

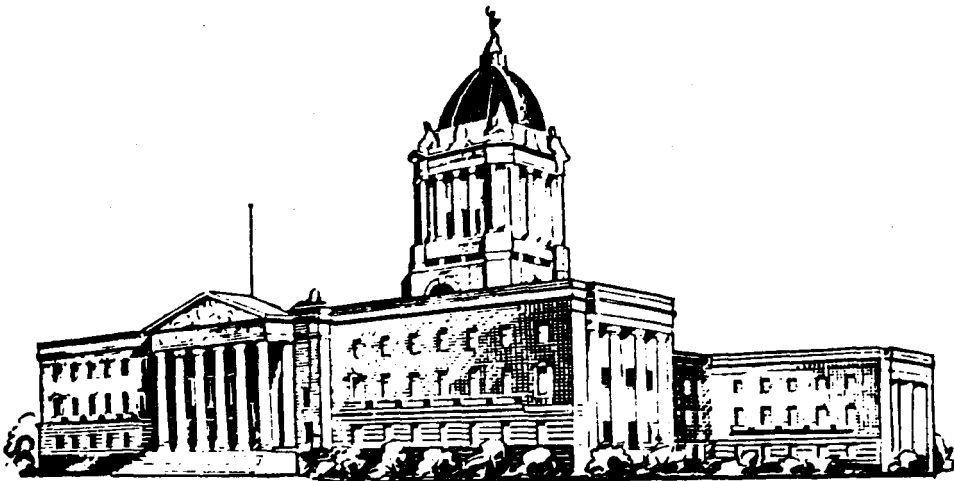


Legislative Assembly of Manitoba

**HEARING OF THE STANDING COMMITTEE
ON
LAW AMENDMENTS**

Chairman

**Mr. William Jenkins
Constituency of Logan**



FRIDAY, May 27, 1977 8:00 p.m.

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ME: 8:00 p.m.

HAIRMAN: Mr. William Jenkins.

MR. CHAIRMAN: Before I proceed this evening I would like to read a letter that I received addressed to myself.

"Dear Sir: Re Bill 62. Both the Urban Development Institute and the Housing Urban Development Association of Manitoba have at various times made representations on amendments to the City of Winnipeg Act. We have reviewed Bill 62 and would like to present for the consideration of the committee several concerns which are of a technical nature and would require only a very slight modification of the present bill. We have retained C. N. Kushner to represent us. However, he has been out of the city all week and we will therefore forward a presentation to the Minister for his consideration."

We have copies of the letter from HUDAM. Also from the City of Winnipeg Councillor's Office, from Councillor Parkhill who is on here but who won't be able to come. The Clerk has copies and they will be distributed to the members.

The first gentleman we have this evening is Mr. Prince, co-ordinator of the Resident Advisory Group, St. Boniface. Mr. Prince.

MR. MAURICE PRINCE: Mr. Chairman and members of the Committee. I am a resident of the community of St. Boniface. I wish to bring to your attention historical facts that are relevant and pertinent to the proposed changes to the City of Winnipeg Act.

Bill 62, which is presently before your Committee, is a complete about-face to the very intent of Bill 36, the City of Winnipeg Act. It became evident immediately after the passing of Bill 36 that our government definitely was not following up on the intent of the Act. Government departments such as Autopac; Birth, Death and Marriage Registration; Driver's Licences and Vehicle Registration; Highways Department; Health and Social Development, not to mention correspondence and billings from Hydro and Manitoba Telephone, all omit community designation on billings and letter communications with residents and business firms established in our communities.

Mr. Chairman, and members of the Committee, manufacturers of Scarborough give their address as Scarborough, Ontario, yet Scarborough is part of the City of Toronto. Such is also the case with their amalgamated areas of Toronto and Montreal.

Street name changes were introduced with unification. The reason given because of duplication of street names. If the community designation is omitted, I agree there is confusion. But then I ask you, who is causing the confusion? Obviously, the people responsible for those directives.

I ask, Mr. Chairman, is the City of Winnipeg so different from all other cities in the world that we must erase its past in order to grow?

With your kind indulgence I quote paragraphs 1 and 2 of Page 13 of the Proposals for Urban Reorganization in the Greater Winnipeg Area. "It cannot be emphasized too strongly at this point that no effort would be spared in making the boundaries of these wards, which would be subject to review at regular intervals by an independent review commission, as accurately as possible a reflection not merely of existing municipal boundaries but of the established local historical traditional that is natural and familiar community groupings. The object of this adherence to the familiar is obviously to strengthen local character and identity rather than to have them obliterated in the process of unification. It is the view of the government that the proposed urban reforms afford a unique opportunity to call forth and to put to best community use the tremendous integral strength which resides in true community identification."

Bill 62 is a brand new concept. We have heard many comments about the reduction of Council. There are a few: "Reduce the size of Council. Fifty councillors "too costly." "Make the position a full time job at an attractive salary." "Wards should be based on electors instead of citizens." All these comments were published by the media.

Mr. Chairman, before amalgamation the citizens of Greater Winnipeg had approximately 112 representatives costing the ratepayers about \$400,000 per year. With unification this representation was reduced to 50 Councillors. However, the cost for representation was not reduced. The amount in question was divided amongst the 50 councillors. And now we plan to reduce council to 28 members to create full time positions at the suggested salary of \$20,000 per year. To the taxpayer this means a higher cost for reduced representation. I ask, where is the logic?

Mr. Chairman, how many members of parliament, MLAs or councillors are solely dependent on the salary received for their services as representatives? The exception must be the rule. No professional or businessman unless he has personal wealth would depend for his livelihood on the whims of an electorate to find himself after a term or two of office back again at zero. The very nature of the position demands that a politician have other sources of revenue.

In the new concept of Bill 62, wards are to be based on electors instead of citizens as defined under Bill 36. With this criteria some councillors could find themselves answerable for 30,000 citizens

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and certainly not less than 25,000 unless his ward is one big geriatric centre. Such a concept is, to the least, dictatorial because it further removes the accessibility of the representative for the ordinary common citizen at the local level.

Mr. Chairman, the Community of St. Boniface had its humble beginnings in 1818. Its founder became the first Bishop in Western Canada. The Most Reverend G. N. Provencher was elevated to the rank of Bishop in 1820 and from this Catholic Mission grew St. Boniface, a prosperous industrial city. An Act of the Legislative Assembly of Manitoba, sanctioned on the 14th of February, 1880 divided the postage-stamp province into municipalities. By that Act, St. Boniface was erected into a municipal corporation along with Assiniboia and Kildonan in the area known as Winnipeg today.

In 1883 St. Boniface became a Town Corporation and on May 1, 1908 an Act was passed proclaiming St. Boniface a City. St. Boniface was the first settlement outside the walls of the forts was first to bring to the Prairies organized social living 1,000 miles away from civilization as it was known then.

Mr. Chairman, the Manitoba Act of 1870 created our province, a province that had less than 13,000 inhabitants at that time. In 1870 the Red River settlement stretched along the Red River from Pembina to Lake Winnipeg and from the mouth of the Assiniboine River to Lake Manitoba. In all, 24 parishes had been established. Of the 24, 12 were of French expression.

The contributions of our people to the development of our province, this city and to Western Canada as a whole, to say the least, is remarkable. The explorations and the discoveries of Verendrye brought the first white men to this area. The first map of Western Canada was made in 1733 by De Lagimodiere. He was second in command and partner to La Verendrye. The proud name of Winnipeg was first catalogued by these intrepid men. They also established no less than eleven forts throughout the province.

Yes, gentlemen, our Canadians contribution to this area, our province and country is worthy the attention of our Legislators.

National unity is on our lips. Let us not undo with our hands what we are saying with our mouths. St. Boniface is the embryo that has developed into our province and this great city, yes, St. Boniface founded more than half a century before the birth of our province.

Gentlemen, the City Fathers of yesteryear demolished Fort Garry, the seat of the first government of Manitoba and now Bill 62 destroys the component communities of Winnipeg among which we give special notice must be given to St. Boniface where definitely Manitoba developed and where the notion of self-government first originated. Mr. Chairman, is Winnipeg so small that we must remove the names of the areas that made this province and our city what it is today? This bill leaves our fate in the hands of an independent Boundaries' Commission the task of delineating new boundaries for wards and the renaming of the operations district. I ask you, are we to be reduced to two wards with one ward having the designation of being bilingual? Was that the intent of Bill 36?

This is to me a very sad understanding of what is a glorious future. If this act is passed and presented, Winnipeg will grow on the destruction of what made it. Is this what our legislators want? I have here a résumé of what Winnipeg was before unification.

St. Boniface — municipality 1880, town 1883, city 1908.

St. Vital — rural municipality 1903, incorporated as a city 1962.

Fort Garry — a rural municipality 1912.

St. James — a rural municipality 1920, became a city 1956.

Brooklands — a village in 1921, became a town 1961, joined St. James in 1966.

Assiniboia joined St. James to become St. James-Assiniboia in 1968.

Assiniboia — municipality in 1880.

Kildonan — municipality in 1880.

Old Kildonan — rural municipality in 1921.

West Kildonan — rural municipality in 1914, a city 1961.

North Kildonan — rural municipality in 1924.

East Kildonan — rural municipality in 1914, a city 1957.

Charleswood — rural municipality in 1913.

Transcona — town in 1912, a city in 1962.

Tuxedo — town in 1913.

St. Norbert — a settlement before 1870, was never incorporated.

Gentlemen, I wish to thank you and you, Mr. Chairman, for the privilege to address the committee.

MR. CHAIRMAN: Thank you, Mr. Prince. Mr. McKenzie wishes to ask you a question.

MR. MCKENZIE: Mr. Prince, I presume you live in St. Boniface, do you?

MR. PRINCE: All my life. As a matter of fact if I may, my great grandfather came here to Manitoba in 1875.

MR. MCKENZIE: You fully understand that your MLA is in complete support of this legislation, do you?

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MR. PRINCE: Well what the MLA for St. Boniface suggests — I think that at this point I am here to give you the facts as I see them. I am here as a resident.

MR. McKENZIE: Can I ask you if you understand that he is in complete support of this legislation?

MR. PRINCE: Well he certainly hasn't said that to the people of St. Boniface.

MR. McKENZIE: Well, can I ask you, do you know if he voted for or against it in Second Reading?

MR. PRINCE: I have no idea. I never asked him.

A MEMBER: He voted for it.

MR. McKENZIE: Well let me ask you another question, Mr. Prince. Have you any other evidence of the history of St. Boniface being destroyed like the highway signs — are there still highway signs five ten or twenty miles out saying, so many miles to St. Boniface?

MR. PRINCE: Gentlemen, I would like to see that sign, because I have been on the highway a number of times. I think you're still dreaming.

MR. McKENZIE: Yes, they're removed now.

MR. PRINCE: They have been removed for quite some time.

MR. McKENZIE: They were there at one time weren't they?

MR. PRINCE: Yes they were, sir.

MR. McKENZIE: Thank you, sir.

MR. CHAIRMAN: Any further questions? Mr. Green.

MR. GREEN: Mr. Prince, I would like to ask you if it is not a fact that under the unified City of Winnipeg that more municipal — that is City of Winnipeg — provincial and federal encouragement has been given to the French fact, such as the Festival du Voyageur, the Cercle Moliere, the Centre Culturel St. Boniface, than it was ever given by the City of St. Boniface.

MR. PRINCE: Mr. Chairman, to the Honourable Sidney Green, all I can say there, a language is not that goes with a tradition of a people.

MR. GREEN: Would you please answer my question?

MR. PRINCE: Your question, sir, is quite simple. As you know I still speak French and I've never ever had my hand stretched out asking for money.

MR. GREEN: Well, I would like to repeat the question. Possibly I should ask you in French so that you could better understand it. (French spoken)

MR. PRINCE: Mr. Green, all I can answer there is quite simple. Money isn't everything. If you give me money in one hand and you've got a knife in the other, I can assure you, sir, that we will not survive.

MR. GREEN: Can you tell me, Mr. Prince — I will repeat the question in English. Is it not a fact that under city unification, that more municipal, provincial and federal money has been given to the support of the French fact than was ever given by the City of St. Boniface prior to unification?

MR. PRINCE: Well, sir, the City of St. Boniface, before unification was a very bilingual area and you didn't have to go out and get money all over the place. Now St. Boniface, according to the present legislation coming up, will not exist any more, so therefore any amount of money that you give towards bilingualism will amount to naught for us.

MR. GREEN: Then you don't wish to answer my question.

MR. PRINCE: Well I think I've answered your question.

MR. GREEN: Well, I will repeat the question. Is it not a fact that under the unification of Greater Winnipeg that more money has been given at the provincial, municipal and federal levels to the support of the French fact than was ever given by the City of St. Boniface?

MR. PRINCE: Well, Honourable Sidney Green, I will answer it this way. If you are able to quote the amounts of moneys, then I will be able to either say yes or no.

MR. GREEN: So then you do not know?

MR. PRINCE: That is correct, sir.

MR. GREEN: Thank you.

MR. CHAIRMAN: Mr. Johnston.

MR. F. JOHNSTON: Thank you. Mr. Prince, I don't want to completely dwell on the St. Boniface area where you're resident advisor, I believe. I take it from your presentation your concern is basically the identity of several areas of Winnipeg that have had an identity for many many years.

MR. PRINCE: That is correct, sir.

MR. JOHNSTON: I don't think your brief is a parochial thing.

MR. PRINCE: That is correct, sir. You are absolutely right, sir.

MR. F. JOHNSTON: So you feel that the going into the six districts and throwing things together will take a loss of identity such as St. James, West Kildonan — which you believe is not desirable.

MR. PRINCE: That is absolutely right, sir. I certainly do, sir. I believe that that is not desirable.

MR. F. JOHNSTON: Thank you.

MR. CHAIRMAN: Mr. Doern.

MR. DOERN: Mr. Prince, are you familiar with the Elmwood area of Winnipeg?

MR. PRINCE: Somewhat, sir. Yes.

MR. DOERN: Did you know, for example, that sixty or seventy years ago that technically Elmwood

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disappeared?

MR. PRINCE: I'm aware of that, sir.

MR. DOERN: And that ever since that time the people of the area have an identity, they have certain sympathy, *esprit de corps* etc. I cannot see how you can be concerned about the fact that St. Boniface is going to disappear. I believe that St. Boniface, whether the name is changed or whatever changes are made, will exist for 50 to 100 years and beyond. I don't see what danger you see, because I give you the counter example of Elmwood which technically disappeared but to all intents and purposes is the same as it was 60 to 70 years ago — unchanged.

MR. PRINCE: If you mean the locality, the streets, yes, they're still there. That's correct.

MR. DOERN: I'm talking about the social feeling of the people in the area, in the community.

MR. PRINCE: Well I've never lived in Elmwood. I couldn't tell you. But I do know all the streets know that they're still there. I know they haven't changed, not much more than Portage Avenue has. Academy Road for that matter.

MR. DOERN: Well, are you suggesting that if this bill goes in, that St. Boniface dies the next day?

MR. PRINCE: I would say that, sir, because I think that your bill, the way that it reads right now, will definitely erase St. Boniface and its name completely. It will reduce, gentlemen. Your bill is putting the hands of a boundary commission the job of delineating the wards and re-hashing the whole thing and we'll just have to take whatever they give us. I'll tell you right now what they're going to give us. They are going to split it right down the middle; give us some kind of a name that they think suits us well — and kind of say, well, that particular area is bilingual because — you know why? — because there are bilingual signs, which we never asked for in the first place, that says, like Provencher Boulevard - Boulevard Provencher Boulevard, or Ste. Marie Chemin, or something like that, you know. We've never had that, we never wanted that, it was forced on us.

MR. DOERN: Well just a final question, Mr. Chairman. Have you ever appeared before a federal boundaries commission and opposed certain areas being in the federal riding of St. Boniface. Lik have you ever demanded that Windsor Park not be included?

MR. PRINCE: You have mentioned a federal boundaries commission. I think that in this particular case we are dealing with a commission appointed by the Legislative Assembly, an independent commission if you wish, but that boundaries commission will be a commission of this government and I think it's in order that this government makes its will known. This is the purpose of the exercise. This is why I'm here today to tell you how I, personally, feel about the whole thing.

MR. MINAKER: Mr. Prince, you indicated that you had lived in St. Boniface all your life and presume have been very active in the community prior to unicity. Were you familiar with the origin of the White Paper that the government brought around to all of us to present their concept of the new city?

MR. PRINCE: That's correct, sir. I followed every one of them and to my knowledge, from what I can recollect, I followed most of the meetings that went on throughout the city.

MR. MINAKER: So you read the document I have here?

MR. PRINCE: I have it before me, I'm quite sure.

MR. MINAKER: Mr. Prince, on Page 17, I wonder if at the time it was presented it related to the new concept and the absolute imperative that said, "We wish to make it completely clear, however, that it is the absolute conviction of this government that no attempt at urban reform can succeed unless it succeeds in strengthening the sense of identification in intensifying the communication between the citizen and his local government."

Mr. Prince, do you think the original Bill 36 achieved that identification, or do you believe the amendments will help to endorse this concept that was originally proposed to us at the time?

MR. PRINCE: To be perfectly candid with you, I certainly would have loved to see St. Boniface remain independent. However, I am not dumb enough not to realize the problems that were being faced by the centre core. I was aware of that. And inasmuch as I couldn't find myself to accept what was being done to us, because I could see the ultimate outcome, which is obviously coming to pass with Bill 62. I certainly couldn't accept it. But I did work along with Bill 36 and we did get to be able to do something for our community and we were happy.

MR. MINAKER: Well, Mr. Chairman, through you to Mr. Prince, then, would you then still have the general idea that possibly identification will be still retained with these new amendments? Because that was my understanding — I represent St. James — that the original intent was to try and retain identification of communities such as St. Boniface and these older communities. Do you believe these amendments will either weaken it or . . .

MR. PRINCE: Well, after, if I may, after going through Bill 62, if I remember right, there is very little that is changing in St. James-Assiniboia, other than representation. Am I correct? Am I correct?

MR. MINAKER: Yes, but . . .

MR. PRINCE: Thank you.

MR. MINAKER: I would think also that there is a loss of identification in this new Act with regard to any say in the local matter, but that's for me to debate with the government. But do you feel that St.

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oniface will be losing its identification with these amendments?

