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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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.

Report – Executive Policy Committee – November 14, 2023

DECISION MAKING HISTORY:

Moved by His Worship Mayor Gillingham,
That the recommendation of the Executive Policy Committee be adopted.

In amendment,

Motion 1

Moved by His Worship Mayor Gillingham,
Seconded by Councillor Lukes,

WHEREAS many other Housing Accelerator Fund-(HAF) compliant municipalities have design guidelines, lot size requirements and additional location specific considerations built in to their planning processes;

AND WHEREAS the 'as-of-right' amendments to the HAF application would be subject to required public hearings and public notification processes, as outlined in municipal regulations and provincial legislation;

THEREFORE BE IT RESOLVED that Item 16 of the Report of the Executive Policy Committee dated November 14, 2023, be amended as follows:

- Delete Recommendations 1-7 and replace with 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.

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DECISION MAKING HISTORY (continued):

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).

    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.

Report – Executive Policy Committee – November 14, 2023

DECISION MAKING HISTORY (continued):

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

In amendment to the amendment,

Motion 2

Moved by Councillor Orlikow,
Seconded by Councillor Eadie,

WHEREAS City Council approved a comprehensive application to the federal Housing Accelerator Fund (HAF) on July 13, 2023 including a request for $192M;

AND WHEREAS the HAF application submitted by the Council targets 5,277 housing units being generated for $192M;

AND WHEREAS City Council does not know how much of a grant will be provided;

AND WHEREAS the HAF application already approved by Council targets HAF funding for the following zoning changes including:

- R1 zoning to allow duplex
- Reduce lot area to allow for lot splits
- Reduce lot size from 5000 sq feet to 4000 sq feet to allow for side by sides
- Allow tri-plex on 35' lots
- Allow detached secondary suite

AND WHEREAS the October 24, 2023 Federal Housing, Infrastructure and Communities Minister, Sean Fraser letter, regarding the City of Winnipeg's HAF application, gave the City of Winnipeg an "opportunity to bolster its existing application" by including the following elements:

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DECISION MAKING HISTORY (continued):

- Providing development rights for four units on all residential properties city-wide;
- Providing development rights for four story buildings within 800 metres of transit on all residential properties city-wide; and
- Permitting as a right mid-rise housing for mall sites and commercial corridors city-wide

AND WHEREAS Council can only speculate what amount of funding will be approved, number of units that will be generated based on that funding and amount of funding that would be increased by accepting the Federal opportunity;

AND WHEREAS the Federal opportunity is permanent, is not included as part of the HAF application targets and is outside the three-year funding grant;

AND WHEREAS the Federal government opportunity is not aligned with City approved policies including Complete Communities and in-fill guidelines which recognizes the uniqueness of different areas of the City, providing the basis for accommodating moderate growth and change in a way that is sensitive to its context;

AND WHEREAS the City has not provided Council or residents with information on the impact of the Federal opportunity;

AND WHEREAS accepting the Federal government opportunity would place more conditions for HAF funding on Winnipeg than other agreements reached in other Canadian municipalities;

AND WHEREAS alternative funding options and amendments to the existing HAF plan are available to assist Winnipeg reach its goal of 14,101 additional units;
.
AND WHEREAS the City of Winnipeg in-fill intensification targets are presently being surpassed;

AND WHEREAS HAF is a nationally competitive fund, Winnipeg has provided an ambitious plan to address housing access and homelessness without taking advantage of the Federal opportunity;

THEREFORE, BE IT RESOLVED THAT amending Motion 1 to Item 16 of the report of the Executive Policy Committee dated November 14, 2023, be amended as follows:

1. Delete Recommendation 2.

2. Delete Recommendation 3.

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DECISION MAKING HISTORY (continued):

3. Add the following new recommendation and number accordingly:

"That the Housing Accelerator Fund (HAF) application, be amended to increase the below market housing rental targets from 25% to 40% of incentivized units;"

4. Add the following new recommendation and number accordingly:

"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."

Moved by Councillor Mayes,
That Rule 27 of the Procedure By-law be suspended to allow Council to consider more than two amendments to item.

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

Yea: Councillors Allard, Chambers, Dobson, Eadie, Gilroy, Mayes, Orlikow, Santos, Schreyer, Sharma and Wyatt 11

Nay: His Worship Mayor Gillingham, Browaty, Duncan, Lukes, Rollins 5

and the motion to suspend the rules was declared carried.

In amendment to the amendment,

Motion 9
Moved by Councillor Mayes,
Seconded by Councillor Dobson,

BE IT RESOLVED that amending Motion 1 to Item 16 of the report of the Executive Policy Committee dated November 14, 2023, be amended by adding the following new recommendation, and renumbering the remaining recommendation accordingly:

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DECISION MAKING HISTORY (continued):

"8. That in order to achieve the 7,500 units required over the next 10 years to meet the need in Winnipeg for affordable housing, the number of affordable housing units be increased from 1,342 to 2,250 units, with all 2,250 units being non-market housing owned by public, non-profit, co-op, or Indigenous-led housing providers, and targeted to the lowest-income Winnipeggers by making them rent-geared-to-income."

The amendment to the amendment, Motion 9, moved by Councillor Mayes and seconded by Councillor Dobson was put.

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

Yea: Councillors Dobson, Eadie, Mayes, Orlikow, Santos and Schreyer 6

Nay: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Duncan, Gilroy, Lukes, Rollins, Sharma and Wyatt 10

and the amendment to the amendment, Motion 9, moved by Councillor Mayes and seconded by Councillor Dobson was declared lost.

