



April 17, 2025

Committees Branch
Legislative Assembly of Manitoba
Room 251, 450 Broadway
Winnipeg, MB R3C 0V8
Via email: committees@leg.gov.mb.ca

To Whom It May Concern,

On behalf of the Association of Manitoba Municipalities (AMM), I am writing to provide some comments regarding Bill 3: *The City of Winnipeg Charter Amendment and Planning Amendment Act*.

The AMM fully supports the proposed legislative changes to increase the current 25-objector threshold for automatically triggering Municipal Board hearings to 300 eligible persons, for a municipality or planning district with a population of at least 6,000; and the greater of 100 eligible persons or 5% of the population, for a municipality or planning district with a population of fewer than 6,000. This low and outdated threshold has long been a source of frustration for our members as it has often led to an increase in the number of appeals, resulting in undue delays and increased costs to all parties directly impacted by local projects. These proposed changes also help restore municipal autonomy and represent a significant step toward fostering more efficient local governance while preserving the important role of community input in local development decisions.

Additionally, we believe that the proposed changes will create a more thoughtful and efficient framework for local decision-making as democratically elected Councils know their communities best. In particular, these proposed changes will enable municipal Councils to move forward more swiftly with projects that benefit the wider community, enhancing local infrastructure and economic development while at the same time mitigating the likelihood of frivolous or vexatious appeals.

In regard to costs currently being incurred by our members due to an increase in appeals, the examples provided by some municipalities to our office show that each appeal can cost \$60,000-\$100,000+ per appeal due to legal fees, personnel costs, disbursements, printing, and postage. Therefore, we support the provincial government emphasizing that 'eligible persons' means an eligible voter at an election "of members of the council of the municipality" as per the intent of existing legislation. We also believe filing fees should be established for all appeals and guidance be provided to the Municipal Board on its ability to assign costs for frivolous and vexatious appeals, including the potential for municipalities to recover costs. We understand that the Municipal Board has the existing ability to award costs back to municipalities, however, has chosen not to do so due to historical practice. Municipal funds should be used for investing in their communities and Councils should not be forced to defend themselves from appeal after appeal with no mechanism for cost recovery.

Fundamentally, we welcome Bill 3 as it maintains a space for public engagement while the proposed changes help restore municipal autonomy and strengthen local governance. As the thresholds are increased and modernized, there is a greater balance between local voices and the need for effective development, which is essential for the sustainable growth of all municipalities.



As the provincial government considers other potential changes arising from the ongoing review of Bill 37, the AMM wishes to take this opportunity to reiterate that municipal Councils are in the best position to make decisions based on their knowledge and understanding of their communities. It is their mandate as elected representatives to make decisions based on local priorities and context. The final say of land use planning decisions should not reside with a provincially appointed, unelected body unaccountable to local communities. In several cases, the Municipal Board has essentially acted as the planning authority, undermining the authority and autonomy of local governments and democratically elected municipal officials. To address this matter, municipal Councils should be provided an opportunity to re-visit and make new decisions on land use applications, based on the findings of a modernized Municipal Board or similar body following a potential appeal. Thus, we urge the provincial government to bring forward additional legislative and regulatory changes at the earliest opportunity to make sure municipal voices are respected. Furthermore, we also stand ready to review and provide feedback on legislation that is expected to be introduced regarding municipal participation in regional planning boards.

In closing, thank you for the opportunity to provide these comments, and the AMM looks forward to continued collaboration between the provincial government and local Councils in shaping policies that reflect the unique interests of municipalities.

Respectfully and sincerely,

Kathy Valentino
President

cc: Hon. Glen Simard, Minister of Municipal and Northern Relations
Deputy Minister Mona Pandey, Manitoba Municipal and Northern Relations
Assistant Deputy Minister David Neufeld, Manitoba Municipal and Northern Relations