas). More specifically, Established Neighbourhoods are identified as areas that will accommodate contextually sensitive growth and change to increase the diversity of housing choices, improve housing affordability, and more efficiently use land, infrastructure and services.

On June 24, 2021, Council passed the *Small-Scale and Low-Rise Residential Development Guidelines for Mature Communities (Residential Infill Strategy)*. The *Residential Infill Strategy* provides a framework for accommodating housing growth in Mature Communities in a contextually-suitable manner. It includes Preferred Location Criteria which outline specific conditions that should be present to support different housing types including single-family, two-family, and small-scale multi-family housing.

The Norwood West Neighbourhood is identified as an Established Neighbourhood – Mature Community under the *CCDS 2.0.* and is, therefore, subject to the *CCDS 2.0* policies for Established Neighbourhoods as well as the *Residential Infill Strategy*. The content of By-law No. 1810 of the former City of St. Boniface, which only permits single-family dwellings and minimum lot widths of 33 feet, does not align with the *CCDS 2.0* or the *Residential Infill Strategy* as it does not allow for a diversity of housing options. In the past, the Department and Council have taken the approach of addressing this misalignment by removing individual properties from the By-law on a case-by-case basis as development proposals were received. For example, the By-law was amended to remove 74 St. Mary's Road in 2021 and 96 St. Mary's Road in 2017 in order to permit the establishment of residential multi-family developments on these properties.

This piecemeal approach to addressing the By-law, however, requires significant time and effort. To save staff time and resources in the future and enable property owners to intensify, in accordance with applicable policies, without having to wait several months for a By-law amendment, the Public Service is recommending taking a proactive response and repealing the By-law in its entirety.

FINANCIAL IMPACT

Financial Impact Statement

Date: September 8, 2022

Project Name:

Repeal of By-law No. 1810 of the former City of St. Boniface

COMMENTS:

There are no direct financial implications associated with this report.

Mike McGinn Sept. 8, 2022

Mike McGinn, CPA, CA
Manager of Finance

CONSULTATION

This Report has been prepared in consultation with:

- Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

City Building Objective 1: Responsibly plan, prioritize and accommodate growth in areas that best support Complete Communities principles, to achieve this Plan's sustainable development goals. Facilitate growth and change strategically within Winnipeg's unique Transformative Areas and Established Neighbourhoods.

City Building Objective 3: Facilitate development opportunities that complete established communities, and plan new communities as complete and connected from the outset. New and existing communities are complete when they demonstrate: universally designed environments; mixed-income neighbourhoods; a continuum of housing types; multi-modal connections within and to elsewhere in the city; heritage conservation; opportunities for physical activity, social interaction, and access to healthy food, daily needs, employment, education, recreation, and green infrastructure.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Strategic opportunity 4: Facilitate Compact, Complete Development and Increase Density

4.1 Increase Strategic Infill Development that Provides Access to and Capitalizes on Existing and Planned Corridors with Frequent Transit Service

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to any of the specific Goals and Objectives in the Poverty Reduction Strategy and it was determined that the Strategy is not applicable to this specific report.

SUBMITTED BY

Department: Planning, Property and Development
Division: Urban Planning and Design
Prepared by: Elise Finnigan, MA Planning
Date: September 19, 2022
File No: N/A

ATTACHMENTS:

1. Appendix A: Copy of By-law No. 3177

2. Appendix B: DRAFT Repealing By-law

Appendix B: DRAFT Repealing By-law

THE CITY OF WINNIPEG

BY-LAW NO. /2022

A By-law of THE CITY OF WINNIPEG to repeal By-law No. 1810 of the former City of St. Boniface.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

By-law No. 1810 of the former City of St. Boniface is hereby repealed.

DONE AND PASSED this day of , 2022.

Mayor

City Clerk

Approved as to Content:

Director of Planning, Property and Development

Legally Reviewed and Certified as to Form:

for Director of Legal Services and City Solicitor

DRAFT