STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

MOTIONS

Minute No. 267
Moved by Councillor Mayes,
Seconded by Councillor Dobson,

WHEREAS s. 275(2) of The City of Winnipeg Charter previously gave the City the authority to refuse to accept a development application if Council had rejected the same application or a substantially similar development application within the previous year;

AND WHEREAS on September 1, 2023, Bill 34 amended s. 275(2) so that the City no longer has the authority to refuse a previously rejected development application;

AND WHEREAS the result of the Bill 34 is that applicants can resubmit the same development application over and over, even if it has been recently rejected by the City;

AND WHEREAS some development applications are approved administratively but are then rejected by Appeal Committee following an appeal by affected residents;

AND WHEREAS following Bill 34 residents are now having to be vigilant and appeal the same development application over and over;

AND WHEREAS to enhance democracy and increase transparency, different hearing bodies should consider development applications that are the same or substantially similar to previously-rejected development applications and those hearing bodies need to know that the development application before them is the same or substantially similar to a previously-rejected development application;

THEREFORE BE IT RESOLVED:

1. That the Public Service be directed to prepare and report back within 60 days with amendments to the Development Procedure By-law in respect of a new development application submitted to the City that is the same or substantially similar to a development application that was rejected within the previous year as follows:

    A. Where the approving authority for the previously-rejected development application was the Director:

        i. A public hearing must be held in respect of the new development application;

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ii. The hearing body and approving authority for the new development application is the relevant Community Committee;

B. Every administrative report in respect of a development application must include a discussion of any previously-rejected development application.

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

Automatic Referral to the Standing Policy Committee on Property and Development, in accordance with Rule 16.1 of the Procedure By-law