The amendment to the amendment, Motion 2, moved by Councillor Orlikow and seconded by Councillor Eadie was put.

At the request of Councillor Orlikow and in accordance with Rule 20 of the Procedure By-law No. 50/2007, the Speaker advised that Clauses 1 and 2 would be voted on together and Clauses 3 and 4 would be voted on separately.

The motion for the adoption of Clauses 1 and 2 was put.

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

Yea: Dobson, Eadie, Mayes, Orlikow and Schreyer 5

Nay: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Duncan, Gilroy, Lukes, Rollins, Santos, Sharma and Wyatt 11

and Clauses 1 and 2 were declared lost.

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DECISION MAKING HISTORY (continued):

The motion for the adoption of Clause 3 was put.

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

Yea: Dobson, Eadie, Mayes, Orlikow, Santos and Schreyer 6

Nay: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Duncan, Gilroy, Lukes, Rollins, Sharma and Wyatt 10

and Clause 3 was declared lost.

The motion for the adoption of Clause 4 was put.

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

Yea: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Dobson, Duncan, Eadie, Gilroy, Lukes, Mayes, Orlikow, Rollins, Santos, Schreyer Sharma and Wyatt 16

Nay: 0

and clause 4 was declared carried.

The amendment, Motion 1, moved by His Worship Mayor Gillingham and seconded by Councillor Lukes, as amended by Motion 2, was put.

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

Yea: His Worship Mayor Gillingham, Councillors Allard, Browaty, Chambers, Duncan, Eadie, Gilroy, Lukes, Rollins, Santos, Schreyer Sharma and Wyatt 13

Nay: Councillors Dobson, Mayes, Orlikow, 3

and the amending Motion 1, moved by His Worship Mayor Gillingham and seconded by Councillor Lukes, as amended by Motion 2, was declared carried.

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DECISION MAKING HISTORY (continued):

The motion for the adoption of the item, as amended, was put and declared carried.

Councillors Dobson, Mayes and Orlikow asked to be recorded as having voted against the item in accordance with Rule 47(7) of the Procedure Bylaw.

The following persons submitted communications with respect to the matter:

- Judith Blair
- Josh Brandon
- Michelle Dallman
- David Grant
- Jeffrey Hodgins
- Alex Hunter
- Pam Lucenkiw, OURS-Winnipeg
- Mary Macdonald
- Dylon Martin
- Tamara Miller, CAPE Manitoba
- Krista Pilz, Westminster Housing Society
- Kelly Ryback
- Marie Williams

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On November 14, 2023, the Executive Policy Committee passed the following motion:

WHEREAS the national housing crisis and Winnipeg's homelessness challenge both grew more severe in 2022, leading to commitments by the Mayor and Council to develop and act on housing and homelessness partnerships wherever appropriate to focus on these crises;

AND WHEREAS to meet the goal of creating more than 15,000 additional housing units over the next decade, City Council approved a comprehensive application to the federal Housing Accelerator Fund (HAF) on July 13, 2023;

AND WHEREAS a successful HAF application would provide funding for the following actions:

- Rapid Zoning By-Law Amendments;
- Rapid Amendments to Local Area Plans;
- Incentives to support Multi-Family Housing Development Downtown and along Commercial Corridors;
- Creation of a Land Enhancement Office;
- Creation of a Concierge Program to Support Affordable Housing Development;

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DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

- Infrastructure Supports to Increase Residential Development; and
- Digitization and Facilitation of Faster Development and Permit Approvals

AND WHEREAS on October 24, 2023, through a letter to Mayor Gillingham, Federal Housing, Infrastructure and Communities Minister, Sean Fraser, required that Winnipeg City Council support three additional conditions, in line with similar requests and council approvals being sought in other major Canadian cities;

AND WHEREAS the HAF is a nationally competitive fund, and it is imperative Winnipeg position itself to access the largest federal contribution possible to support our ambitious plan to address housing access, housing affordability and homelessness;

THEREFORE BE IT RESOLVED THAT Council affirms its support for the Housing Accelerator Fund (HAF) application and approve the following:

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

2. That the HAF application be amended to legalize 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.

3. 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.

4. That the amendments noted in Recommendations 1, 2 and 3 be subject to lot size considerations, building form standards and urban servicing capacity (including sufficient water, wastewater, land drainage and urban standard roadway availability).

5. That the Winnipeg Public Service be directed to report back to the Standing Policy Committee on Property and Development with the required amendments as part of the Rapid Zoning By-law Amendments process outlined in the HAF application.

Report – Executive Policy Committee – November 14, 2023

DECISION MAKING HISTORY (continued):

EXECUTIVE POLICY COMMITTEE RECOMMENDATION (continued):

6. 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 Council.

The following persons submitted communications in support of the matter:

- Christina Maes Nino, Manitoba Non-Profit Housing Association
- Greg Oughton
- Dylon Martin
- Jason Ward
- John Wintrup
- Yukata Dirks, Right to Housing Coalition
- Jeffrey Hodgson

The following persons submitted communications in opposition to the matter:

- Ina Prokipchuk
- Richard Leipsic
- Charles Feaver
- Els de Gussem

The following persons submitted communications with respect to the matter:

- Shirley Forsyth
- Pam Lucenkiw, OURS Winnipeg