MR. PRINCE: I certainly do. I certainly do. There will be a definite loss of interest in everything with the general public.

MR. MINAKER: Thank you.

MR. CHAIRMAN: Mr. Green.

MR. GEN: Mr. Chairman, just one more question to Mr. Prince. Mr. McKenzie asked you whether you were aware that your MLA supported this bill in full. Are you aware that the party to which Mr. McKenzie belongs, and all of the representatives, had indicated on their behalf that they are all supporting the reduction to 28 councillors? They have indicated that they will support that portion of the bill reducing it to 28 councillors. —(Interjection)— Mr. Chairman, their representative, Mr. Sherman, indicated that they are supporting the part of the bill that reduces it to 28 councillors. If I have to send it to you in Hansard, I will do so.

MR. CHAIRMAN: Any further questions? . Order please. Are there any further questions of Mr. Prince? Hearing none, thank you, Mr. Prince. Councillor Bockstael. Order please.

MR. BOCKSTAE: Mr. Chairman . . .

MR. CHAIRMAN: I have a copy of your brief, I believe it is here, Mr. Bockstael.

MR. BOCKSTAE: I have had several copies run-off.

MR. CHAIRMAN: Thank you.

MR. BOCKSTAE: This is the outline of the brief or the schematic.

Mr. Chairman, and members of the Committee, my purpose in coming here this evening is not to seek special status for St. Boniface or differentiate from the other communities, but to simply point out some of the peculiarities about St. Boniface. In preparing my brief, I had to make a certain assumption and, with your permission, I assumed that if the proposition of six community committees *quo terminus* with six Works and Operations districts will come into force by proclamation, then I should come before you. Some of you may feel that it may be picking out little details and fine points, but I have learned over the years that it's at the time a bill is being prepared for eventual passing in the House that that is the time to dot the i's and cross the t's. Because in my duties in different committees of the City of Winnipeg Council I have found that when a committee or a group of councillors are backed into a corner on a subject, they say, "If it's not spelled out in the bill, we don't have to do it."

I see that a member of the House, Bob Wilson, is here. He was a colleague of mine, along with Warren Steen, on the Committee of Finance and he knows that when matters pertaining to French came up, my colleagues said, "Well, French is really a concern of St. Boniface and more particularly in your ward, the older sector of St. Boniface. But it really isn't very pertinent where I come from, West Gildonan, Transcona, St. James, or Fort Garry," and the like.

Now what I am concerned about, I tried to project ahead what will happen if Bill 62 passes in its present form. The terms used are "St. Boniface-St. Vital Community Committee."

Now, administratively, we have been working for three years now with our Works and Operations District 5 centred on St. Mary's Road in St. Vital and everything works well. Our Police Department is in Provencher Blvd., but in the projected future, in anticipated budgets and the five-year program, it is the intention of Council and the Winnipeg Police Commission that the District 5 Police Station should be more centrally located than it is on the very northern tip of St. Boniface. This indicates that the centre of the combined communities will gravitate towards St. Vital.

Administratively, I don't find that much of a problem. What I am concerned about is we have a beautiful edifice of longstanding at 219 Provencher Blvd. It's known as the former City Hall of St. Boniface. And in that building we still have a Communications Clerk, Tax Collection Department, Licence Department, Information Office, the Parks Department, and the like.

Now, I'm not suggesting that if the two are combined we should expect to have two community committees, but there is a great deal of merit, because historically, the residents of St. Boniface — and that was St. Boniface-Norwood until 1951 — really St. Boniface-Norwood, and you could come to the St. Boniface office and deal bilingually with clerks, with staff. Now, I would point out that St. Boniface *per se* was not in that official capacity bilingual because Mayor MacLean couldn't speak French. Mayor Hansford couldn't speak French. Half the councillors couldn't speak French. All the official business of the city was done in English. But those who wished to address council, or those who had matters dealing with the Engineering Department, the Public Works, the Police Department, could expect to be served in French as well as in English.

Now I would see an Information Office to continue in St. Boniface to dispense the service that traditionally the people were always entitled to. So we would have an Information Office, not to be confused with a second Communications Clerk's Office. It would be a business office, information office, and a translation office, to serve all of Winnipeg for that matter, because people inquiring about assessments, by-laws, licences, new regulations, and other services would be served. Payments of taxes, licence fees, property taxes, water bills and the like, would also be served.

We already have this situation — when the City of Winnipeg has to issue a public notice bilingually

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for the community of St. Boniface, Public Works, the Assessment Department, the Planning Department, whatever department it may be — a zoning variance or the like, or a change of garbage pick-up date — they send the form in English to St. Boniface to be translated officially before it goes to the printer.

Likewise when the Mayor, the City Treasurer, or any department receives a letter written only in French, it is immediately dispatched to St. Boniface by the inter-office delivery service so that it would be translated into English, so the recipient would understand what the missive is. I think there would be a lot of merit in conducting that kind of an office in St. Boniface if the merger of the two communities takes place.

Along those lines, the services should continue to be dispensed under the Official Languages Act in St. Boniface, as the bill states. We recognize that the services were done that way in St. Boniface and are covered under Part 3, Official Languages Act, Section 80, Communication in French and English. This would be protected and continued under the proposal.

Essentially though, we have to recognize that the old part of St. Boniface is the historical one was a school trustee in 1951 when Windsor Park changed from dairy farms and ranches, and Speer Farm, where the race horses were being trained was converted to become Windsor Park, a housing development. Historically that need not be recognized as being a French centre *per se*.

The old street signs in St. Boniface were not bilingual. This was brought out in the Act in 1971 or if you read it as it is written all the signs in St. Boniface would have to be bilingual. Through gentlemen's agreement and a compromise between my predecessor, Paul Marion, the Deputy Mayor and the councillors who were representing the four wards in St. Boniface at that time, they decided to use \$30,000 and when that was spent they would stop changing the signs. So the signs have been changed in north St. Boniface, down into part of Norwood, and are not being continued in Windsor Park. I can't fathom the reasoning of doing it way out in Southdale, which is a new development that's going to continue expanding into St. Vital, past the John Bruce Road and out to the Perimeter Highway. So that I have made some recommendations that the protection of the French language be preserved in that part of St. Boniface that was known as St. Boniface and was the French community.

So that is the gist of my submission. The other question that has come up was that prior to unification of the police force, I was on the St. Boniface Police Commission, and we had directed our Police Chief and our police force, at that time, to issue traffic infraction notices and parking tickets in both languages. As long as Frank Muller was our resident Chief of Police that practice was observed. When unification came along, we had to have concurrence of the Winnipeg Police Commission and we had to have concurrence of the Chief of Police. It took some time to convince the Chief of Police that the parking tags, and so on, should be issued in St. Boniface in both languages. During that interval, they ran out of the quantity of these tickets. The famous case of George Forest, he was served a ticket that wasn't bilingual in St. Boniface. There is nothing official that says the Police Chief or the Police Department must do that. But we find that the St. Boniface-St. Vital Police Department continues to issue parking tags under form P27D, which is bilingual. They are issuing Warning and Offence notices under P35. It is not bilingual and would like a directive as to indicate that they should make those bilingual. These should be on forms preprinted in both English and in French.

The other offence notices are issued by the Attorney-General's Department on AGO112 and they are issued to City Police Department by the Province of Manitoba. They are solely in English so we don't know that we can ask that that be done bilingually. But this would have eliminated a problem that you are aware of.

My last representation is one of the eligibility of residents for election on the Resident Advisory Committee. Conflict of interest is a very up-to-date question. The councillors are always facing it. You people in public office are victimized by it. We are all subject to scrutiny on that point. We find it very difficult to have administrative personnel come on as resident advisors and start taking up very strong issues and sides in favour of some councillors versus others, and the like.

Now, I see nothing wrong with an employee of the city working at the sewage disposal plant that serves all of the city, or a man that is working for the St. James Parks Board and lives in St. Boniface, he wants to be a resident advisor in St. Boniface, fine. But if he is occupying a position that oversees all of the city, I don't think he should, in turn, then use his sometimes privileged knowledge to come and work in the community as a resident advisor.

Now, by and large, most of the people of administrative calibre recognize that there is a conflict. But some refuse to recognize it. We have taken it up with the Legal Department of the City of Winnipeg and we are told there is nothing in the Act that stipulates anything about qualification or eligibility, or disestablishing any eligibility for resident advisors. And I think it is something that should be looked into.

In closing, I would like to say that I have conferred with the majority on council, who oppose the proposal for second public hearing for subdivisions and rezonings. I have joined with them in opposing the sole power of the Minister over Greater Winnipeg development plans and community

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lans, over city resources to implement same.

I am most of all concerned about the proposal to exempt the Provincial Government, or its agencies, from city plans or zoning by-laws. My concerns in that line are somewhat like MHRC or eaf Rapids Corporation deciding that we are going to put a certain type of townhouse or a highrise r something that we say is going whether the city believes or has any intention of fitting it into the lan at that point. If the proposal were spelled out in this fashion, that when a Department of the rovince, to carry out its program such as in the Health Department or the Welfare Department or :orrections Department, that some type of semi-institutional facility, which everybody, I don't care here you try to put it, are going to oppose it. In some instances there has to be a power to put that in.

some of those semi-institutional facilities, day-care centres and that, are determined by the rovince that they should go in, then I can accept the Minister, by Order in Council, could make ertain exceptional cases, and give them a privilege of exemption of the zoning requirements of the ity. But, I can't accept it on a general basis for housing development proposals.

Thank you very much. I appreciate the opportunity of having been able to present this to you.

MR. CHAIRMAN: Thank you, Councillor Bockstael. Mr. Wilson.

MR. WILSON: I wonder, Councillor Bockstael, if you could comment, I believe under the new illing District 5 would only have four councillors. Do you feel that's ample representation?

MR. BOCKSTAE: I will give the answer that I have given to my constituents, the people in my ard or in all of St. Boniface: It really doesn't matter — you know this counting of numbers is only a ame. It really doesn't matter whether I am on Council because I have 7,800 people in my ward or if I ad 14,000 in my ward. The point is, that of my 7,800, I would say that there are 7,650 who have never ad need to call me. Some have come in the official way to a community meeting and presented their oblem at a public hearing or as a delegation, that's all it took. There are others who have called me t my home, at my office — I'm available at any time — to point out that they had a particular little oblem, and I have done what I could to relieve that problem. There are some chronic callers that all you three times a week and every day, morning, night or evening. I sometimes wonder why they ait till 10:30 at night, or they wait till Friday at 5:30 when the offices are closed, but they all do it.

Now, I can say, it's public knowledge that our Chairman of Finance has done a lot of travelling. hen he's out of town, I get the calls from Norwood. I get the calls from Langevin ward, I get the calls om Southdale because some people prefer to talk to me than they do to the councillor of the ward. hat can work the other way. The councillor of Southdale says she gets calls from people in my ward ho don't want to speak to me. But really, I think it's all relative, and whether you're speaking for 4,000 and only 200 of the 14,000 are the ones that keep needing at you for something — omunication is there and representation is there.

MR. CHAIRMAN: Thank you, Councillor Bockstael. I have constituents like that, one that phones e every day, sometimes two or three times a day. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, in respect to the proposals made by Councillor Bockstael, you eem to be concerned about entrenching in the bill certain rights for French-speaking people in the t. Boniface area, is that correct?

MR. BOCKSTAE: Yes. That's correct.

MR. AXWORTHY: Can I ask the reason — the amendments that you put forward here, as I've been ble to read them, elaborate not just the rights but that you also want to have entrenched in that tatute the right to have an office and certain information services, and so on. Would it not be ufficient in the bill simply to establish the fact that in the St. Boniface area, in accord with the basic olicies of this country, that there would be the right of people for access to that information and ervices in their own language, without spelling out in great detail. I'd be interested in knowing why ou want this very elaborate wording of it as opposed to simply stating the concept.

MR. BOCKSTAE: The point is that the Act as it now reads, says any service that used to be ispensed in St. Boniface can be moved to another area, and then the people of St. Boniface will see o it that they go to that area to get that service. In other words, if you had lived sixty years on Aulneau treet and were accustomed to walking down the block and had the familiarity with the St. Boniface ity Hall, and all of a sudden you say, "It's time to pay my taxes," and they say, "Sorry, if you want o that you go down to St. Mary's Road and when you get there you rap on the counter and say, I want rench service and we'll try and find someone in the group that's not gone to lunch, out on a coffee eak, to speak to you in French."

You know, the Act says that in the City Hall downtown you are supposed to get bilingual service nd the water service is there and people have gone to make inquiries about an error in a water bill, nd they're told, "Well you'll have to speak to Mr. so and so." "Well I want to transact my business in rench." "Well, Mr. so and so who is our French representative happens to have the day off today, ome back tomorrow." And for all practical purposes, when you've done it this way for so long, it's not n expensive proposition, I see no reason to take it from its *milieu*. It wouldn't make sense to say the t. Boniface Licence Department used to operate here, but we've decided that it's better. . . I'm using n absurd example — but it's better to put it in Fort Garry, and according to the Act, Fort Garry must

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give you the service in French when you go there and insist upon it. I think that the practicality of the use of the language and the convenience should be where it is needed not moved away from the and unless you say it should be on Provencher Boulevard where it was, there's not much point putting it in Southdale, it's still within the confines of the community, but it's not demanded there as is from the pioneers of old St. Boniface.

MR. AXWORTHY: Well, Mr. Chairman, I agree with Councillor Bockstael about the necessity of that kind of availability of service. Is that not more in a policy decision of the City of Winnipeg opposed to having it entrenched in the statute?

MR. BOCKSTAE: Okay. My answer to that is and I'll use the exact and I think Mr. Wilson can back me up. I was on finance, and I was the only voice speaking for the French out of 50, because Frank Kotowich says, "It doesn't affect me in Langevin very much," it's of a minor nature in Norwood John Gee; and at the time Mike Dennehy says. "It doesn't refer to me down in Southdale." And people from St. James say, well, there's about 125 families in St. Charles but most of them have forgotten how to speak French. A councillor from Transcona says, "We do have some French people here but there are more Italians and more Ukrainians so really the problem is only yours, so look after it. That is essentially what I'm telling you here, that the problem is in my area, and I couldn't convince 49 or other councillors to agree with me because it's not spelled out that way in the Act, and you would be able to do it if there are two of us trying to convince 28 in the new set-up. So, I did say in the beginning of my remarks that when you're backed up in a corner, the answer is show me where it is so in the Act, and then we'll do it.

MR. AXWORTHY: Mr. Chairman, and Councillor Bockstael, the concern that I would have when agreeing with your assessment of the problem, is that if you establish in the Act that in this particular community there should be a Community Committee Office at a specific location in a specific way suppose it creates a precedent; that St. James Assiniboia says why don't you make sure that our office that we have also built and spent money on and so on, still stays on Portage Avenue and that way it is. I guess that's the question to you.

MR. BOCKSTAE: Through you, Mr. Chairman, to Mr. Axworthy. I was careful to say I am not suggesting that there should be a second Community Committee Office or Communications Office. It's been recommended in many proposals that there should be an Information Office. Now, I'm not saying that 11 other communities need this Information Office. This singular identification of St. Boniface is that it must dispense its services bilingually. If the others have to dispense it bilingual I'd say all well and good, but that is the peculiarity of my ward especially, where the services must be dispensed bilingually. And let me say that we have people from Sacred Heart Parish or Sacred Heart School here in Winnipeg; we have people out in St. Norbert, Fort Garry and elsewhere, who if they want to transact business in French or obtain information, would much prefer to come to St. Boniface where they expect it, than to try poking around to find out if it's available somewhere. I'm not making this an exclusive thing for St. Boniface. I'm suggesting that it could well serve the entire City of Winnipeg if there was a French office in its proper setting.

MR. AXWORTHY: Mr. Chairman, I think in the last comments from Councillor Bockstael, you would feel satisfied if there was reference in the bill to the requirement that there be at this location a Civil Office with these services that is bilingual.

MR. BOCKSTAE: Right.

MR. AXWORTHY: And that would be satisfactory?

MR. BOCKSTAE: With this proviso, that it be located in the north part of St. Boniface rather than in Southdale if you understand the basic population proportion, and the preponderance of French people in the north part.

MR. AXWORTHY: Yes, I do. Mr. Chairman, then on the second amendment that Councillor Bockstael proposed, I was trying to pick it up and relate it to the Act and I'm afraid I wasn't able to do it fully. . . Could you elaborate more exactly what is the exact intent of the second amendment recommendation that you have made here.

MR. BOCKSTAE: Well, I was looking at this Bill 62, on Page 11, item 39, it says that section 80 of the Act be amended by striking out the words, "St. Boniface community," and substituting therefor "St. Boniface - St. Vital community." I concur with that in cases (c), (d) and (e) because (c) happens to be French and English in other community offices to be available to St. Boniface residents — first That's (c) and (d). And all notices, statements that are sent out to residents of St. Boniface community which is comprised of the four wards: Tache, Winakwa, Langevin, and Norwood, should receive their notices in English and in French. I concurred with that. The ones I amended is that order that this (a), subsection (1), which says, "in order that residents of the St. Boniface community," I suggest that it may as well read, "in order that residents of the St. Boniface - St. Vital community," because everyone east of the Red River plus the rest of the citizens of Winnipeg could avail themselves of that service. So that's the intent of that change.

And 84 is, I'm trying to suggest that as far as traffic signs go, let's make the gentleman's agreement

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consistent with the practicality of it when you say that all city street and traffic signs in St. Boniface, and you want to go all the way to Southdale with French signs, there's as much flack against changing the signs, and Mr. Prince ridiculed or attention to what advantage is there to saying Rue Berry Street and Rue Aulneau Street, and so forth. We've spent \$30,000 on it, and we've lived with it ever since Marion was a councillor and that's almost four years ago, and no one has asked for them since. So, I was trying to make the Act or the amendment to the Act consistent with what actually is taking place in fact.

MR. AXWORTHY: Mr. Chairman, just on the third one, you recommend that the police traffic tickets be published bilingually. I presume that is in reference to the Forest affair, and while he has a larger principle in mind, I suppose that this would avoid or at least take away that particular annoyance. Is that right?

