APPENDIX A – DRAFT AMENDING BY-LAW

THE CITY OF WINNIPEG

BY-LAW NO. /2024

A By-law of THE CITY OF WINNIPEG to amend the Development Procedures By-law No. 104/2020.

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

Development Procedures By-law amended

1 The Development Procedures By-law No. 104/2020 is amended by this By-law.

Definitions amended

2 Subsection 2(1) is amended by

(a) adding the following definitions in alphabetical order:

"HAF" *means the Canada Mortgage and Housing Corporation's Housing Accelerator Fund Program;*

and

(b) deleting the definition "***pre-application***".

Section 3 amended

3 The following is added immediately following subsection 3(4):

3(5) *Despite subsection (4), a development application may be initiated at any time by the City where*

(a) the City is the owner of the site;

(b) the City is initiating the development application on behalf of the owner or owners of the site with each owner's permission; or

(b) the development application is a DAZ for a text amendment to a zoning by-law, regardless of whether the City is the owner of the site or not.

3(6) *The authority of the Director to determine the form of a development application under subsection (1) includes the authority to determine a form and submission requirements for development applications initiated by the City that are different from the form and submission requirements for development applications submitted by applicants other than the City.*

Section 9 repealed

4 Section 9 is deleted in its entirety.

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Section 8.1 added

5 The following is added immediately following section 8:

Repeat development applications

8.1(1) *Despite anything else in this By-law, where a designated employee determines that a development application is the same or substantially similar to a development application that was rejected within the previous year:*

(a) where the approving authority for the rejected development application was the Director:

(i) a public hearing is required in respect of the new development application; and

(ii) the hearing body and approving authority in respect of the new development application is the relevant Community Committee where the site is located entirely within one community, or SPC in all other instances; and

(b) any administrative report in respect of the new development application must include a discussion of the rejected development application.

Section 10.2 added

6 The following is added immediately following section 10.1:

Administrative Reports

10.2 *A designated employee must ensure that any administrative report prepared in respect of a development application includes a discussion of any previously-rejected development application*

Section 25.1 added

7 The following is added immediately following section 25:

Hearing body – HAF amendments to zoning by-laws

25.1 *Despite section 25, Council is the hearing body for a public hearing in respect of:*

(a) any text amendment to a zoning by-law required pursuant to the resolution of Council attached as Schedule "A" to this By-law; and

(b) any amendment to a secondary plan that relates to or is required as a result of any amendment referred to in clause (a).

Schedule "A" added

8 The November 23, 2023, resolution of Council, attached as Schedule "A" to this By-law, is added as Schedule "A".

DONE AND PASSED this _____ day of _____, 2024.

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Schedule "A"

Minutes – Council – November 23, 2023

Minute No. 19
Report – Executive Policy Committee – November 14, 2023

Item No. 16 Housing Accelerator Fund

COUNCIL DECISION:

Council adopted the following:

1. That Council affirm its support for the Housing Accelerator Fund (HAF) application.

2. That the HAF application be amended to legalize four dwelling units per residential lot be permitted as-of-right city-wide.

3. That the HAF application be amended to legalize four units of up to four storeys as-of-right within 800 metres of high-frequency transit corridors as outlined in the City's HAF application and informed by the initial network changes in phase one of the Winnipeg Master Transit Plan.

4. That the HAF application be amended to ensure that new housing zoning reforms targeted for mall sites and commercial corridors – as proposed in City Council's Strategic Priorities Action Plan – allow for as-of-right development to facilitate quick approvals and construction of new housing.

5. That as-of-right approvals specified in Recommendations 2, 3 and 4 be contingent upon applicable zoning and by-law changes that are subject to a public hearing prior to enactment, and upon reasonable standards for construction, servicing and design, consistent with standards adopted or projected in other cities with completed HAF agreements, including:

    A. Lot size specifications, requiring that four units as-of-right be limited to a standard lot size or greater, with dimensions to be determined by Council after consideration of recommendations by the City Public Service, with total dimensions sufficient to support four housing units.

    B. Building form standards broadly consistent with existing Infill Guidelines, modified where necessary to meet the spirit of Recommendations 2 and 3.

    C. Height limits for developments under Recommendation 3, so four-storey as-of-right allowances are no greater than 48' and apply only to developments of four units. (Permitted heights for zones covered by Recommendation 2 alone would remain consistent with existing Infill Guidelines requirements).

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Report – Executive Policy Committee – November 14, 2023

COUNCIL DECISION CONTINUED:

D. Urban servicing capacity requirements (including land drainage, water service, paved roadway and laneway service, and sufficient wastewater and flood protection capacity to meet existing provincial and federal regulations).

E. Environmental standards, including the application of a tree protection and replacement by-law if City Council adopts such a by-law in future;

F. Retention of the City's right to require consent to standardized development agreements where these would already typically be applied to new for-profit multi-residential developments to recover direct infrastructure costs to taxpayers, especially for those developments contemplated under Recommendation 4.

6. That all five Community Committees engage in consultation on the proposals, as outlined in Recommendations 2-5 above, no later than year-end 2024.

7. That the Public Service be directed to schedule public hearings and report back to the appropriate committee of Council, with the required by-law amendments to implement the intent of the foregoing. Winnipeg Zoning By-law and Downtown Zoning By-law amendments should be brought forward, if possible, as part of the Rapid Zoning By-law Amendments process, targeted for spring 2025 as noted in the HAF application.

8. That the Development Procedures By-law No. 104/2020 be amended to designate Council as the hearing body for the required zoning by-law amendments.

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

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