Minutes – Council – July 18, 2024

Minute No. 420
Report – Standing Policy Committee on Property and Development – July 4, 2024

Item No. 10 Establishment of a Development Fee or Charge associated with the Housing Accelerator Fund

COUNCIL DECISION:

Council concurred in the recommendation of the Executive Policy Committee and adopted the following:

1. That the Council Motion of May 30, 2024, be received as information.

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DECISION MAKING HISTORY:

Moved by Councillor Rollins,
That the recommendation of the Executive Policy Committee be adopted.

In amendment,
Moved by Councillor Orlikow,
Seconded by Councillor Dobson,

BE IT RESOLVED that Item 10 of the Report of the Standing Policy Committee on Property and Development dated July 4, 2024, be amended as follows:

- Delete Recommendation 1 and replace with the following:

"1. That the Public Service be directed to report back in 180 days with options for the establishment of a development fee or charge that complies with the July 8, 2020 Manitoba Court of Queen's Bench ruling on development fees.

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

The motion for adoption of the amending motion was put.

Councillor Eadie called for the yeas and nays, which were as follows:

Yea: Councillors Dobson, Eadie, Gilroy, Mayes, Orlikow, Schreyer and Sharma 7

Nay: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Duncan, Lukes, Rollins and Santos 8

Absent: Councillor Wyatt 1

and the amending motion was declared lost.

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DECISION MAKING HISTORY (continued):

The motion for adoption of the item was put.

Councillor Eadie called for the yeas and nays, which were as follows:

Yea: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Duncan, Lukes, Mayes, Rollins and Santos 9

Nay: Councillors Dobson, Eadie, Gilroy, Orlikow, Schreyer and Sharma 6

Absent: Councillor Wyatt 1

and the motion to adopt the item was declared carried.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 4, 2024, the Executive Policy Committee recommended to Council:

1. That the Council Motion of May 30, 2024, be received as information.

Tom Scott submitted a communication in support of the matter.

STANDING COMMITTEE:

On July 4, 2024, due to a tie vote, the Standing Policy Committee on Property and Development submitted the matter to the Executive Policy Committee and Council without recommendation.

Rosmarin Heidenreich submitted a communication with respect to the matter.

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DECISION MAKING HISTORY (continued):

COUNCIL DECISION:

On May 30, 2024, Council ruled automatic referral of the following motion to the Standing Policy Committee on Property and Development:

Moved by Councillor Orlikow,
Seconded by Councillor Dobson,

WHEREAS for more than a decade the City of Winnipeg has reviewed, analyzed, consulted and discussed options to create and implement ways to pay for increasing demands due to growth, without placing complete reliance for funding solely on property tax revenues;

AND WHEREAS the Federal Minister responsible for the Housing Accelerator Funding (HAF) has clarified that there is no development charge restriction associated with HAF however, has requested that cities keep development charges steady;

AND WHEREAS developers will save thousands of dollars in development fees associated with the approved rapid zoning amendments and proposed as-of-right zoning for four plex residential buildings that are been considered;

AND WHEREAS Council's priority is growing housing supply in Mature Neighbourhoods

AND WHEREAS growth in Mature Neighbourhoods require additional investments to replace and upgrade existing infrastructure to accommodate growth;

AND WHEREAS Council passed an Impact Fee By-Law on October 26, 2016 to address growth related costs;

AND WHEREAS July 8, 2020, the Manitoba Court of Queen's Bench ruled that the City has the power or authority to impose a fee generally, but the by-law lacked details on how those who paid the fee directly benefited, therefore determined that it was a tax and not a fee;

AND WHEREAS investments in local parks, community centers and other infrastructure in the areas where development occurs is a direct benefit to developers as property values increase with attractive neighborhood amenities;

THEREFORE BE IT RESOLVED THAT the Public Service be directed to report back in 180 days with options for the establishment of a development fee or charge that complies with the July 8, 2020 ruling.