MR. BOCKSTAEL: Yes. Well they do in fact. I checked with Assistant Superintendent Supeene, who is in charge of district 5 at the present time, and he says we are issuing parking tags under form P27(b) which is bilingual. It would have been consistent except for a lapse of time with this changeover at unification that they stopped using them. And the argument then was, do you think the cruiser cars and the motorcycle policemen are going to carry two books; one written with English tags only, and the other one English F and French tags. So they tried it for a little while, and it's during that time that Forest got a ticket. Now they have reverted to issuing bilingual tickets in our district, but it's simply a voluntary or a co-operative measure that has been taken, and I'm suggesting that if it was in the Act, then it would be done mandatorily.

MR. AXWORTHY: Mr. Chairman, going beyond the amendments proposed by Councillor Bockstael, there was a representative from the St. Boniface Residents' Advisory Group who suggested to us that the changes as proposed in this bill would eliminate the identity and the self-sense of the residents of St. Boniface. Do you concur with that opinion?

MR. BOCKSTAEL: I don't. I believe I'm about the same age as Mr. Prince, and I was born on DesMeurons Street, I've lived in St. Boniface all of my life, I've operated my business there. You know, identity is one of those things — for a long time we heard about French culture, and you stop a Frenchman on the street and ask him what is French french culture, and he doesn't know what you're asking about. You talk about this identity, and it's a nebulous thing. Really, I live in St. Boniface, I pay taxes in the City of St. Boniface or through St. Boniface to the City of Winnipeg, I get my services from the city, and I'm a resident of St. Boniface. And you know, I agree with what — I don't know if I'm supposed to — but I agree with the remark made by Mr. Doern.

I've said long ago that fifty years from now, people will still say, oh, you come from St. Boniface. Windsor Park is part of St. Boniface, and people say, I live in Windsor Park; they don't say, I live in St. Boniface. People live in Norwood; they don't say, I live in St. Boniface. They were all part of St. Boniface before. You meet anybody that's bought a new home in Southdale and you ask them where they live, and you go to Fort Garry and some of my friends live in Fort Richmond — they don't go to the trouble of saying, I live in Fort Richmond which is part of Fort Garry, and don't forget the identification. You know, you can push this to — I don't know how many levels and I don't know that it means a great deal.

MR. AXWORTHY: So, Mr. Chairman, I gather that the councillor here is suggesting that the sense of neighbourhood and community is really one that is in your mind and in your sense of feeling, not in a provincial or a political jurisdiction or a line drawn on a map, is that correct?

MR. BOCKSTAEL: I'm an alumni of St. Boniface College, I went to Provencher School, I have all my ties with that, I'll never lose them and neither will my kids. I don't know that you know, you're going to lose your. . . You've played for such and such a football team or such and such a hockey team. You're always going to be attached to it, and I don't know that that fritters away my sense of belonging to that neighbourhood.

MR. AXWORTHY: Mr. Chairman, just one other question then. I would take from your opening remarks that you agree with the principle of the bill of reducing the number of councillors down to 28. Is that a fair assessment?

MR. BOCKSTAEL: Well, I voted in favour at council of reducing council when the Taraska Commission was coming out with its report, and the media was saying 25 to 39, I presupposed that it might be 36. But I said to the people in St. Boniface, it's very much like a football team. They start the season with a 54-man squad coming out for try-out, and they cull away and cull away and when they come into the finals, they are down to so many imports and 30 players and they're all working. You can have 50 and only 42 doing work. The same applies if you get down to 28, there might only be 23 doing their jobs, and you are stuck with them for three years once you've elected them. But really, I think every councillor should be on a committee. We had eight or nine lame ducks that were not on any standing committee and left on the outside trying to find out what information was coming out of EPC or other committees and this was not a good situation. I think that effectively we will be able to accomplish more with a tighter ship with less councillors. Now the number is debatable. My first reaction in hearing it was, "How can they reduce St. James to three when they had six?" I ventured to

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say that I thought St. Boniface was entitled to three rather than two. But you know, everyone can feel that way and we'll be back up to 50.

MR. AXWORTHY: Mr. Chairman, I just have one more question for Councillor Bockstael. As a member of City Council and have having been there now for four years, what is your assessment of the proposed amendments in relation to the Office of the Mayor. I'm thinking in particular of the question of how much responsibility for taking action the Mayor's Office should have in relation to the elected Members of Council. Do you agree that he should not be the Chairman of EPC, that I should not have any more powers? What would be your conclusion in terms of strengthening the aspect of City government?

MR. BOCKSTAE: Could I answer that obliquely? When he's not there, we get more done.

MR. AXWORTHY: Okay, thank you, Mr. Chairman.

MR. CHAIRMAN: Are there other questions any member of the Committee may have. There are none. Thank you Councillor Bockstael.

MR. BOCKSTAE: I thank you very much.

MR. CHAIRMAN: Oh, just a moment. Mr. Minaker.

MR. MINAKER: Councillor Bockstael, can I ask you, do you feel there is any difference between representation by population than representation by the electorate.

MR. BOCKSTAE: No.

MR. MINAKER: Does it make any difference to you in terms of have you any thoughts on it?

MR. BOCKSTAE: Oh! You mean, for the Mayor being elected at large?

MR. MINAKER: No, I'm talking about the councillors. The approach has been to have so many councillors, or one councillor per so many electorate, which is a little different than one councillor per so many citizens, whether they can vote or not. It changes the representation to some degree. St. James if you go rep by pop rather than rep by electorate.

MR. BOCKSTAE: I would say by electorate — because when you have all these minors put on the list — they don't really have an opinion of how the City is being run. They're going to school and they're more concerned about what it is grow up than to administer the business of the city. So, I think that by the electorate is a reasonable thing.

MR. MINAKER: Mr. Chairman, so you feel that it's only the electorate that would create the workload for you, not necessarily the citizen who might not be able to vote, or a young type. Does that change your workload do you think?

MR. BOCKSTAE: No, in four years I haven't had a call from someone under 18 years of age.

MR. MINAKER: But you don't think the fact that maybe there is 10,000 young people in St. James whereas maybe there is only 2,000 or 3,000 in St. Boniface — that your workload might be change differently regarding police matters or fire and so forth. You don't think it has any impact on the time consumption and responsibilities for that person.

MR. BOCKSTAE: For the councillor?

MR. MINAKER: Yes.

MR. BOCKSTAE: No, I don't believe so.

MR. MINAKER: Thanks very much, Mr. Chairman.

MR. BOCKSTAE: Thank you very much for the opportunity.

MR. BOCKSTAE: Excuse me. I don't know if this is proper, but I had a couple of suggested motions. May I leave them with you?

MR. CHAIRMAN: Yes, certainly, the Clerk will get them. Mr. David Palubski, private citizen.

MR. DAVID PALUBSKI: I'm employed by the City of Winnipeg in the Planning Department, but I'm speaking to you here as a private citizen. I'll restrict my comments on the Bill to the area where it would affect the relationship between the City of Winnipeg and the additional zone municipalities.

I would like first to direct the Committee's attention to Section 579, parts 1 and 2 under the heading of Community Plan: Proposed legislation would establish the Minister as the intermediary between the City and additional zone councils when consideration is given to the adoption of the separation amendment to the Community Plans. Presently the preparation of plans for the additional zone municipalities are undertaken as a joint venture by the local municipal council in the City of Winnipeg based upon an agreed set of priorities.

Maintaining a direct and close liaison with local councils on such matters is essential in my mind to the preservation and improvement of a good working relationship. Secondly, as the City of Winnipeg is responsible for financing, the preparation of district plans in the additional zone carries the cost of all planning services. It should continue to negotiate directly with the municipal councils on the establishment and priorities and timing for the preparation of community plans.

I perceive direct provincial intervention in establishing local planning priorities and commitments straining the working relationship between the City of Winnipeg and the additional zone council. The body most aptly suited to establish these priorities and commitments is one representative of the councils, namely the additional zone Committee.

Secondly, I would ask the committee to consider Section 583, subsections 3 to 10 inclusive, which

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establish procedures to be followed in the adoption of the Community Plan. Additional zone councils and city community committees are treated similarly under these procedures; however, the important difference exists between the two which I suggest should make the procedures established that are comparable for both of them not to be so.

The procedure proposed in the bill would have the community committee, or the local council, as the case may be, conduct a public hearing and receive representations on the draft Community Plan. Upon conclusion of the meeting, the community committee or local council, as the case may be, would prepare and submit its recommendations to the Executive Policy Committee which in turn makes its recommendations to City Council. Upon receipt of the Committee's report City Council may then consider the adoption of a by-law approving a Community Plan.

We'll now demonstrate the difference between the local councils and the community committees, which may suggest the above procedure does not fulfill the participatory expectations associated in the existing partnership between Winnipeg and the additional zone. The final decision to adopt a Community Plan will be as it is now, that of City Council. However, under the proposed system, unlike the procedure followed today, no member of City Council would have participated in the public meeting to receive representations on the draft plan. This function would be performed exclusively by the local council and yet, however, City Council is asked to make a decision without having direct involvement or exposure to the public participation process. The local council which has the experience and the exposure, unlike the community committee councillors, cannot enter the City Council debate on the merits of the plan.

I feel it is of vital importance for the body making the decision to participate in the public meeting along with the additional zone councillors and receive representations on the plan. This and only this will facilitate in the additional zone the achievement of one of local governments' primary goals which in my mind is the public access to the decision-makers.

Section 5842 contemplates the preparation of a draft action area plans by local councils in the additional zone municipalities. Presumably City Planning personnel will be relied upon to advise in the preparation or prepare action area plans.

Again we must consider the matter of prioritization. The bill would have the local municipality decide when an action area plan is to be prepared. However, as the city would be relied upon to make planning staff available, prior consultation appears to be essential. It would be unfortunate if a local council wished an action area plan to be prepared but City Planning personnel were not available due to other commitments or prescribed priorities. The above may erode the working relationship between the City and local councils.

In conclusion, those segments of the bill which specifically address themselves to the Additional Zone tend in general to de-emphasize the existing and evolving consultative arrangements between the City and additional zone municipalities. A continuing liaison between City Council and surrounding additional zone councils is the prerequisite in my mind for improving communication and efforts in meeting the pressures and problems posed by a settlement pattern that defies existing political boundaries and institutions. The bill unfortunately avoids or has overlooked entirely this matter. I'd be prepared to answer any questions.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Mr. Chairman, through you, my understanding is that the amendments say this, that the council of the municipality in the additional zone will itself hold hearings or meetings or whatever you in order to develop a plan. That will then — as if they were a Community Committee in other words — and after they hold their hearings and have their recommendations, they forward that to EPC. EPC is then seized of the matter and will hold hearings if there are any people who are objecting or who have appeared in the additional zone municipality. If they appeared there they will be notified of a hearing by EPC and they can appear at EPC. If on the other hand there are no objectors, then EPC would simply hear it and it would be passed on to Council with a recommendation by EPC. So the council of that additional zone would in fact be the primary contact point, from there flowing to EPC. So the EPC council members would know about this.

MR. PALUBESKI: I hadn't appreciated that before I spoke, but if it is so, we still are emphasizing the negative aspects of the public participation process. When we say that there is a committee available to consider the objector's point of view the objector's point of view may be put across and have an impact on EPC but they wouldn't be appreciative of the supporter's point of view, and in the dialogue and exchange I think it's important for the Council to appreciate both points of view.

MR. MILLER: Mr. Chairman, through you again. The EPC would hear both those who are opponents of and proponents of a plan. EPC would be seized of it unless there were no objections, nobody was interested, then of course nobody would come. Just as now, it goes to the EPC, if there's no comment it just passes right through the Environment Committee. But if there are people who are objecting then they would appear and those who are in favour would also appear at an EPC hearing, so that EPC in making this recommendation to Council would have the benefit of both pro and con.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: I gather from the thrust of your remarks that these amendments will eliminate the ability of the City of Winnipeg and the surrounding municipalities to work out a common set of plans and guidelines in those additional zone areas. What I want to know is, is that working out not under the present bill, where there is an additional zone committee which is in fact dominated by City Council, by the councillors in the City of Winnipeg.

MR. PALUBESKI: Well the additional zone committee is composed of three members of City Council and three additional Zone Reeves. I wouldn't say there's a dominance in it. But what is actually happening now is that we have gone through a growing period over the past number of years and there is an evolving relationship between the City of Winnipeg and the additional zone council and there are procedures that are considered to be appropriate that may not be outlined in the Act that are done as a courtesy. For example, the Act, if we looked at it strictly as it is today, the City of Winnipeg could conceivably adopt a district plan that would be in conformity with the Great Winnipeg Development plan and not necessarily require the positive resolution of the municipality. That's not done.

We can look at it in dealing with local matters — for example variations or public hearings. We usually require the municipality's resolution prior to hearing any of the objections or supports that may be forthcoming as a result of that application. When the Committee on Environment considers now, should there be opposition, they refer the matter back to the municipality and more or less ask them to go through the hearing process, to be informed of those objections and should they wish to change their mind.

MR. AXWORTHY: I understand that under the present situation the City of Winnipeg Planning Department does most of the staff work in planning for the additional zone committee. Is that correct?

MR. PALUBESKI: That's correct.

MR. AXWORTHY: Under this bill, as I read it, that would really be transferred then to the staff of the surrounding municipalities. Could I ask the question, what kind of staff do they have to do that kind of planning?

MR. PALUBESKI: Well, I didn't interpret the bill to say that. The surrounding municipalities presently either rely on the City of Winnipeg or on those that are partly included in the additional zone and partly within the provincial planning jurisdiction; they rely upon the several planning offices, field offices, for advice. But my concern is that the bill would seem to add the Minister as the go-between in many of the important issues, like establishment of the Community Plan between the City and the additional zone municipality where he may prescribe after consultation with the council the necessity to complete or do a community plan for a certain area. I feel it's important to maintain the liaison between City Council directly and the local municipality, as indeed all of them, to decide upon where the priority areas are.

MR. AXWORTHY: Could I ask then, what is wrong with having in effect, a provincial presence in the deliberation of these plans when you consider that the province has the responsibility for major trunk highways, has to make major capital commitments for lagoons and all other kinds of services many of the services that are on that other fringe. Would it not be to the advantage to have in effect, provincial presence as a third party in deliberations that are going on now, rather than just the rural municipalities and the City of Winnipeg. Would it not be of assistance to have the province tight wound into that planning procedure as well?

MR. PALUBESKI: Yes, I think it's necessary to have the various provincial departments that have some planning jurisdiction, be it on whatever public works there may be to participate in it as well. How they are to participate is a question yet to be resolved. They usually participate at the invitation of myself or other staff of the City of Winnipeg, on a particular problem.

MR. AXWORTHY: I see, so you're more concerned here about the political level of having the Minister really kind of act as the arbitrator. Is that the major gist of your position?

MR. PALUBESKI: My concern is, I think it would be easier given how far we've come now in the Additional Zone for the local municipalities in the City to work out the priorities themselves than to have the priority imposed because of an external political action.

MR. AXWORTHY: As I understand it though, that under the new Planning Act, as soon as the municipalities begin establishing their own planning districts, can they not take certain responsibilities over the additional zone areas, so this would be eliminated in any event?

MR. PALUBESKI: Well, that was proposed in the provincial Planning Act originally. It is my understanding, as a result of one particular municipality's point of view in doing that, saying that they would rather plan with the City of Winnipeg than within a planning district centred on an area outside of Winnipeg, or away from the area of the general pressures — that there is a bill proposed that would amend that section of the Act giving the local municipality the right to decide to either keep part of that area within the city's planning jurisdiction and partly out. More, in effect, we would have a split jurisdiction thing. But still neither City of Winnipeg Act nor the Planning Act has come to grips with

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he problem of a settlement pattern surrounding the City of Winnipeg that defies both the jurisdiction of the City of Winnipeg, the local municipalities and the Provincial Government as far as providing some kind of consistent and compatible planning direction.

MR. AXWORTHY: Just as a matter of interest, would you prefer to see, rather than this kind of system under additional zones the idea of a regional plan district such as they have in Alberta now where there really would be an area of, say, 30-mile radius extending out from the city that would provide overall planning for that circumference?

MR. PALUBESKIE: I wouldn't say it is necessarily desirable to have it surrounding the city. There are obvious areas of conterminous boundaries where the pressure has jumped beyond the additional zone. I'm speaking specifically of the Winnipeg-Selkirk Corridor in which there is numerous divisions of responsibility now. It seems that that will maintain itself and I feel it very important in a case like that, looking long-range, that it's necessary for some type of an institution or framework to be established that can co-ordinate the planning efforts. Either it's a strong provincial planning policy that evolves or the local municipalities must do it themselves, and I have to go back and rely upon past results, which I don't find encouraging, where the province has spent three years on the Winnipeg Region Study, compiling information trying to define the problems and as of yet, adopted a provincial planning policy based upon that information although I understand there is a set of principles that exist but their actual adoption I haven't seen yet. Yet I must even question the set of principles, how useful they are in the broad brush measures that they have been revealed to. There doesn't be a concerted effort to solving the problem. It seems that we have considered its identification sufficient to do us for the time being. We haven't taken the next step.

MR. CHAIRMAN: Are there any further questions? Hearing none, thank you Mr. Palubeskie.

MR. PALUBESKIE: Thank you.

MR. CHAIRMAN: Mr. Perlman, private citizen.

MR. DAVID PERLMAN: Good evening, gentlemen. My name is David Perlman. I have a short brief. I would like to see some changes in the City of Winnipeg Act. I would, for example, like to see the Ombudsman Act extended to cover the servants and agents of the City of Winnipeg. At the present time, The Ombudsman Act deals only with the Provincial Government. Now, with respect, I don't think that all of the bureaucrats are in the Provincial Government. I think some are at the City of Winnipeg and I think that in view of the fact that half the people in Manitoba live in Winnipeg and most of them deal with the City of Winnipeg, that the Act should be extended.

Now, generally speaking, if you are familiar with The City of Winnipeg Act, I think you will agree that it is not drafted very well. If you have any problem with the City of Winnipeg and you have to read that Act, you've got to spend a considerable period of time to get all of the sections in; it's a very time-consuming matter. I don't know who drafted it, but it is poorly drafted. I think that that is the consensus of opinion.

Eventually, I believe that you will have a speaker before you who will say, and I'm quoting, "I'm concerned about the preservation of the democratic form of government," and that will be Mayor Juba. Now, I don't think I've ever heard Mayor Juba say anything about the present City of Winnipeg Act and Councillor Bockstael says, and I presume he's speaking from experience, that the city seems to run better when he is not there.

