

**Bill 48:
The Planning Amendment and
City of Winnipeg Charter
Amendment Act**

Technical Briefing
March 2020



Background

- In Spring 2019, Treasury Board Secretariat conducted a review, *Planning Zoning and Permitting in Manitoba* and outlined 12 recommendations to improve planning, permitting and inspection processes and reduce unnecessary delays
- Legislation will enable key planning recommendations from the Treasury Board Report.

What will the laws cover?

- *Planning Regions including a Capital Region*
- *Planning-related Appeals*
- *Service Standards (timelines)*
- *Other improvements to streamline process*

Planning Regions

- Establishes Capital Planning Region (legislated membership: 18 municipalities, including Winnipeg)
- Requires adoption of a regional plan within two years.
- Minister will review regional plan prior to approval
- After approval, member municipalities have 3 years to ensure local development plans are consistent with the regional plan
- A new Regulation will establish structure, governance and decision making in the capital planning region
- Minister may by regulation establish other planning regions

Planning Appeals

- Creates appeals on the following:
 - Council decisions on secondary plans, zoning, conditional uses, subdivisions, development agreements
 - Missed timelines
- Municipal Board will hear the appeals, using case management approach
- Enables a Cost Recovery Model:
 - Municipal Board can assign costs incurred by the board
 - Municipal Board can assign applicant costs against councils where unreasonable delays in dealing with planning applications

Service Standards (timelines)

- Introduces new timelines for planning processes in City of Winnipeg and all other municipalities and planning districts
 - 20 days (acceptance of completed development permit)
 - 60 days (minor subdivision, Municipal Board report/decision)
 - 90 days (conditional use, development agreement)
 - 120 days (Municipal Board to schedule hearing)
 - 150 days (secondary plan, zoning, subdivisions)
- Failure to meet timelines can be appealed to Municipal Board

Other Changes

A number of changes to further streamline planning:

- Expedite process by enabling municipalities to attach development agreements at development permit stage
- Enable City of Winnipeg to attach development agreements to conditional uses and variances (same as other municipalities)
- Give municipalities and planning districts authority to hold public hearings on zoning by-laws and secondary plan by-laws to occur prior to 1st reading
- Extend approval deadlines of variances and conditional uses by an additional 12 months to coincide with the deadlines of subdivision conditional approvals

Next Steps

- Work with the AMM to reach out to municipalities across the province to ensure they have the necessary information on the proposed changes
- Continue to collaborate with City of Winnipeg Officials and municipalities on addressing process improvements
- Work with Municipal Board to ensure it is well-positioned to take on broadened appeal role
- Consult with stakeholders on regulations to support planning regions
- Changes come into force upon proclamation along with accompanying regulatory changes