Now, to give you one idea of an amendment to The City of Winnipeg Act, I think that sections such as 250, Subsection 5 and 6, should be changed. Now, they are not in the new bill — (Interjection) — I am referring to the old sections of The City of Winnipeg Act, 250, Subsection 5 and 6. It may not seem so important to you that it deals with tax sales but I don't think that the City of Winnipeg should have the right to conduct a tax sale which amounts to a farce. The City of Winnipeg has the right to obtain all property at a tax sale at the lowest bid. I don't think it is right that an auctioneer should have the right to obtain all properties at the tax sale.

With regard to the Act and the health legislation of The City of Winnipeg Act, approximately one-third of the Act deals with health legislation. The Province of Manitoba has the The Public Health Act which I believe covers the health field. It's a special Act of the Provincial Legislature. I believe that it overrides the special legislation set out in The City of Winnipeg Act. I feel that the health legislation in The City of Winnipeg Act should be removed and that The Public Health Act of the Province of Manitoba should govern.

Tonight, and on previous occasions, we have heard many people complain of the Provincial Government attempting to control planning and finance. Now I'm in favour of that, but if the Provincial Government is going to make an attempt to control planning and finance, I think that they should control health legislation, particularly when they have The Public Health Act and as I maintain, it overrides the legislation in The City of Winnipeg Act. The health legislation in the City of Winnipeg is such that it allows no hearings; it conflicts with The Public Health Act. If some action is going to be taken under The Public Health Act, it requires an Order of the Court of Queen's Bench; it requires the consent of the Minister of Health. The City of Winnipeg Act does not give those rights.

One other point is that it seems to me that The City of Winnipeg Act should be published and

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printed in both French and English, not only because we have French-speaking people in Manitot but Section 23 of The Manitoba Act states that it shall be published in both languages, name English and French. Now, the significance of this, in my opinion, is not so much the preservation of the French language as such but that The Winnipeg Act, and in fact all statutes, should be published and printed and the legislation should be in the spirit of The Manitoba Act. —(Interjection)— Pardonnez-moi?

MR. PAULLEY: Which one?

MR. PERLMAN: Well, all right, it's 1870.

MR. PAULLEY: What about 1890? Never mind, we won't argue it.

MR. PERLMAN: I believe that there is another problem and that is that there were problems with The Manitoba Act 1870. It was a Statute of the Federal Government of Canada. In 1871 they realized . . . At any rate, that is my submission.

MR. CHAIRMAN: Are there any questions any Members of the Committee have? Mr. Axworthy?

MR. AXWORTHY: Mr. Chairman, I'm just interested on the grounds that Mr. Perlman recommends the establishment of the authority of the Ombudsman. Is this based on personal experience or general principles or observation about the degree to which there is access to . . .

MR. PERLMAN: It is based on personal experience. First of all, with regard to the health legislation that is in The City of Winnipeg Act, it has been termed by Chief Provincial Judge Harold Gyles as being "convoluted legislation." Judge Gyles recommends that all of the health legislation of the City of Winnipeg be put into one Act so that someone can understand it. Now, my argument is not that. I don't agree with him because I maintain that The Public Health Act of the Province of Manitoba should apply to the City of Winnipeg; that The City of Winnipeg Act should be emasculated; that The Public Health Act of the Province of Manitoba should apply to all citizens in Manitoba and that we should not have discriminatory legislation applied to basically a handful of people in Winnipeg. There are health regulations even under The Public Health Act which apply only to a person who rents property. This, to me, is discriminatory legislation.

You asked me whether I have had personal experience. If I may — I'll try not to be too long — I'll give you an example of what is doing in the health field in the City of Winnipeg and I think it illustrates the fact that there are incompetent people at the City of Winnipeg, that they're doing, in my opinion, harm. Now I'll read to you very briefly regarding a brief that was filed. This concerns the demolition of a house.

"It is submitted that the City of Winnipeg jumps from regulation to regulation, bylaw to bylaw, an Act to Act and is so confused that they do not know what they are doing, which makes it very difficult for an owner of property to know what the ground rules are and in fact their letters are most disturbing in that they give misinformation and incorrect information in their letters.

"The health legislation in the City of Winnipeg is in a confused state in that the City of Winnipeg deals with dangerous and hazardous buildings by virtue of Bylaw 711 an Amendment thereto; uses regulations under The Public Health Act; uses The Public Health Act; has legislation regarding minimum standards of maintenance and occupancy; legislation on unsanitary buildings; various bylaws on interior regulations; others on exterior regulations; and in this particular case that I am referring to, Mr. McCullough, the head inspector who has been with the Health Department for 3 years, was unable to inform the court as to what regulations in particular under The Public Health Act he used when inspecting the above property and at first stated that The Public Health Act of the Province of Manitoba applied to the demolition, then stated that The City of Winnipeg Act applied and ended by saying that both Acts apply to the demolition.

"It is submitted that if Mr. McCullough, after 32 years with the City of Winnipeg, is unable to inform the court as to the regulations and legislation applicable to this case at hand, then it is asking too much of the owner of property to abide by the laws and regulations applicable when the head man at the Health Department does not know what he is talking about."

Now let me just stop there for one minute. This brief of law was submitted in 1976 which was before Chief Judge Gyles found that the legislation of the City of Winnipeg is convoluted. Now not only does the City of Winnipeg health legislation which occupies about a third of the Act conflict with The Public Health Act, and I argue that the health legislation of The City of Winnipeg Act should be taken out completely, but the Provincial Government has given the City of Winnipeg the right to pass bylaws deriving their authority from The City of Winnipeg Act.

If The Public Health Act is a special Act of the Legislature and overrides The City of Winnipeg Act then I say that a special bylaw of the City of Winnipeg deriving their authority from The City of Winnipeg Act cannot override The Public Health Act if The City of Winnipeg Act cannot do that.

The way cases are defended against the City of Winnipeg is on the basis of natural justice. Whenever the City of Winnipeg does something, there is always a defence that there has been no notice; that there has been a denial of natural justice, and I think that you should take a look at the conflict and emasculate the City of Winnipeg Act and delete the health legislation. If you are going to argue that you should have greater control over planning and finance, then I argue that you should

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have greater control over the health legislation. You have The Public Health Act which gives you the right and if you are not going to use the Public Health Act and control the legislation in the City of Winnipeg, why should you then want to exercise greater control over planning and finance?

MR. AXWORTHY: Thank you.

MR. CHAIRMAN: Mr. Bilton.

MR. BILTON: Thank you, Mr. Chairman. I have a couple of questions I would like to ask Mr. Perlman. Is he here as a private citizen or does he represent an organization or a group tonight?

MR. PERLMAN: I am here on my own. I am here just to try and make a few points and to argue that the law on the interpretation of statutes is such that I think The City of Winnipeg Act offends those principles. My argument is based, hopefully, on legal logic, on the interpretation of statutes.

MR. BILTON: Mr. Chairman, may I be permitted to ask Mr. Perlman as to his background? Is he a lawyer?

MR. PERLMAN: Yes, I am.

MR. BILTON: I see. One other question if I may. You did mention using the activities of the Ombudsman?

MR. PERLMAN: Yes, . . . City.

MR. BILTON: Are you suggesting the Provincial Ombudsman?

MR. PERLMAN: Well, that would be up to you. I would think that the Provincial Ombudsman should have jurisdiction over the whole Province of Manitoba. The idea behind it is to exercise control over servants of government. Now the word has been used not necessarily today but the last day, that there are bureaucrats, or someone said that "not all the bureaucrats are in the Provincial Government." I'm of the opinion that the Ombudsman is required to a very small extent regarding the Provincial Government. Where he is needed is the City of Winnipeg.

Now, I have dealt with the Provincial Government. I have never had any problem with any servant or agent of the Provincial Government. The same is not true of the City of Winnipeg. The standards of employment at the Provincial Government are such that I believe they take a Civil Service test. I think that the quality of the person that you hire is quite high. On the other hand, when it comes to health legislation at the City of Winnipeg, the head inspectors, some of which I would say — well, some of them have — I hesitate to use the word "criminal background" but some of them have — one of them in particular has pleaded guilty to counts of fraud. Others are in my opinion malicious. I believe that that is why The Public Health Act says that before there can be prosecutions under The Public Health Act, it requires the consent of the Minister of Health. Before anything can be done under The Public Health Act, it requires the consent of the Minister of Health and an order of the Court of Queen's Bench. At the City of Winnipeg you've got a bunch of people running around doing what I maintain is selective enforcement, searching out who owns what and attacking . . .

MR. BILTON: Well, I hesitate to interrupt you, Mr. Perlman, but I wondered if you hadn't got a little strayed away from my question.

MR. PERLMAN: I thought I was answering it.

MR. BILTON: No, I . . .

MR. PERLMAN: I am sorry.

MR. BILTON: I would suggest that the Ombudsman does represent all the people of Manitoba and he is the watchdog of the government activities.

MR. PERLMAN: Not according . . .

MR. BILTON: That is his job and I am sure your legalistic background would assure you of that. Now, if you are thinking of an ombudsman on a municipal level, that is altogether different. Probably, that is the avenue we should be following in this bill.

MR. PERLMAN: If I may just say so, the Ombudsman has taken the view that he has no jurisdiction over the City of Winnipeg, its employees or servants. And I believe that if you read The Ombudsman Act, I think it's Section 5 or 6, it says it applies only to the Provincial Government. What I am saying is that there should be some ombudsman regarding the City of Winnipeg. If you want it to be in The Provincial Act . . .

MR. BILTON: Mr. Perlman, I just wanted to clear the point as to whether or not you were thinking in terms of the Provincial Ombudsman who is the watchdog for the people of Manitoba with the government in office, as opposed to an ombudsman for the City of Winnipeg. They are two separate things, in my opinion.

MR. PERLMAN: Well, let it be, let it be.

MR. BILTON: Why are you not suggesting that rather than suggesting the present Ombudsman to do the dual job?

A MEMBER: He can't do it, he can't do it.

MR. CHAIRMAN: Mr. Paulley.

MR. PAULLEY: Mr. Perlman, in your remarks, you made reference to the by-laws and orders of the Department of Health insofar as sanitation, buildings and the likes.

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MR. PERLMAN: Yes sir.

MR. PAULLEY: And you referred to an issue, if I understood you correctly, that was being considered by the Chief Magistrate, Mr. Gyles in reference to some information that he had received from an employee of the City of Winnipeg, who had been in the employ of the City of Winnipeg for some 30 years. Would you care to inform the Committee of a direct reference of the case that you raise in order that those of us — and I suggest that all of the members of the Committee — are concerned with your allegations that there seems to be a lack of knowledgeability of what are the contents of the health by-laws and I would suggest you infer also the building by-laws insofar as sanitation and safety are concerned. Would you care to inform the Committee of precisely the case that you are referring to?

MR. PERLMAN: I have no objection. The question, however, is confusing certain aspects. The case I was referring to with regard to Chief Judge Harold Gyles was one where some people were burnt to death in a house. They had an inquest, it apparently went on for three days; they had a multitude of health inspectors there, none of them were able to inform Chief Judge Gyles as to what regulations or what Act in particular applied to the property. Now, Gyles said that the legislation of the City of Winnipeg was convoluted, twisted. Now . . .

MR. PAULLEY: Quite a broad statement, Mr. Perlman, and as you know, I am somewhat involved in this particular case, but I wanted to hear from your lips, the case that you were referring to directly because I have been informed, as you would expect me, as the Minister responsible for the File Commissioner's Office, and to some degree for the building code of the Province of Manitoba . . . will read with a great deal of interest your remarks pertaining to the incident that you raise here this evening because. . . well, I am not, of course, Mr. Chairman, going to get into any argument on this subject matter but I wanted to be sure that I understood from the delegate what he was referring to because there may — and I am not trying to make a judgment — be some differences of opinion as to the knowledgeability insofar as the authority under the by-law of Winnipeg, provincial health legislation, and indeed, under the building code of Manitoba — (Interjection) — What do you mean the question? I am asking the delegation and I think, in all due respect to the interjector, whoever it may be, that it's usual at this type of a committee meeting to try and extract or to get from a person who appears before the Committee as much information as we can despite the interruption of whoever it was that spoke, unnamed, in order that we may be able to consider what is necessary and required to overcome the difficulty that the delegation finds themselves in and I am sure that the interjection must have come from those unknowledgeable as to the procedures of this Committee. (Interjection) — Yes, and you are thinking . . ., you wouldn't understand it.

MR. PERLMAN: Mr. Paulley, I think I can answer the question; I know what you are getting at. What I am saying is that The Public Health Act of the Province of the Manitoba is well drafted; it makes sense. It's not that easy to read but it's quite good. It deals with all health legislations in the Province of Manitoba. If there are any problems with any buildings or any thing that anybody is doing, it gives the right to notice, it gives a hearing; there are protections, there are powers, but there are duties. One of the duties is to give the person an opportunity to be heard before they are condemned. The other one is, you have the Minister of Health who — I don't know who he is at the present time, but I have no fear of any member of this government being in that position, I think he will do an honourable job. If he doesn't, you may go to the Ombudsman if you want to; maybe not. You do, however, have the right to a hearing in the Court of Queen's Bench. Now, the The Public Health Act and the regulations are what that you need to handle all health matters in the City of Winnipeg. It does it, it handles them, it deals with people in a fair manner according to principles of natural justice. Why you should then go from that Act and clutter up The City of Winnipeg Act with approximately one-third of the legislative scattered throughout dealing with health legislation and then go further and allow the City of Winnipeg to pass what they call "special by-laws" deriving their authority from that Act, I don't know. If you are going to allow that, then I suggest that there be better protection for the people who are being attacked. The protection is in The Public Health Act but if the city goes and attacks somebody under The City of Winnipeg Act, you have no protection. Have I answered the question?

MR. PAULLEY: Yes. Thank you, Mr. Chairman, Mr. Perlman, and despite the inappropriate interjection, I appreciate very much your expansion. I believe you are talking about the Town and Country incident with Judge Gyles.

MR. PERLMAN: I believe that that was the . . .

MR. PAULLEY: Thank you kindly, thank you kindly.

MR. CHAIRMAN: Mr. Toupin.

MR. TOUPIN: Mr. Perlman, you made a recommendation in regard to the translation of documents of statutes, provincial statutes, from English to French. You are aware, Mr. Perlman, of the speaking population in Manitoba that speaks and writes in French in the province being approximately six percent, you are aware of approximately the costs of translating all provincial documents?

MR. PERLMAN: Yes, I am. Yes.

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MR. TOUPIN: Do you figure that this should be done since it has not been done, to my knowledge, since 1886 . . .

MR. PERLMAN: Okay.

MR. TOUPIN: And at what costs should it be? Who should actually be given responsibility to pick up these possibly millions of dollars of costs.

MR. PERLMAN: Okay, let me put it this way. I am not trying to overtake the Government of Manitoba by force. The Manitoba Act of 1870 was published at a time when the Province of Manitoba consisted of 14,000 people: 7,000 were English, 7,000 were French. A few years later they passed The Official Languages Act saying English only, that has been turfed out; we go back to The Manitoba Act. If you want me to abide by the laws of the Province of Manitoba or the City of Winnipeg, then you are going to have to abide by The Manitoba Act of 1870 which says that the legislation shall be printed and published in English and French. You've got to pass a legislation in the spirit of the Act. Now the only problems I can see with The Manitoba Act, as I have stated it, is that one or two years after The Manitoba Act was proclaimed by the Federal Government of Canada, they suddenly realized that the Federal Government did not have the legislative authority to pass The Manitoba Act, so they went to the Imperial Government of England. They passed an Act, I believe in 1871, the preamble which reads something like, "whereas there are doubts as to the validity of The Manitoba Act of 1870, this Imperial Act says that that Act is good. Now the problem there is you can't as a government, once a person dies, pass an Act saying he is alive. If the 1870 Act of Manitoba is void, if it's still-born, you can't go to England and ask them to say the Act — we're going to say the Act is good. Now, that's one of the problems.

Another problem is, if you say that you are not going to publish and print the Acts of the Province of Manitoba in English and French, then what are you going to say to the Government of Quebec who wants to print and publish the legislations in Quebec in English only. — (Interjections)— Pardon me, in French only. — (Interjection)— I'm sorry. We are on a see-saw with Quebec. If you want English here only, then don't complain about French only in Quebec. But it's not a matter of preservation of a person's language, it's a question of abiding by the law as it presently is and passing legislation in the spirit of the Act.

If you want to get down to the nitty-gritty, I have friends who are French, I would like to do something for them. But it's more than that. As I stated earlier, and I am just repeating, if you want me to abide by your laws, then you have to abide by them. You can't continue to publish in English only. Either you publish in French and English or you amend The Manitoba Act if you can. I think somewhere along the line you are going to have to meet with the problem that started 106, 107 years ago and that is the validity of The Manitoba Act and The Imperial Act that apparently attempted to put it into order.

MR. TOUPIN: Mr. Chairman, unfortunately, I guess we won't be able to decide this evening which of the statutes that were passed by either Canada or Manitoba is considered to be *ultra vires*. That is something, as you are aware, Mr. Perlman, that may be discussed and decided by the courts in regard to some of the statutes whether they be 1867, 1870, 1890, and subsequently actions that were taken. My question was in regard to whether we are talking of the population of six percent of Franco-Manitobans that are supposedly wanting to express themselves in French, to write and read in French, and about the same percentage in Quebec that are English and wanting to express themselves in that language, who should bear the costs associated with the translation and allowing a group in society in different parts of Canada to express himself or herself to different levels of government.

MR. PERLMAN: The Provincial Government should bear that cost because The Manitoba Act says that they are going to publish it in English and French. As far as the six percent are concerned, they may want a choice as to what language or to have the French language, but this government has no choice as to how they are going to print or publish the legislation. You have no choice. Section 23 of the Act says that you shall print and publish it in English and French. — (Interjection)— Pardon me.

MR. PAULLEY: . . . The Official Languages Act in Manitoba.

MR. PERLMAN: Which is being declared *ultra vires*.

MR. PAULLEY: It has not.

MR. CHAIRMAN: Order please. Any further questions? There are none. Thank you, Mr. Perlman.

MR. PERLMAN: Thank you.

MR. CHAIRMAN: Mr. Robert Nelson, private citizen.

MR. NELSON: Mr. Chairman and honourable members of the Committee, I come before you tonight to bring your attention to a section of The City of Winnipeg Act. It isn't anticipated to be changed right at the current legislation but I would ask that you allow me to express some points on his.

At the present time, we have two pieces of legislation regarding public libraries in the province. One is the Provincial Statute and the other one is contained in Section 670 of The City of Winnipeg

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Act and the two of them just don't align themselves. The Provincial Act gives far greater scope of powers than The City of Winnipeg Act and the two are inconsistent. It was intended that The City of Winnipeg Act supersede the Provincial Act and unfortunately what's happened, it's very much like Councillor Bockstael said, if it doesn't say that the councillors have to do it, they don't do it. So what's happened is, we have Municipal Library Boards that were supposed to have their duties changed upon implementation of the City of Winnipeg Act and they've never been changed.

I'm asking that the members give a closer look to the two pieces of legislation and possibly give some consideration to aligning the City of Winnipeg Act with the Provincial Library Act.

MR. CHAIRMAN: Thank you, Mr. Nelson. There may be some questions honourable members have. Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I just have one question. You have suggested that the City of Winnipeg has not brought the Library Boards into keeping with the Act. Has that been just an error or omission or have you made representations? I mean, was it brought to their attention and have they not done it wilfully, or has it just been a lack of attention to it?

MR. NELSON: I think it's a multitude of things. Councillors weren't aware of it. They weren't aware of the procedure. The Library Boards themselves weren't aware that they were covered by the City of Winnipeg Act. Five of them were continuing to operate under the Provincial Library Act. They assumed that they still had the same duties and responsibilities. If you look under Duties of the Board, the two are completely — well not completely different — the City of Winnipeg Act says that they can, "Make rules and regulations to govern their own procedures it deems expedient, submit to the Cm Committee for the community in which it acts, estimates of expenditures, and submit to the Minister, under the Public Libraries Act, a report of its activities." So in other words, they hold meetings to make rules to govern their meetings and they submit a report to the Minister, and they submit a budget to the Finance Committee and that's all they do. Whereas under the Provincial Act the primary duty was that they, — there's quite a number of them, it's quite lengthy to list — but "govern, supervise, control, operate and manage a Municipal Public Library established by the Council of the Municipality," and the other thing was, "have exclusive control of the expenditures of all money collected under the tax levied under Section 11, by the Council of the Municipality." So what's been happening is that the city no longer has to collect the levy of tax. According to the City of Winnipeg Act nobody has the responsibility for the finances of it and nobody knows what they're doing.

MR. AXWORTHY: Well, Mr. Chairman, I'm wondering then, in Items 19 and 20 in Bill 62, about the budgets for libraries, and the supervision of them will now come under this new six district Community Committee. Is that a favourable change from your point of view, in answering your concerns, would that resolve the problem?

MR. NELSON: It's no real change. All it's doing is just reducing the number of budgets. It's not changing anything.

MR. AXWORTHY: Not changing anything really.

MR. NELSON: No.

MR. AXWORTHY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Mr. Chairman. Through you, Mr. Chairman. Mr. Nelson are you really not suggesting that we go back to the pre-Uncity days, so far as Winnipeg is concerned, because elsewhere in Manitoba the Library Board, by statute, very much like the School Board, is empowered to set a budget within a certain mill rate and the council must turn over to the Library Board, willy-nilly, that amount of money without any control at all. Are you suggesting that the libraries in Greater Winnipeg now go back to that system where there would be a separate levy, on what? On a community or on a city-wide basis and then the funds flow direct to a Library Board to do with the money whatever they will. Is that what you are proposing?

MR. NELSON: Yes, that's exactly what I'm proposing, Mr. Miller. If it's good enough for the rest of the municipalities in the province I can't see why it's not good enough for the city.

MR. MILLER: Well, Mr. Chairman, may I suggest, I'm wondering whether Mr. Nelson realizes that in fact, there is now a unified city with one tax base and that therefore the industrial-commercial-residential assessments is common to every resident of the City of Winnipeg, and therefore the money flows through the City Council to the various Library Boards as they exist, in order that they carry on their function, rather than to have libraries, because they happen to exist in a certain area, perhaps have a better tax base than their neighbouring Library Board.

MR. NELSON: That is correct, Mr. Miller. But I just would like to make the point it's working fine now, I'd just kind of like to make it legal, that's all. Pardon me. Pardon my terminology. Not legal but I'd just sort of like to see it down on paper that we can do it.

MR. MILLER: Well, Mr. Chairman, the way the Act reads now, and did read before, those Library Boards that do exist and will continue to exist, will get a budget, but in the final analysis the amount of money they get will have to be approved by City Council. Whether it's this library or that library. The

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al amount spent for libraries will have to be approved by City Council rather than a mill rate which s to be applied irrespective of whether the council feels that amount should be levied or not. Isn't at what you are really suggesting, a fixed levy for libraries beyond the control of the City Council.

MR. NELSON: Yes, definitely I am suggesting that, Sir, because if I may refer to a report that has en submitted to, I believe the Honourable Ben Hanuschak, it's entitled Manitoba Libraries and ices Report. It was written in May of 1976 and one of the points that was made in it was, "In nnipeg it seems the grant increases were not received by the City Public Libraries. Instead it pears that the extra money was used to reduce the Municipal Library subsidy. Therefore in 1975 e Winnipeg Library saw no significant benefit from the new grant formula. The province has one of e lowest *per capita* grants in all of Canada."

MR. CHAIRMAN: Any further questions? There are none. Thank you Mr. Nelson.

Ms. Pat Wally, Chairperson East Kildonan Resident Advisory Group.

MS. WALLY: Mr. Chairman, gentlemen of the Committee. The East Kildonan Resident Advisory roup wants to take this opportunity to express our displeasure at the proposed amendments to the ty of Winnipeg Act. We consider the amendments to be a reactionary and regressive step in the velopment of this innovative experiment in City government.

We fear these amendments will greatly erode the fundamental principles on which the Act was unded. Specifically, the involvement of citizens in civic affairs. The basing of community oundaries on what appears to be administrative divisions, rather than natural community oundaries, will destroy much of the sense of community. The weakening of the powers of the ommunity committee will result in all decisions being made either downtown or by the Minister. is will increase the distance between the citizens and the decisions resulting in the citizens having n increased sense of powerlessness and apathy. The end result being that the only method for solution of concerns will be through confrontation and lobbying.

The minor provisions for information in the amendments are superficial and inadequate. They do ot include provisions for the right to information. Without this proviso the citizen will only be further ustrated in his or her attempt to present an informed and reasoned view on events within his or her ommunity. It will also make a complete sham of the limited opportunities for citizen expressions of eir views, specifically on budget review, and the discussion of various aspects of planning.

On the reduction of the size of council, I would like to quote from our earlier presentation to the araska Commission. "While there has been considerable concern shown and, in fact, much political aymaking about the size of the present City Council, it must be remembered that before unification e same area that is currently being represented by one mayor and 50 councillors was previously epresented by well over 100 elected representatives with much less responsibilities. It was to be pected that any such pioneering approach to government which sees the replacement of formerly 2 municipal governments and / the Metropolitan Corporation of Greater Winnipeg is bound to suffer rowing pains. It was also expected that we would get responsible government from our elected epresentatives who accepted the challenge of making Unicity work by standing for office.

In spite of the political infighting and the apparent inability of our elected representatives to cope ith the councillor-administrative-citizen participation concept this new Act provided, a certain rogress was made in the unification of local services. The Act places a specific workload on our uncillors through the system of committees required by the Act. It could be said that if the uncillors applied themselves as the Act intended they would be too busy with their duties to argue ie pros and cons of the size of council. By the very nature of City government councillors must be in ose and daily contact with the citizen. The basic services ensuring that daily requirements and ecessities of life are mainly the responsibility of City government. The Act, through provision of esident Advisors, ensures that the citizens of Winnipeg can help to develop an equitable level of ervice for the total community. A high degree of citizen participation at community level is desirable.

By the same token, a councillor is limited to the amount of people he can represent responsibly. It ould be irresponsible to expect our councillors, on the one hand, to bring government closer to the eople. We say to him that he must look after the requirements and needs of twice the number of eople. This is one of the dangers we face by increasing the number of people the councillors would e responsible for." End of quote from our submission to the Taraska Report.

We do not feel that reducing the number of councillors will resolve any of the problems of the resent council. By increasing the number of people a councillor must represent will effectively dduce his or her ability to represent all the people. It will increase the distance from the citizen to eir representatives and it will reduce the citizens' ability to make their councillor accountable.

Although the Act attempts to increase citizen participation by further defining the role of the esident Advisory Group this is an ineffectual change since there is no provision for assistance in ny form to the Resident Advisory Groups. Since the role of the Resident Advisory Group is to advise nd assist the Community Committee, the reduction in the Community Committee's role also dduces the role of the Resident Advisory Group.

Section 121, which removes the right of appeal on zoning matters, is an additional deterrent to

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citizen participation. With the increase in the powers of the Minister to order plans, and to amend the existing plans of the city, the citizen is further deprived of his or her right to find recourse at the ballot box as the Minister does not even have to be a member of a city riding.

Allowing the city discretion in the preparation of environmental impact statements will result in the citizen losing the power to demand that such statements be prepared. Without the environmental impact statement valuable information on major projects will not become public, and important issues may never be brought forward to aid the councillors in their deliberations.

After studying Bill 62 we have several questions concerning these amendments.

Does Section 120, which exempts the Crown from the Planning Provisions of the Act, mean that the Crown Corporation can build an industrial facility in an area zoned "residential" against the wishes of the resident?

Will this allow the Manitoba Housing and Renewal Corporations to build high density housing anywhere in the city?

Will the provincial process of preparing plans, either the Greater Winnipeg Development plan or a community plan include public meetings?

If the province prepares plans for the city, will it also make policies for the city? Such as policies on mass transit, traffic patterns, etc.?

How will city capital budgeting affect plans prepared by the province?

If the city objects to certain plans and leaves them out of the budget, what is the recourse open to the province?

Who will be responsible for the collection of taxes necessary for provincially proposed plans?

Will the new administrative divisions take over the present responsibilities of the Community Committees?

Citizens are already frustrated with their role and lack of access to information. What does the government see as the role for the interested citizen?

Will citizens' views only be considered on budgets of libraries, parks and recreation and community centres, or will the citizens have access to, and opportunity to comment on, the overall capital and current budgets for the city?

Since the Community Committees no longer are to supervise the delivery of services, what operating costs are they responsible for?

And also, how will the new wards be set up? If by a boundary commission, is there time for a commission report prior to the October election?

We believe the experiment in a new form of city government, embodied in the City of Winnipeg Act, was a worthy reform. However, present amendments do not support the evolution of this concept. We feel the government is using archaic methods for dealing with the problems of the city rather than continuing with the intent of the Act. Does this government intend to treat the interested citizen as its own party? We would appreciate knowing the government's rationale for these amendments which will substantially reduce any input and participation by the individual citizen in this province. Thank you.

MR. CHAIRMAN: Mr. Doern wants to ask a question.

MR. DOERN: Mr. Wally, previous to the reduction to 50 were you satisfied with the number of councillors and mayors, some 120 all told, do you think that was too much? You think that 50 was just right. Did you think 120 was too much?

MS. WALLY: The numbers are really very arbitrary. You know, are 50 councillors going to act any better than 60? Fifty individuals can result in a very confused situation as our present council has shown. The Taraska Report suggested a party system, I believe this would make it operable with 50 or with a 100, but without parties 28 isn't going to work any better than 50.

MR. DOERN: Can I ask you what constituency you live in provincially?

MS. WALLY: Rossmere.

MR. DOERN: Rossmere. Have you ever had any problems as an individual attempting to contact either your MLA or your MP? Your MLA presumably represents 20,000-odd people and your Member of Parliament represents some 100,000 people. Have you ever had a problem in phoning or writing or seeing?

MS. WALLY: Well it depends how often you mean phoning. If you mean phoning six times to try to get an answer, I've had problems, yes.

MR. DOERN: Of course you're MLA is also the Premier and he might be busier than most.

MS. WALLY: I realize that. Yes.

MR. DOERN: Have you ever had problems in terms of communications through the mail? I mean have you had problems getting a response to enquiries, etc.?

MS. WALLY: No, I haven't.

MR. DOERN: What about your Member of Parliament, have you ever had problems getting in touch with him?

MS. WALLY: No, I've never had any communication with my Member of Parliament.

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MR. DOERN: Are you familiar with complaints by people who live in your Community Committee, the various regions, having difficulty getting their Councillor? Well, let's take the three of them — have you ever heard complaints about people having problems getting in touch with their Councillor their MLA or their MP?

MS. WALLY: Well, if people contact them when problems arise, like when their basements are flooded or when their streets aren't ploughed, it depends when. You know, if it's a Sunday they probably can't get hold of anybody. But that's to be expected.

MR. DOERN: Well, I'm just saying, as an example, presumably since an MLA represents maybe double the number of people your Councillor does and an MP maybe ten times as much, have you found any relationship between difficulty in contacting people from other levels of government, or does it all seem to be about the same?

MS. WALLY: MLAs are never, as far as I know, asked for advice from citizens. Councillors are supposed to receive advice from citizens. How can they receive advice from that many citizens if they don't have the time to meet with citizens? I have never had a meeting with my MLA. He has never called a general meeting to have information from his community, where the Councillors have done that, but they aren't available for as many meetings as they would like to be or as the citizens would like them to be.

MR. DOERN: There are what, six Councillors in the Community Committee?

MS. WALLY: That's right.

MR. DOERN: You don't think that four Councillors or three Councillors could handle the workload or meet with the people?

MS. WALLY: At our last general meeting which all six Councillors were to attend, we managed to have two Councillors there and one left after half-an-hour, and all six were supposed to be there. With three, would we even get half a Councillor?

MR. DOERN: Supposing the Councillors were full-time or were paid double or triple — two-and-a-half times would be perhaps the exact figure — supposing they were paid more than they are now and were full-time, do you not think they could handle the workload?

MS. WALLY: At this point our Councillors claim to have meetings every night of the week. If they were paid two-and-a-half times, they would still have meetings every night of the week.

MR. DOERN: But I assume that they now have jobs during the day and that if they did not have . . .

MS. WALLY: But so do most citizens.

MR. DOERN: . . . 40 hours a week during the day that they might well be able to handle the evening meetings plus more meetings during the day.

MS. WALLY: Perhaps, but most citizen meetings have to be during the evenings.

MR. CHAIRMAN: Mr. Sherman.

MR. SHERMAN: Thank you, Mr. Chairman. Ms. Wally, could you tell me what your general experience would have been in your Community Committee with respect to general attendance at Community Committee meetings? My own constituency is Fort Garry, I might say, and that's also the Community Committee under the present legislation, Fort Garry. Some of the Community Committee meetings are well attended depending on the issue. They might attract as many as 30 or 50 citizens. Some of them don't attract anywhere near that. Could you give me an idea of what your experience has been in your Community Committee?

MS. WALLY: Well, again it depends on the meeting. Most zoning meetings it's standing room only which is twice a month, it's standing room only. The last Community Committee meeting I was at was also standing room only and I believe there are seats for 75 or 80 people.

MR. SHERMAN: So your experience has been that there's a pretty relatively high level of citizen participation in your Community Committee meetings and through your Resident Advisory Group.

MS. WALLY: It could be better but it's higher than a lot of areas of the city, yes.

MR. SHERMAN: I believe that under the proposed legislation the new Community Committee would be East Kildonan. Transcona. Is that correct?

MS. WALLY: That's correct.

MR. SHERMAN: That's the one that is proposed. Presumably the locale for Community Committee meetings would be changed or at least it would be rotated. That hasn't been determined yet but I assume that at the present time you hold your Community Committee meetings in what used to be the East Kildonan Community offices?

MS. WALLY: That's correct, yes.

MR. SHERMAN: The new Community Committee, if it comes about, I would suspect that the location of those meetings would be changed or at least rotated so that you would find yourself going sometimes to Transcona for meetings. Do you feel that that would have an effect one way or the other, particularly a harmful effect in terms of participation of local residents?

MS. WALLY: Yes, I do believe it would have a harmful effect mainly because our present Community Committee office is on a bus route. To get to Transcona, it's something like 20 miles — (Interjection) — It depends from where.

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MR. SHERMAN: It just feels like 20.

MS. WALLY: Well, it's a long way and if you have to take the bus, it takes several hours. I've never quite taken the bus, but if you have to go downtown and catch the Transcona bus from North Kildonan, it takes a while.

MR. PAULLEY: Take the North Kildonan bus and you'll get there in about a half hour.

MS. WALLY: But the North Kildonan bus only runs every 40 minutes after seven o'clock.

MR. SHERMAN: In other words, what you are saying is you don't see the proposed new consolidated Community Committee as contributing to greater citizen participation anyway?

MS. WALLY: No, I think it would have the opposite effect.

MR. SHERMAN: What about the question of decision making at the Community Committee level which is something that concerns some of us. Do you have any views on that? Under the Unicity legislation in the past six years as a member of your community and a member of that community Resident Advisory Group, do you have any views as to the decision making process? Do you think that you had sufficient autonomy as a community over your own affairs or did you feel frustrated in it?

MS. WALLY: Gradually the autonomy has been eroded away to the point where there is very little autonomy left within the community. At this point the Parks Boards have been unified, whereby the Parks Board does not make any final decisions at this point. It is all referred to downtown. It makes very hard; it frustrates both Councillors and residents in that there really is very little to have them much say on anymore. If the community decides one thing, Executive Policy Committee or someone else can turn around and change it without giving us any rationale or explanations.

MR. SHERMAN: Does that concern you as a citizen? I presume it does.

MS. WALLY: Yes.

MR. SHERMAN: Do you see anything in this legislation that would correct that defect?

MS. WALLY: No, I think it would be increased.

MR. SHERMAN: It would be increased. One other point I wanted to ask you about was local services. I might say that without leading the delegation, Mr. Chairman, that that is certainly a concern in my community. Do you have any views with respect to the kinds of local services that existed before Unicity and that exist in East Kildonan now and that you think might exist under the new legislation? Do you see any improvement in local services or are your local services all right?

MS. WALLY: Depending on the time of year, the local services are all right. We've had trouble with snow removal and things like that but in the summer time that is all right. There has been deterioration of service and I believe through the District Plan by putting Works and Operation — at this point Works and Operation is into the district kind of concept and it has not been working as smoothly as in the past. I gather it is also more expensive than in the past and the services have not been as good. I assume that putting everything on the district plan would mean that everything would deteriorate.

MR. SHERMAN: Just one more question, Mr. Chairman. Could you help the Committee or at least help me with any suggestions as to the structure that you, as a member of your Resident Advisory Group, would see as being desirable in city government? If we are going to go through the process of amending The City of Winnipeg Act and we're not getting at some of the things that some people think need to be corrected, what suggestions, on the basis of your experience, would you have for structure? Do you think that the reduced Council and the consolidated communities could be served if there were more authority and more input provided to the Resident Advisory Groups or would that have any effect at all?

MS. WALLY: Well, because the actual duties of the Community Committee have been reduced by these amendments and the role of the Resident Advisory is to advise and assist the Community Committee, it's very hard to see the role increasing of the Resident Advisory Group. But the Resident Advisors certainly need more access — like, it's very difficult to get information. It's like when you get the Capital Budget a day before you are supposed to meet and discuss it — a document 200 or 300 pages long and you're supposed to digest that and be able to discuss it intelligently the following evening? It's a very difficult kind of situation to put people into and expect reasons or intelligent comment. That applies to more than just budgets; it applies to a lot of things. We just don't get that information.

MR. SHERMAN: Has your group ever formulated any ideas or any concepts as to how that might be improved? I'm not suggesting you should have but it would be helpful.

MS. WALLY: We've talked about it but the East Kildonan Resident Advisory Group itself, we haven't come up with any specific things. There was a group of resident advisors for the total city who were getting together and they had applied for provincial and federal help to set up a central information kind of gathering body but it never happened.

MR. SHERMAN: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Toupin.

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MR. TOUPIN: Mr. Chairman, there are two statements made by Ms. Wally that really concern me, the first being that there seems to be an indication left on the record that this government has ill-treated some of its own members. I believe that this is what you said, Ms. Wally.

MS. WALLY: I believe I said "party" rather than . . .

MR. TOUPIN: Party, okay. To me it means the same thing. Unfortunately, Mr. Chairman, we often forget those we love most. I know it happens in my own constituency. I would like to ask Ms. Wally if she's aware that whenever possible, at least some — I would say the majority of MLAs representing in most cases more people than Councillors — would attempt to relate to their constituents. I can only take my own example. I would say on the average of six times a day I communicate with constituents, at least once a month on a regional basis I have an open meeting, at least twice a year a general meeting in my constituency. I think every MLA that is worth his salt who wants to get back in office should represent his constituents should do that.

I would like to ask Ms. Wally, Mr. Chairman, if she herself has been ill-treated by this government?

MS. WALLY: No, I haven't myself been ill-treated by this government particularly. But what I was referring to in that case was the resolutions which are passed annually by the NDP party, a lot of them have never acted upon. They just disappear into the woodwork as soon as the government sits again. That was what I was referring to.

MR. TOUPIN: Mr. Chairman, is Ms. Wally aware that at one of our New Democratic conventions, resolutions were made in regard to Health and Social Development, and more than half had been acted upon and they were still on the floor of the convention?

MS. WALLY: What happened to the other half?

MR. TOUPIN: Mr. Chairman, half of them had been enacted in legislation and they were being brought to be acted upon by members so I guess, yes, you are right to some degree that we need to communicate more.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I'm sorry that the previous conversation came to such a quick end. It was a revealing account. I would just like to pick up on some of your concerns about the state of citizen participation. One of the points that you raised is that the city has established six administrative districts which are totally out of sync or harmony with the present Community Committee system. I would conclude from that that the Community Committees therefore have little ability to supervise the delivery of services because they are not supervising anything. Have you found that to be the case in East Kildonan?

MS. WALLY: It gets very difficult to supervise services for a general area. The only experience we have at this point is Works and Operations which has been unified for some time, but it is much more difficult to supervise services over such a large area.

MR. AXWORTHY: Let me ask this, would it be an improvement if the Community Committee in our area was coterminous with the administrative district so that the same boundaries that the civil servants were working in were exactly the same boundaries the politicians were working in and that in this Act we put back into the Act the words "Supervised delivery of services." Would that make an improvement in the ability of the RAG, the elected representatives, to supervise the local delivery of services?

MS. WALLY: I believe it would, yes.

MR. AXWORTHY: Thank you, that's a point. On the question of the role of the Resident Advisory Groups themselves, you have one of the more active RAG groups in the city. Is the problem in participation, as you see it, one of the statutory limits or one simply of a lack of any program, policy or resources emanating from either City Council or the province to help the RAGs in their work? If you had to assess, what is the more serious problem, the lack of statutory rights in the Act or just simply the lack of policy and attention from the levels of government? Which would be most affecting the RAGs?

MS. WALLY: I think it is the lack of policy. The intent was in the Act but the spirit is not being carried out at all by the city. The Resident Advisors have in a lot of cases been totally ignored; a lot of communities don't even have Resident Advisors and people aren't encouraged to be Resident Advisors at all. They are not given any kind of worthwhile things to do to encourage them to continue attending and participating. If Councillors and the province encouraged people and provided them with more access to information and a real role, I think people would be more active.

MR. AXWORTHY: On that ground, would you be in favour of a — I almost say the word with somerepidation — a Freedom of Information Act at the city level at least, seeing that we can't get one at the provincial level?

MS. WALLY: Yes. I think right to information is very important. You know you have to phone ten people and the final person says, "Sorry, that's not available today," but you spent a whole day trying to find it. It's a good way to turn a lot of people off, that's all.

MR. AXWORTHY: So you would believe that if we were able to, at least in the City of Winnipeg, introduce certain rights of information as a statutory right, this would help and enable the Resident

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Advisory Groups to better perform their duties?

MS. WALLY: Yes.

MR. AXWORTHY: Okay, now on the question of the role of the Provincial Government, you to some serious objection to the ability of the province to exempt itself from the planning by-laws of a city.

MS. WALLY: Yes.

MR. AXWORTHY: As I understand it, in your part of the city there has been a number of fairly active objections to Manitoba Housing and Renewal Corporation projects. Has this been based solely on obstruction or have the Councillors been out fomenting it, or what is the reason why the objections occur and will it be solved by this problem of having MHRC just able to decide, after holding a hearing, that they want to go ahead?

MS. WALLY: Well, if the province can just go ahead, it doesn't matter whether the citizens object or not then, does it? That's the question. There has been a lot of town-housing type, row-housing put in by MHRC and there have been a lot of problems with the facilities not being very well designed, being poorly maintained and with a lot of overcrowding and things that have really got residents fairly annoyed and upset about it and they'd rather not have poorly planned developments in their area as they see MHRC housing as poorly planned housing.

MR. AXWORTHY: So, we would say then that the solution to the problem of obstruction, if you like, to provincial projects in the city level is not one again of the powers but simply a lack of proper preparation, planning and consultation by the provincial agency in the community, that if that were overcome, if MHRC changed its role, you think the objections and obstruction would ameliorate and come to an end?

MS. WALLY: That's pretty hard to say. I don't know. I'm not sure about that at all. It would certainly be nice if MHRC talked to the Resident Advisory Groups, and things like that, but they haven't.

MR. AXWORTHY: So you would say that the situation now is that there isn't any consultation at all, very little in terms of planning and developing these projects. Is that right?

MS. WALLY: From my experience, we've scheduled meetings and MHRC people haven't show up and they've gone ahead and put projects in without really consulting the Resident Advisory Group. They certainly haven't consulted the citizens at large.

MR. AXWORTHY: So again, just to cap that. The problem is one more of lack of the way it's done as opposed to the statutory rights or powers again. If that was overcome, if there was a different approach to it then, it might be not as much a problem as it has been in the past.

MR. MS. WALLY: It might be. I can't say that for sure.

MR. AXWORTHY: Okay. Also just on a final point. You took exception to the idea of reducing the number of councillors and seemed to indicate that the size of the wards would make a difference, enabling private citizens to have access to their councillors. It was suggested by other members of the Committee that MLA's work with double the number and still attempt to give the same service. Is the problem really one of size and scale? Would it really be bothersome to have larger wards representing this? Or is it again just a matter that the way in which the RAG have been ignored or that the Community Committee does not have any real power? Is that more of the problem?

MS. WALLY: I think it's probably the lack of power for the Community Committee. If a councillor was really doing a good job and could be available to citizens, but by reducing the number of councillors within our Community Committee, it's going to reduce the chances of talking to a councillor.

MR. AXWORTHY: Yes, but if we reduce the size of the number of councillors and have this number of Community Committees proposed in the bill, six or perhaps one or two more if we can squeeze them in but increase the responsibility of the Community Committee and of the RAG groups that actually be involved in making real decisions and not having it all go downtown, that that would be more important measure to increasing participation than trying to keep fifty councillors intact.

MS. WALLY: Yes, the number of councillors really isn't that relevant. But by increasing and changing the boundaries of the Community Committee it means . . . Well, Transcona and East Kildonan are two separate communities and they have different needs and different requirements and trying to co-ordinate those kind of things and even trying to get together for meetings is going to be very difficult. But Fort Garry-Assiniboine Park, if you live in Charleswood and you've got to get to Fort Garry, it's quite a trip.

MR. AXWORTHY: That's right. You're not sure you want to go anyway. Okay. Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Johnston.

MR. F. JOHNSTON: Ms. Wally, just one brief question. When the new bill came in, whether Unicomb or Winnipeg as we know it today, the participation of the RAG groups came in with the legislation and you've obviously been very close to it, you're chairman of one. In your opinion after having worked with it and seeing what is done within the communities, would you say that people such as the councillors and yourselves, who are working within the community's committee in the area, are the

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people closest to the every-day concerns of the citizens of a city especially — I'm not speaking of a rural area now, a city — in other words, you've mentioned snow clearing — and that's an example — there's garbage pickup, there's dogs, there's zoning, there's the whole bit, that you and your councillors probably have more things before you of concerns of the average citizen than provincial politicians do.

MS. WALLY: Oh certainly, because the city deals on the every-day kind of level, the personal level with everyone. MLAs deal with City of Winnipeg Acts that really, you know, are beyond a lot of people and they just can't comprehend what's involved. Like, everybody knows that if their garbage doesn't get picked up it's a problem.

MR. F. JOHNSTON: In other words, when it's just — and I'm not trying to lead the delegation there, Mr. Chairman — in other words, when there is a problem within the city, when it concerns council or yourselves as a RAG group, it's usually a fairly important thing that has to happen fast because it's of concern.

MS. WALLY: Yes. They tend to be things that are of immediate concern. Like when you have a big snowstorm and your street doesn't get cleared for three days and somebody else's back lane has already been cleared and you don't even have a back lane and everybody is stuck in the street, you now, the whole neighbourhood gets up in arms — (Interjection) — Councillors take their phones off the hook on days like that.

MR. F. JOHNSTON: I know, I was one for eight years. But I never took the phone off the hook, Ms. Wally. Thank you.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Through you, Mr. Chairman, I'm wondering whether Ms. Wally is aware that in Bill 2 there is a clause which says that the Community Committee should develop and implement techniques to maintain the closest possible communication between the city and the residents of the community and that beyond that reading, is it logical to suggest that beyond stating something in legislation that you can't really force people to do something if they don't want to? You made the statement, Ms. Wally, that in some communities the Resident Advisory Groups are not very active because the councillors don't wish them to be active, but isn't that a matter of the individual's decision by the councillor and he's accountable to the electorate in the final analysis you can't really legislate that somebody shall develop techniques and implement those techniques beyond saying that that's the desirable thing to do. Do you really think that that could be legislated?

MS. WALLY: No, it wasn't Bill 36 that the City Council should develop techniques for communications, etc. You know, unfortunately you can't legislate the spirit of the Act but will it be easier to get a hold of and have the spirit of the Act followed by the Minister rather than by the city?

MR. MILLER: I didn't hear that, I'm sorry.

MS. WALLY: Like the Minister is taking over much of the power of this or could possibly take over much of the power of the city if the city does not perform certain tasks within set time frames. Well, you know, the Minister provides public kind of information? Will the Minister, you know, listen to the public?

MR. MILLER: Ms. Wally, I'm supposed to ask the question, but I'll answer this one. Yes, the development plan and community plan as envisaged, if the city doesn't and only as a last resort, then the Minister might use the city's planning staff, etc., to assure that a development plan and a community plan do come into being. But there will be hearings just as there would be if the City of Winnipeg itself proceeded, or the City Council itself with a development plan. Were you not aware that, in fact, the Minister today can veto simply by refusing to approve a zoning by-law, a subdivision plan, a development plan, a district plan, anything to which there has been any objection at all that comes to the Minister's desk and he simply doesn't have to do a thing about it. He can just sit and just veto it. Were you aware that power today exists?

MS. WALLY: No I wasn't aware of that.

MR. MILLER: Well it does.

MR. CHAIRMAN: Any further questions? Hearing none, thank you, Ms. Wally.

Mrs. Gloria Queen-Hughes.

MRS. QUEEN-HUGHES: Mr. Chairman — I beg your pardon?

A MEMBER: I would separate myself from that vintage right now, if I were you.

MRS. QUEEN-HUGHES: Well actually we weren't in the same room together. My poor sister had that honour.

Mr. Chairman, honourable members, I am here tonight to plead for implementation of the Taraska report in order to ensure that Winnipeg may enjoy its inherited cultural right to responsible local self-government and it's only through the adaptation of our own parliamentary system to our municipal institutions that this objective can be achieved.

I want to interject here that I am not going to deal in detail with the proposed amendments because that has been done adequately by many other people who have preceded me and by many, no doubt, who will follow. I am trying to hone in on our fundamental constitutional rights and on the

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part that municipal government plays within the nation and this, of course, affects Winnipeg direct

Now Canada must surely be the only nation in the civilized world governed by two contradictory political systems. Each democratic, free, and both derived from British example. We all know that Canada, federal and provincial institutions encompass responsible parliamentary democracy weathered to the noble principles of the English common law and made operative because responsible, responsive, political parties competing vigorously for power.

In contrast, our third level of government, the municipal, is a straight steal from the Constitution of the United States, but without the saving grace of responsible, responsive, competing political parties to strengthen the foundation of the whole. Unlike all other major democratic countries in the western world, Canadian political parties give municipal government short shrift thereby keeping it irresponsible, unrepresentative and unresponsive to the political, human and economic realities of government in the first instance.

At this point two important facts ought perhaps to be noted. One is, that in seeking solutions to Winnipeg's woes it is necessary to refer to the Constitution of the U.S.A. The other is, that the Constitution adopted in 1787 preceded the reforms of 19th Century Britain. Therefore, the Americans incorporated in their fundamentals of self-government many of the practices of the corrupt House of Commons and wrote it all down in a rigid, hard to amend constitution. Immediate American municipalities adapted their modes of operation to accord with their federal and state principles of self-government with their new federal and state principles of self-government. In this way it may be said that a harmony of principle strengthened the new nation from top to bottom. Everyone dug in to make the great experiment work. Still the United States has not yet achieved responsible government. Its institutions are representative, true, but representation by itself is more than a first step towards the evolution of irresponsible parliamentary system. So this means that the Government of the City of Winnipeg is highly influenced by the irresponsible principles of mere representative government. How did it happen thus?

Now here I come to some notes that I have been writing down here. In the first instance — now I take Canada as a whole and Winnipeg is no exception to what I am saying — U.S. and British influences on municipal government have been constant since the first New Englanders settled in Arcadia and in Nova Scotia. Many preceded the Revolution, came up to Canada by water and settled on our eastern shores. At the time of the American Revolutionary War, New Brunswick, Nova Scotia, Quebec, Ontario, were profoundly affected by the arrival of United Empire Loyalists who brought local representative government with them to a land with government by appointed magistrates. You all will recall, of course, the institution of local self-determination town hall meetings and that sort of thing that were typical, especially of the New England States, and when they got to Canada as I found that there was no such thing as representative government, they immediately, with their own New England spirit, proceeded to agitate for and set up their own forms of municipal government. You will.

Then, in the 19th Century there was a widespread increase in U.S. influence. Because of the proximity of the two nations, they had similar business interests; communication north and south was easier than either country could handle east and west, within their own borders even. And so when Canadians in Ontario came to establish municipal institutions, they looked at the physical and environmental problems and found that they were similar on both sides of the border — the control of wild animals, fire prevention, the building of roads, things of that sort.

So this was clearly indicated in the first report of the 1888 Commission on Municipal Institutions appointed by the Provincial Government of Ontario. It states that the effort to trace the growth and development of municipal institutions in Great Britain was not very profitable. We found a most profitable field of inquiry in the United States. Circumstances of the people of that country most nearly resemble our own in urban and rural districts, and we may reasonably conclude that whatever works satisfactorily amongst them is not wholly unsuited to us.

The point I want to make about quoting that is that that attitude has had a continuous effect on municipal government in Canada and it will be noted, I hope, that no reference was made to the constitution of Canada in devising municipal institutions, but merely to the physical similarities of the problems confronted by both nations at the time.

Then came the big migration from Ontario into Manitoba, and naturally when the Ontario people came by the thousands in the 1880's and 1890's into Manitoba, they brought with them their local institutions. Because they were familiar. And things that are familiar always seem right and always seem eternal. That's why they have always to be examined and explored. So the big migration then came westward again carried familiar institutions at what you might call the local level.

Then when the Northwest Territories were organized, Saskatchewan copied Manitoba institutions and Alberta copied Manitoba as well. B.C. had a commission which studied main American cities and it also came out with types of municipal government similar to those in the United States cities which were based on the American Constitution. There was little concern about the innate correctness, you might say, of basing our municipal institutions on the constitution of

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another nation, instead of our own. Because the principles governing those two constitutions are quite different and contradictory.

This also raises in my mind a serious constitutional question in relation to the City of Winnipeg. Because, if in the Constitution of Canada as a citizen of a nation I am guaranteed my civil liberties and my right to responsible self-government and to all aspects of the main principles of the English common law, because responsible government and the English common law go hand-in-hand, yet in my municipal life I am denied those rights because of the nature of the way we have gone about organizing our associated lives together, then I should think a real constitutional conflict exists and it is questionable whether it is constitutionally correct.

As I have written down here, what happens to the fundamental constitutional rights of Winnipeg citizens if we don't have them in the first instance, that is, from the ground up? It's little wonder that Canadians ask what is a Canadian. It's little wonder that Canadians often seem confused when it comes to the operation of their political system.

I would like to impress, if I may — emphasize is a better word — the importance of local government not only within itself in a community like Winnipeg, but to the nation. It has always seemed to me that where there is harmony within the nation and that all levels of government are governed by the same principles, that really all government is one and local government is thus part of a vast national share the work program by means of which a population is enabled to control a large land mass and bring civilized immunities within the reach of all. The range is enormous. Taken in mass, our Canadian cities, towns, villages, townships, rural and suburban municipalities, counties' school boards, housing authorities, health departments, police commissions, parks boards, traffic commissions, library boards, hospital boards, welfare departments, water districts, utility commissions, magistrates courts, which number in the thousands, make our job of nation-building possible. I tried to get hold of some statistics for tonight.

In Canada, in the most recent figures I could get, there are, municipalities, including all types of something like 4,540. Last year their expenditures were more than \$16 billion. The populations involved number more than 21 million. So that the impact of having the principles of a foreign constitution absorbed daily by people who go about their daily business and deal through councils, or whatever, is hard to exaggerate. It is at the local level, implementing a hospital plan, contending with unemployment, partaking of housing schemes, caring for the aged adult or the rejected child, that the welfare state meets its everyday citizens face to face.

A national defence, whether for man-made or natural disaster requires that civil defence be founded on the municipality and capable of carrying on alone if need be. Local government teaches and touches everyone. Winnipeg is no exception. It thus provides the true measure of our civilization which is to be found in the daily attitudes, daily environment and daily demands of our people. These things are inspired by and affected by the public morality of public representatives; The quality of education meted out by our schools, standards of public health, expression of public conscience, conduct of the police forces, operations of local courts, no less than superior ones, the condition of streets, roads and bridges and a host of other vitally important matters which are the peculiar historic duty of government at the local level.

Indeed it is likely that in an emergency we could get along without a national government. We might even be able to survive without the loving care and close embrace of a Provincial Government. But we cannot maintain life, protect our homes, educate our children and infuse our people with a sturdy spirit of independence essential to a free society, without healthy local institutions and neither can anyone else. Yet, there is a marked tendency to treat local government as mere administration, to insist that there is not enough policy decision involved to make local government government in the true sense of the word. We try to pretend in effect that local government is mere cut and dried administration for which cut and dried mentalities and remedies presumably ought to be good enough.

Those who believe that local government is not really government at all, that it has no compelling decisions to make, no pertinent policies to carry forward, might try and visualize Canada with no local government at all. Imagine Ottawa trying to clean up Vancouver's bathing beaches; controlling Montreal's girlie shows, appointing a chairman to the Winnipeg Transit System ' doing something about the city dump in Halifax, which I believe is still burning, has been burning for years. Imagine our own Provincial Government setting Winnipeg's mill rate, deciding on a site for the new city hall or seeing to the extension of public playgrounds and the paving of any of our streets. Further, local government is only administration, what we really need is another adding machine or two and a few smart stenographers to do what Ottawa or Broadway decrees.

This point is important because increasing urbanization emphasizes that we shall either solve our increasing human problems ourselves in our own way from the ground up or abdicate to an elite skilled in administration. We are coming pretty close to that at the moment, I think. We are not just discussing the efficiencies, speed, finances and beauty of the Greater Winnipeg area. We are also

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dealing with the launching platform of the liberty of half a million souls. And where else is it likely to be better protected than right at home where it originally got its start in the first place?

For all the foregoing reasons then, this brief must reject the suggestion that municipal affairs chiefly administrative in character. It holds that they are governmental in character and therefore require the application of principle and policy for solution. It insists further that liberty starts with the individual, flows out into the immediate community before joining the mainstream of consciousness in the nation. Local government is truly the beginning of all government and Winnipeg is no exception. The difference here is that local government, of course, preceded national government as a process of evolution and it came into being because it was necessary in the original marketplace and so on. Modern industrial states are dependent on the services of a municipal government in order to provide them with a healthy community, a work force, an efficient delivery of services in order that it is possible to have industrialized nations.

Having established that there is government in local government, it might be helpful if we try to assess its importance and influence because these two must be considered if reforms are to meet known needs. Now civilization, as I just started to say, rose in cities; it still originates there. And if the idea of liberty was invented in ancient Athens, it became a living reality because of the townsmen of England, non-conformist sects, separatists, Presbyterians, Independents, etc. who demanded and got toleration; that the commercial power is also present only underlies the urban background from which has sprung the personal and corporate freedoms we enjoy today. Insistence on representative government came first from the towns of England. Responsible government as expressed by the British Parliamentary democracy is a result as far as we in Canada are concerned.

Are not the arts of self-government learned first at the local level still to be learned there? Can Canadian democracy really be any more vigorous than the sum total of our municipalities? Is not the institution of local self-government related to the two chief political choices facing mankind today? Could it not be a bulwark against the growing bureaucracy which so besets the western world and threatens the very survival of self-government itself? These questions need to be answered. Their answers will affect the form of changes to come. Indeed, they will be implicit even if not stated since these considerations represent the means by which we achieve our ends, they are of much greater consequence than the end itself.

Buckle wrote that men can never be free unless they are educated to freedom and this is not the education which is to be found in schools or gained from books, but it is that which consists in self-discipline, self-reliance and in self-government.

I am trying to make a digest of some of this to shorten it. We can look at other countries that will reveal the force of this. France has had an historic pattern of non-existent to weak local government. Nor did democracy start where royal and ecclesiastical power left off — at the top. It never did get strong at the base. Germany, too, has a lesson for us. For the long years at doing at the local level from Bismarck on, what was ordered from above accounts as much as anything else for the Hitlerization of Germany which so shocked the instincts and broke the hearts of civilized people throughout the world. Not only does follow-the-leader thinking squelch the vigorous growth of the spirit of democracy, it denigrates the means by which the idea of democracy may be given a rational community expression. It is not enough to be devoted to the idea of self-government. To mean well is imperative to do well, and as far as self-government is concerned, it is necessary to know how to get it, keep it, and make it work and the best learning place, the best educating place is in the first instance at the municipal level which touches everyone.

In Great Britain and the United States, local self-determination is an integral ingredient of national character. Both had sturdy local institutions before they became national states. Both are proud of and continue the tradition despite the weaknesses and differences afflicting them, local government in each of the social, political and economy bulwark for each. National cohesion and national pride start where people live, work and play out their lives. The U.S. and the U.K. reap the benefits because of their sound internal works. In both, sudden usurpation of power by an external foe or an inside lunatic fringe is virtually impossible. Thanks to municipal politics Sir Oswald Mosely would have had to organize some thousands of constituencies and convert millions from the present party allegiance before his emotionally charged bullyboys could take over in Westminster. A comparable chore, for similar reasons, loomed before the southern congregation of some years ago with Washington so near and victory so far.

There is another consideration. In the radioactive nuclear charged atmosphere in which we all live today, it is imperative that all free nations keep their houses in order. Any of us could be invaded. We could be isolated one from another but we need not be conquered and indeed, we could not be conquered if we had the mind, the spirit, the determination to be free. And there is no place like hell for acquiring a taste for them. When it comes to the City of Winnipeg, as in any other city of Canada, it is the province who must make it possible for some of these things to come about and develop. Self local government then, has ramifications more extensive and profound than the provision of public

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nenities for which it is so justly famous, which at first glance might imitate. A new bridge may enhance the city. The means by which it is acquired may deface its honour, discredit its dependence or debase its democracy.

Now, like the American President, the average Canadian mayor, the Mayor of Winnipeg is no exception — and I mention that as a generality not as a personal thing — can take refuge on acts of neutrality instead of taking sides in debates on policy. The choice is his. The alderman must frequently, diminutive of the executive leadership and wisdom to which they are entitled, provide it for themselves the best of their confused ability. If this often makes them appear foolish and the mayor clever, one has only to imagine an orchestra performing with its director in the audience or a football team with a neutral coach to appreciate their predicament.

Although aldermen have supervisory administrative duties expressed through committees, hired experts generally head civic departments and therefore, protrude much further into the public domain Washington style, than is deemed advisable for the survival of self-government, British style.

Committees of Council may try to replace the missing ministerial head, but this is difficult. Committee members can hardly be expected to think, act and talk as one around a conference table when each is expected to be a private political party unto him or herself at election time. In addition to the irresponsibility which scattation of power brings, we get a full measure of chaos. Sometimes we also get the attention of senior governments. This situation leads us to seek consensus which is unanimity as opposed to the democratic principle of the acceptance of clear majority rule. What we almost never get is the expression of an intelligently informed public opinion. An intelligent electorate must be an informed electorate. Yet, right here in our own City of Winnipeg, it is not possible for a citizen to get full and complete information about the disposition of the local public purse.

This blackout extends also to candidates for office, it extends to councillors many of whom complain they can't find out from one committee to another, what decisions are in the making. This is a situation which anyone, citizen, councillor, Legislature worth their salt would surely find intolerable. This particular provision is absolutely basic to self-government freedom of information. It is inherent in our English common law. There are many many precedents for this. Without it, it's not possible to operate a democracy, not if you block out sources of information. This is an alienation of a public right. It violates the right to know, it breaks the English common law. Since this breeds at the most intimate level of government, a disrespect for indifference to an ignorance of all those great principles, which at least the Magna Carta may be said to have inspired and encouraged mankind everywhere, to seek and secure control of his own destiny, the matter is herewith drawn to your attention, because municipal institutions are the responsibility of the province. Now, this raises again the question of the Canadian constitution, and to what degree does the province try to relate municipal institutions in Manitoba to the constitution of the nation.

There are other illegalities. Now, that's the constitutional part of it. It is decidedly illegal for the City Council to go behind closed doors, to change its meeting place, pull down its blinds, and secretly meet to discuss development plans, budgeting, financing, and come only in an open meeting to present to say what the mill rate is going to be, and give a rush account of what is involved in it. This denies the average citizen the right to have any understanding or knowledge of what is going on in the Council Chambers. Yet, this is done all the time.

Now then, as for moving out of town, Metro Council started to do that, going to Indian Head. Yes?

MR. MILLER: I'm sorry, Mr. Chairman, I don't want to interrupt. The hour is late, there are a number of people that have been waiting for about three hours, and I'm wondering perhaps whether Mrs. Gloria Queen-Hughes could perhaps come to the point at issue which is really Bill 62.

MRS. QUEEN-HUGHES: Yes. Well the whole point about Bill 62 is as I stated in my opening remarks, is that Bill 62 does not cure, it's under the aegis of Bill 62 that all these things are taking place right here in the City of Winnipeg. It is quite illegal for the City of Winnipeg to go outside the city to hold a budget, or any kind of meeting, and this was decided by the Supreme Court of Canada about 1913, when the City of Vancouver decided to slip out of town to do some important public business that they didn't want to discuss in front of the citizens, and one of the citizens took the Council to Court and took it all the way to the Supreme Court, and got a Supreme Court decision which still stands according to my research on the subject, in any event.

Now then, the point of what I'm trying to say is, that it's difficult to know where we stand. I would heartily endorse the Taraska Report, which would come to grips with the problems confronting us municipally in Winnipeg by establishing a modified form of parliamentary government, and by taking our own national constitution and putting it to work for us as citizens of the City of Winnipeg. So from a constitutional point of view, I would support it. I deplore the types of controls that the Provincial Government feels it is necessary to impose on the City of Winnipeg, because by so doing, deprives the citizens of Winnipeg of any opportunity to fulfill their duties of citizenship. And then the question arises, in relation to the amendments to the proposed amendments to Bill 62, does this apply just to Winnipeg, or is it going to apply across the province to other municipalities too, the same type

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controls?

What I'm interested in, and what I'm dedicated to, is adequate representation of the people would part company perhaps with the Taraska Report — our Mayor's suggestion of reducing the size of Council — that will not bring responsible local government to Winnipeg. Actually responsible government has to be based on adequate representation, and the more simple the level of government in the sense that it is circumscribed in area, it has always usually been a fair principle to say you can increase the representation ratio as you reduce the area to be covered, within reasonable course. So I don't feel that 50 members is too many in a Council that is organized on a parliamentary system, where there would be a recognized opposition, and where the whole function of government would be brought into harmony with our national constitution.

I think that pretty well sums up my attitude. I have very deep feelings about it as you may judge because there is no substitute for liberty, there is no substitute for responsibility, there is no substitute for having the opportunity to fulfill the best that you can, either as an individual or as a community — and by strengthening — here we have half a million people — and in my book they are being denied their primary rights at the very first instance of government, and that is local government.

MR. CHAIRMAN: Thank you, Mrs. Queen-Hughes. There may be some questions honourable members may have. Hearing none. Thank you very much. Councillor Jim Ernst; Nick Ternette.

MR. TERNETTE: Mr. Chairperson, Members of the Law Amendments Committee. I know we have been listening to Gloria Queen-Hughes for a long time and I know many of us are tired, and I'll try to keep it much shorter although I think it is important that Gloria Queen-Hughes did outline a to philosophical approach I think, to urban politics as it grew throughout history.

I'm going to try and restrain myself to deal with the philosophical aspects and implementations of Bill 62.

Bill 62 is an attempt by the New Democratic Government to streamline the Unicity Bill and to bring some efficiency and direction to City Council and urban politics in general. Unfortunately, in trying to deal with the serious deficiency of City Council, the New Democratic Government may have gone overboard by streamlining City Hall at the expense of citizen participation. In effect, this would neutralize the achievements of the Unicity Act in its creation of one city government in 1971. Because of this complete reversal in dealing with urban politics, the concerted charge that it is an anti-people bill, may contain some truth in it.

While I personally do not oppose the reduction of City Council from 50 to 28, I am disappointed that the New Democratic Government seems to have bought the myth. I'm sure that most ICEC politicians would like the New Democratic Government to believe that the problems at City Hall are caused by the number of City Councillors. The size of Council has less to do with the problems of urban government than the inability of City Council since 1971 at least, and before that probably, to set and implement policies. In effect, many ICEC deliberately ignore or sabotage the Unicity Act.

Now I felt that I should kind of describe — because maybe this is a little and maybe humorous little sideline to lighten up a late evening at 11:40 or so — I'm sure that we all sit here and listen to the Law Amendments Committee, and how you deal with a meeting particularly. I'd like to describe what a City Council meeting is like in order to talk about in fact how sometimes the ICEC sabotages things, and how the City Council goes also till midnight and accomplishes very little.

I wrote this little article about what it's like to sit through a City Council meeting, and I would like to read it for the record. What do you do in Winnipeg on a Wednesday night? Well, in the winter time you probably huddle around the television set watching a national league hockey game cheering for Toronto or Montreal. In the spring, you probably watch the Expos in Montreal or now of course if the Toronto baseball team play major league baseball, and in the summer, well you are out at the cottage sunbathing. Right on. But what should you be doing every second Wednesday night — Council usually meets on the 1st and 3rd Wednesdays of each month, but during July, August and September it meets only on the 3rd Wednesday of the month — it takes three guesses and two don't count, the answer is, go to a City Council meeting.

City Council is where the action is. As a Roman circus goes on and on in a circular path, there are a few spectators to applaud and cheer a boo as we have tonight right here, too — very few spectators. City Council's spectacle begins about 7:30 p.m. That is the time City Councillors wander aimless toward their desks. Mayor Steven Juba calls the meeting to order. Forty councillors — there are actually 50 — surrounded by about 10 spectators and about 10 newsmen, eagerly anticipate the words of the almighty prophets.

The newsmen are there of course to enlighten the public about what's happening at City Council. Of course City Councillors do not appreciate being misquoted or being inadvertently referred to in an embarrassing manner, which might impute something of their character. It seems that the public figures are gods, not to be touched, but just heard. The citizens, well they are usual representatives from special interest groups, be it welfare or social service agencies, or protest groups concerned with a particular problem buried in the agenda somewhere. Council is in session now. Some delegates appear and make presentations concerning their pet peeves. City Councillors

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more them as much as possible, while whispering to their fellow councillors or walking out conveniently to have a cup of coffee. Sometimes I think all of us who are here making presentations, at the same way.

Mayor Juba asks for questions and none seem to appear. Does this indicate something? Does anyone who has ever presented a brief to City Council — just as I'm sure I felt when I presented my comments about expropriation — feel when he is finished and there's no questions, the answer is frustrated, frustrated, disappointed and angry. But what can delegations do? In the City Council, they are only allowed five minute speeches, here we are allowed to speak as much as we want. There's a difference. And then business goes on as usual.

The business of City Council consists of reports from the three main sub-committees to City Council; the Committee on Environment, the Committee on Works and Operation, and the Committee on Finance. It is interesting to observe how quickly some motions are passed by the murmur of dissent. If you haven't got an agenda by the way — unless you ask for one, you don't get it — you just might miss over half the City Council business. Only on controversial issues do you find City Councillors lining up to speak to the point where each one feels he or she must make his or her point on a particular subject. The speech is going on, and whenever this occurs, you feel like falling asleep but you aren't because you just might miss something. Some councillors research their particular subject thoroughly and make fine points that seem rational, objective and well thought out, and yet nobody seems to care, because when it's time to vote the pattern is clear. The decision to vote for or against have long ago been taken in caucus. Their speeches are only window dressing for public consumption.

However, to be fair occasionally you will see the ranks broken and find some councillors voting on an issue in an unexpected way. Is there a reason behind it? Can there be that there is so much public pressure on a particular councillor that he or she has changed their mind? While the circus keeps on going on and on, the audience disappears and the media gets restless, as they are getting restless I'm here tonight — it seems that the Council meetings are getting longer and longer, not shorter, and in this case maybe because elections are coming up. Well finally 12:30 a.m. rolls around and Council adjourns. Hallelujah, you've managed to stick around and watch the performance. Now, if all the other citizens of Winnipeg would take time to come out and pack the galleries and watch this performance, well, you know we might have a mini-revolution on our hands. It's just a description of what it is like, because I have sat through, right through 12:30 at least — quite a few times — through City Council meetings for four or four-and-a-half hours and I know what it's like.

As I said before, the problem is not the size of Council really, although I am not objecting to the size. The solution to the problem, as I see it, may be to legislate a concept of full-time politicians. I can legislate, not just say that you should spend a lot of time, but legislate full-time politicians with appropriate salaries, so that the quality of candidates will improve tremendously, and such possibility as ten acclamations in the municipal elections avoided at all costs. Insofar as the Community Committees and the Residents Advisory Groups are concerned, the Provincial Government, I think, is taking a backward step. Under Subsection 27 (1.1), it seems that the Community Committees will have fewer rather than more responsibilities in carrying out their duties.

Originally, the whole intent of Unicity — and I was solidly in favour of Unicity because there was the most original, innovative thinking process involved in it — was to develop a concept of mixing centralization. That is, centralizing in terms of amalgamation, the police, fire and ambulance services, with decentralization, whereby Community Committees could assure the delivery of those services in their specific community or neighbourhood. That was the first time in history, in this province anyway, where innovative thinking was taken care of, because Mayor Brownstone who is an expert, one of the great men in the urban politics field, was the man who was primarily involved in doing most of the background work on the original Unicity Act, tried to combine the concept of centralization, because in certain aspects of services you have to have it centralized, structured but preserving the neighbourhood or community structure of delivery through the Community Committee. Unfortunately as I said, this has been lost, to some extent. In most cases I would argue it because councillors have sabotaged by ignoring most of the Acts of the Unicity itself.

In streamlining the responsibilities however, as Bill 62 has outlined, the Provincial Government is in the sight of the innovative aspects of Unicity. Suggesting that City Council not only set policies, but also administer them at this stage, will increase the level of inefficiency at City Hall. In fact, one criticism commonly heard at City Hall — and I hear it all the time when I am around there — is that essentially the administrators not only perform their administrative duties but that they set policies for themselves. And if there is some truth to that matter — and in some cases I have found out that I think there is some truth to that matter — this legislation does nothing to improve that situation going on at City Hall at the present time.

The Resident Advisory Groups have been the most innovative aspect of Unicity in legislating citizen participation for the first time in the history of Winnipeg urban politics, in fact, from what I know, outside of Italy where this whole concept to some extent has been developed, citizens' input is

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one of the few areas, legislative citizen participation was one of the most innovative aspects. But it have floundered and atrophied from lack of direction, power and money. I can tell you that because spent over two and a half years, including one year as Chairman of the Centennial Resident Advisory Group, which is of course, the core area. An area which I can guarantee you that the level participation, as compared to the suburbs in some cases, was at a very minimal level. I mean at a Community Committee meeting, we would have a conference, which we have once a year, we would have possibly 70 people out, in maximum. On other issues you'd have maybe five or six people coming out. The level of course there is at a much lower level than in the suburbs where the interest probably would be much higher.

Legislation Section 23(c) indicates only that there is some techniques to be developed by RAG groups in improving communication between the residents of the community and the city. I am just wondering what techniques and who is going to develop them? Surely the RAGs themselves would not, unless they have some money, direction, and I know in spite of, . . . , great comment about social animators, I think the original concept of Unicity which was eliminated by the Provincial Government, talked about. I know Mayor Brownstone talked about building in social animators as part of the communication information within the RAG groups which would activate people to get involved situations. And without that, I don't think the RAG groups will go anywhere.

The legislation would require that the RAG groups in the Community Committees should be strengthened and not ignored, and if Bill 62 is to be a people's bill and right now I don't see that as this legislation is concerned.

The increasing role of the Provincial Government in the affairs of the city must also be regarded with suspicion. Most other provinces realize that urban politics is, in itself, a full-time business. I think that is something that we can pick up from Gloria Queen-Hughes, in terms of the history of urban development, that what urban politics may have been 50, 60 years ago, small time business is now a full-time business where the people have to spend more time, just as much time or more time, as an MLA on terms of close development of the kind of city that we want to live total in and it's not any more a part-time kind of business. The City needs full control over its own affairs.

I can sympathize with the New Democratic Government to some extent, in terms of the political politics that we have at present at City Council that it would like to prevent the ICEC from taking full control of the City, because if it did not, if, in fact, it allows the ICEC at this stage to take over the property, and this would have complete priority and would run everything over community and neighbourhood interests.

But the long-term aspects of Unicity regardless of personalities and parties at the present time the urban scene must be self-determination for the City of Winnipeg. When the Minister of Finance has in fact financial control over of the city and the province removes itself from all city by-laws that may affect the province, one really must question the motives of the New Democratic Government. Now, since Mayor Juba cannot be defeated and the New Democratic Party can now win control over City Hall could it be that the government fears independence for the city so much that it wants control over the city? I don't know; it's a question I am raising.

The removal of a section of the Environment Impact Study which has already begun long before this in the further legislative changes, will also allow the city and province to proceed with all kinds of provincial and municipal public works without taking into account the wishes of the community. In eliminating these restraints there will be no investigation of the impact that these public works will have on the environment. These sections must be strengthened and not eliminated. In this respect see Bill 62 as being an anti-people bill.

On the positive side, Bill 62 allows the City Council to create any committee that they wish rather than the three legislative committees. That is, the Committee on Environment, Committee on Finance and the Public Works. The legislative appointment of every councillor to at least one committee is, I see, is a very positive step in ensuring that experienced and knowledgeable councillors like Joe Zuken will finally have more input into urban politics.

The election of the Mayor at-large at this stage of Unicity development — and again, I think that picking up on the philosophic aspect that urban politics is a growing pattern and that there is nothing definite, and obviously Unicity is also transitional development, although the Act could be at this stage I think a step in the right direction, as long as municipal parties have not developed to the same extent as they have in Montreal, Toronto and Vancouver.

As the Honourable Minister of Urban Affairs Saul Miller has indicated, Unicity is in transition. There are, of course, clear pictures of party struggles developing in other larger cities than Winnipeg. As Winnipeg grows bigger this struggle of ideological lines will develop. We will have party politics in Winnipeg but I guarantee you that it will not be party politics of Liberals, Conservatives versus NCLC or versus communists. But the clear lines that are now clearly developing in Montreal versus the Drapeau administration, and of course the Montreal Citizens' Movement, the Reform Movement in Toronto, and the Reform Movement in Vancouver will be clearly divided along the lines of party

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erests versus people and neighbourhood interests. This will be the ideological struggle in future urban politics, and as the City of Winnipeg grows larger and larger this will also develop here. There is no question in my mind that what has happened in Montreal, the large scale advancement in Toronto also and in Vancouver, beginning in five to ten years time will happen in the Province of Manitoba. And when that kind of party structure develops in Winnipeg, then the role of mayor might have to be reconsidered according to the Taraska Commission Report. When we have clear party lines develop along property and the real estate interests versus people's interests on that kind of division, then I think the whole role of the mayor has to be re-examined. But that is in the future of five to ten years from now.

In conclusion, Bill 62 is not as controversial as obviously the original Unicity bill. The New Democratic Government however has back-peddled constantly since 1971, becoming more and more conservative in its approach to social issues. Bill 62 is an example of a bill trying nothing more than to streamline city politics, when right at this time the most radical, innovative thinking is required. Urban politics is drastically changing in terms of how — and in this case I am going to quote Conservative, believe it or not — as the Conservative Mayor of Toronto, Mayor Connelly puts it, as he did in terms of what he called what the future of Toronto was going to be, I am going to quote in terms of what is the future of Winnipeg going to be.

Mayor Connelly: "What kind of a city are we going to live in two decades from now? An urban village' composed of concrete or a place where people can walk, breathe and feel alive. The New Democratic government in its hurry has seemingly lost that challenge. It is trying nothing more than to eliminate some inefficiencies at City Hall by examining the nature and the direction of urban politics today. Thank you.

MR. CHAIRMAN: Thank you, Mr. Ternette. Are there any questions? Hearing none, thank you. Councillor Jim Earnst; Councillor Maurice Kaufman; Mrs. Joyce Brazier.

MRS. BRAZIER: Mr. Chairman, Members of the Committee. I would like to state first of all that I sincerely believe that each individual seated at this table is here sincerely anxious and concerned to improve the operation of running the City of Winnipeg.

I feel that first of all I would like to stress the original concept that brought the City of Winnipeg about. I feel it is very important that we do not lose sight of that concept, but that we seek to carry forward the aim, and increase our chances of reaching the goal. Now I am not familiar with all the workings at City Hall, but as one of the people — and I speak as an individual, I speak for no one else — I merely give my own point of view. From what I see I feel very strongly that although we have 51 wards at City Hall, and should therefore expect 51 differing opinions, it would be natural, or if we divide that number by community representation, our community has three councillors representing. If we allow that the general make-up is three councillors from each community and divide the total of 51, then we could even expect to hear 17 differing opinions. It is my contention that what we have, at the present time, are two voices with one echo. I believe that what we presently do have are two opposing ideologies. The echo I see, as any independent members who echo the views presented by one of the ideologies that most closely resembles the point of view they represent on speaking for their area.

Now, unlike previous speakers, I seem to differ. I do not favour the adversary system of government. I have lived in Britain. I realize that it originated in Britain, and though I'm very fond of many things British, over a period of time I feel strongly that when one starts off from two opposing views, that one has, first of all, much more difficulty in coming to agreement. That's where I feel that I would rather see more emphasis where people sit rather than to find fault as down together prepared to 'co-operate' we do in the adversary system. The last level of government that I expect to be run on the adversary system is City Hall. Surely there we are at a small enough level that we could promote co-operation.

I'm afraid at this point I have to say I have handicapped myself by lifting the second half of my brief and leaving the first half at home. So, I've tried to more or less get back, in a form, to where I started at. I would suggest that while you are sitting at this table and looking for solutions to some problems, that we openly recognize that we do have this problem. No matter what comes up for discussion we do have two opposing ideologies, and this covers anything brought in on a parochial level. I think it overrides parochial views, and I think it is serious enough that it should be brought out to the open and discussed. I don't feel that I could offer any solution myself as to how we could overcome this. I don't expect that you can. It's one of the tried systems that has worked, therefore, possibly we see no need to change it. However, as it does exist, please recognize it. Recognize that it does hinder business, in such, as the amount of time it takes to make a decision, and I would say whichever ideology has the most people in charge that we will always have that group as being the real Council with the others opposing, forming a group that has to give in, and that larger group will change from time to time.

Incidentally, I do not and chose not belong, / to belong, to any political party. I tend to vote the man, I tend to vote the leader and I hope for the best.

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In your meeting of minds, represented at this table, could we consider possibly, or could I ask you to consider that the figure 51 is a number that should prove cumbersome when all try to make decision. On the other hand, that is the City Hall part, back at the community level, where right now know that I have three councillors, I do believe they have difficulty just looking after the business they have on hand. I cannot see where one councillor or half a councillor is going to be able to cope. I can see nothing wrong with paying our councillors to devote full-time to the business, and ensuring that they are paid adequately. I think the running of the city is a full-time job. Perhaps that's one method to be considered. Perhaps we could increase the responsibilities of the Resident Advisors. In some areas, the Resident Advisors possibly haven't added too much, but often if one feels that the voice has some meaning, more response to be that voice is forthcoming. Possibly we could increase the number of Resident Advisors, and in so doing, also seek out representation by age. I notice that in our community most Resident Advisors are on a par with myself when it comes to age or older. At retirement age. I do not see the young people who are going to inherit the city represented at all. I think they have much to offer and they should be encouraged to come out even if we do have to use a better means of persuasion. But they are going to inherit the city, and they are the ones who have to live with our mistakes. I do believe that in our present school system they are being taught to think and to consider things that we were never taught to consider when we were their age. There is a much greater emphasis for instance on the human being and to surroundings. I think they come armed with knowledge that might possibly make them even better than what we ourselves can be. I think they are more open, more honest in their views.

If we did have a full time Council and at a paid level, why not provide the funds for election expenses, and limit anyone running, anyone who decides to stand for election, to work within those funds so that each candidate has equal opportunity. I can see nothing wrong with why we should not introduce some standard measurement of ability, honesty, integrity, and concern for others. You may disagree, but I would at least like if this could be open for discussion.

If you will allow me to find my place, I think pairing of districts — I am living for instance, in what I consider a comfortable suburban area. I do not think that by pairing our area with that of Lord Selkirk is going to make me any more ultraistic in my outlook. In fact, as more and more I feel a loss of community identification and resent it, the stronger my negative emotions are, and may take precedence over my ability to apply logic and thus recognize and be willing to help those who are in a more unfortunate state than I am. So please consider very closely, extending boundaries.

I also wonder, why not an ombudsman. I think it is something that would provide an outlet for anyone feeling they have a grievance. I think there are many alternatives to merely cutting Council. I think perhaps you gentlemen could be creative, innovative, and bold in your outlook. I would ask that we always remember the original concept — one that I can't say I was too fond of as I thought, which might I have to give up, but nevertheless accept it and was willing not only to accept but to work at making it successful. I think it is most important that the goal then is still retained, the concept is retained, and as we seek to improve, that we keep that concept in mind. I would ask you keep that input for improvement as fresh as the concept was then. Thank you gentlemen.

MR. CHAIRMAN: Mrs. Brazer, there may be some questions. Do the honourable members have any questions? Hearing none. Thank you, Mrs. Brazer.

Councillor Frank Johnston; Mr. Ken Emberley; Mr. Green.

MR. GREEN: Mr. Chairman, I think that the members of the Committee would prefer to accommodate the people who are here. In other words, we can meet tomorrow afternoon. I think any event, we would hear Mr. Emberley who is next on the list, but with regard to the others, members of the Legislature are not unused to keeping on going, but it would last a long time and we are prepared to meet tomorrow afternoon if that won't lead to too much chagrin on the part of the people who have waited here from 8:00 to 12:00 so . . .

A MEMBER: I would be pleased to come back tomorrow afternoon, Mr. Chairman.

MR. GREEN: Even you would be willing to come back tomorrow afternoon?

A MEMBER: It would please me very much.

MR. GREEN: Well then, we are sitting tomorrow at ten o'clock in the House, and we will sit tomorrow afternoon at 2:30 in Committee. I hope that this doesn't shock members of the public that they have to wait and then we didn't go on, but we are in the same boat. We are prepared to continue but we sort of feel that you would prefer to come back tomorrow afternoon at 2:30 p.m. Is there anybody here who sort of is waiting desperately to speak, and won't be able to come tomorrow, and wants to go ahead tonight? Well, if that's not the case, in other words, if there's no one who's urging that type of thing then the Committee would prefer to accommodate you tomorrow afternoon at 2:30 p.m.

MR. CHAIRMAN: Committee rise.

BRIEFS PRESENTED BUT NOT READ

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HUDAM (Mr. W. John Rae): Re: Proposed amendments to the City of Winnipeg Act.

The Residential Development Section of our Association represents 48 builder and development firms, all of them active in the Winnipeg area. We have made previous representations to the Taraska Commission regarding changes to the City of Winnipeg Act and to the Bellan Commission regarding uses and cures of the escalation of land prices in Winnipeg. These have been joint presentations with the Urban Development Institute of Manitoba.

We are aware of the contents of the brief to be presented to your Committee by the Urban Development Institute of Manitoba and in the interests of time and the effective deliberations of your Committee, we wish only to express our support for this brief. The thrust of our concern is simply that the land approval process for the City of Winnipeg should become flexible enough in its application at the private sector of developers and builders can be certain of the supply of serviced lots in order to respond to the requirements of individuals and families for affordable housing.

MR. ROY H. PARKHILL, (Councillor):

As I am unable to appear before you at the allotted time on Friday, May 27th, at 8:00 p.m., I am writing this letter to point out to you some things that I have not seen discussed in regard to the changes to the City of Winnipeg Act.

My main concern is that you have altered the Act without altering the function that the Councillors have to abide by. By making the changes that are proposed you are creating full-time councillors. I doubt this is what you are attempting to create, but if it is, you certainly have accomplished your objective. Take for example, the zoning meetings that would be required in an area such as the new District 6. We have had in Assiniboine Park Community Committee a great many problems with the zoning in the Charleswood area alone. To say nothing of the rest of the community area. Now you have lumped in with that problem another community which is also a large growth area, i.e., Fort Garry. Riverview and River Heights do not have many problems but we still have to oversee them. And all adds up to an onerous workload to administer zoning alone in District 6. Keep in mind that the boundaries run from 14 miles west of Headingley to just south of St. Norbert. When you have meetings running till 4:00 a.m. on zoning matters, there is definitely something wrong with the system created by the City of Winnipeg Act.

These problems never occurred under previous forms of government and therefore why create a situation which is worse? The workload for Resident Advisory Groups is also much larger because you then will end up with one RAG group and I am sure this will mean less participation by fewer people in the long run.

On top of this if you stick with a second hearing by a central committee you create further work, possibly for the same people. You should be attempting to make things operate more smoothly not create more work for fewer people.

My second concern is that for six years I have been representing the ward of Tuxedo Heights, but have been given the authority to decide matters in the rest of the community where I have no responsibility to the electorate. I suggest that this is not giving the public whom you claim to serve so all the proper representation. This is a serious omission in the last Act which you have not corrected in your amendments and the only way it can be cured is by having representation throughout the Community Committee area, i.e. at large, and elect the five top candidates who run in the Community Committee Area.

My third concern is with the operation that you are making in the Act will require certain costs in enlarging Community Committee offices and meeting rooms and eliminating those not required. The expenses incurred should be paid for by the Province.

D'ARCY AND DEACON (G.T. Haig, Q.C.): Re: Amendments to Real Estate Broker's Act

We are writing to confirm the presentation made before the Law Amendments Committee concerning the proposed amendments to Sections of the Real Estate Broker's Act.

In particular they are as follows:

Re: Section 26.1 to delete from the 4th line thereof the word same, and from the 5th line thereof the words "as a stakeholder" and from the 6th line thereof the words "shall have the same remedies at law as a stakeholder," and to add at the end of that section after the word deposit the following words shall if necessary for the resolution of such dispute pay the deposit into court by way of surety.

Section 26.1(2) we suggest should be amended by deleting from the last line of that section the words "of the other party or parties" and substituting the words "either of the parties".

Thirdly it is suggested that Section 26.1(3)(b) be amended by adding after the word regulation, the words "or directed by the parties to a transaction."

We would confirm, subject to the foregoing that the Winnipeg Real Estate Board has approved and is in agreement with the proposals for amendment to the Real Estate Broker's Act made by itself on behalf of the Manitoba Securities Commission.