

Guide to Bill 33

Bill 33, The Planning Amendment and City of Winnipeg Charter Amendment Act

March 2026



Land Treaty Acknowledgement

We recognize that Manitoba is on Treaty 1, 2, 3, 4, 5, 6 and 10 Territories and the ancestral lands of the Anishinaabe, Anishinewuk, Dakota Oyate, Denesuline and Nehethowuk nations. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit.

We respect the spirit and intent of Treaties and remain committed to working with First Nations, Inuit and Métis people as we walk the shared path in the spirit of truth and reconciliation.

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Available in alternate formats, on request. Please call 204-945-2150 or email provincialplanning@gov.mb.ca.

Introduction

Bill 33, The Planning Amendment and City of Winnipeg Charter Amendment Act was introduced in the Manitoba Legislature by the Minister of Municipal and Northern Relations in the Spring of 2026.

Bill 33 can be found on the Manitoba Legislative Assembly website [here](#).

Bill 33 amends The Planning Act and The City of Winnipeg Charter in response to the recommendations made by the [statutory review of planning legislation](#), also called the “Braid Report” or “Bill 37 Review.” Government accepted all 19 recommendations of the review and released [Manitoba’s Land Use Planning Action Plan](#) (Action Plan) to improve land use planning processes in response.

Bill 33 implements multiple actions in the Action Plan including Action 5, which is to table a bill of legislative changes to address key issues identified by stakeholders, including:

- Standardizing language and concepts between The Planning Act and City of Winnipeg Charter
- Enhancing local autonomy by removing specific powers of a planning region

This guide is intended for stakeholders including planning authorities (municipalities and planning districts), developers, and Manitobans that are interested in land use planning.

Description of Changes

Bill 33 amends The Planning Act and The City of Winnipeg Charter in four areas:

- 1. Clarifies and refines the role of The Municipal Board as an appeal body,**
- 2. Addresses priority concerns with the regional planning board model,**
- 3. Streamlines housing approvals (outside of Winnipeg), and**
- 4. Extends livestock operation expansion rights to supply managed industries.**

Change #1: Clarifies and refines the role of The Municipal Board as an appeal body

Bill 33 changes how The Municipal Board is required to manage planning appeals throughout Manitoba, including in the City of Winnipeg. These changes impact public objection referrals, public authority objection referrals, and service standard timelines.

Public Objection Referrals

When a municipality, including Winnipeg, or planning district¹ receives sufficient public objections it must refer the zoning or secondary plan by-law to The Municipal Board. The number of objections

¹ The remainder of this guide will only refer to councils; however where a planning district adopts a zoning by-law or secondary plan by-law on behalf of its members, these changes also apply to the planning district.

required to trigger a public objection referral depends on the population of the municipality. This was set by the former Bill 3. Those numbers can be found [here](#), and are not changed by this bill.

The new public objection referral process is different from the existing process in two important ways. First, The Municipal Board is prohibited from holding a hearing on the referred by-law and must base its recommendation only on the information provided by the municipality (including all the eligible public objections). The Municipal Board cannot accept new evidence or representations. This recognizes the importance of public participation in decision-making at the local level and respects the autonomy of local governments.

This also means that council's reasons to proceed with the by-law are even more important. The local council's reasons should clearly indicate their rationale why the by-law should proceed, addressing factors such as:

- compliance with the local development plan,
- alignment with relevant municipal by-laws and policies, and
- community fit and consultation.

Second, The Municipal Board's report with recommendations is not binding which means that the local municipality has final say on how to proceed with their proposed by-law. However, the municipality cannot proceed with the by-law until it has considered the recommendation prepared by The Municipal Board. The term "considered" means to have thought about, examined, taken into account, or reflected upon. This ensures informed local decision-making in giving The Municipal Board's advice meaningful weight in the council's decision and promotes transparency and accountability in by-law making. Best practice includes discussion of the recommendations at a council meeting, with minutes or similar records showing that the local council turned its mind to The Board's recommendations before giving the by-law third reading.

Key steps in the process outlined in Bill 33 include the following:

1. The municipality referring the by-law must provide The Municipal Board with copies of the:
 - planning application and all material filed by the applicant, if there is one;
 - minutes of the local public hearing;
 - record of all presentations made at the public hearing, including each written submission received before or at the hearing;
 - supporting materials submitted to the municipality before or at the hearing;
 - objections to the by-law;
 - written decision of the local board or council, including reasons for proceeding with the by-law or by-law amendment; and
 - other documents relevant to the matter (e.g. planning by-laws).
2. The municipality must, within 14 days after referring the by-law to The Municipal Board, give notice to every person² that made a representation or objection on the by-law that the referral has been submitted to The Board, and that The Board's report with recommendations to the municipality will be available on The Municipal Board's website.

² The Planning Act allows notice to be given to only one person in situations where a person made a representation at the hearing or submitted a written objection on behalf of themselves and others. Bill 33 gives the City of Winnipeg the same ability to give notice to one person on behalf of a group submission for planning matters.

3. The Municipal Board must review the submitted planning records from the municipality and prepare a report with recommendations on the by-law. The report must be submitted to the municipality within 120 days.
4. The Municipal Board must publish their report with recommendations on their website for the public within 7 days of giving the report to the municipality.
5. The municipality must consider The Municipal Board's report with recommendations before giving the by-law third reading.

Public Authority Objection Referrals

When a municipality, including Winnipeg, receives an objection from a public authority (federal, provincial, or municipal government, as well as their agencies) it must refer the zoning or secondary plan by-law to The Municipal Board. In the City of Winnipeg, this process is limited to by-laws impacting the Airport Vicinity Protection Area (see regulation map [here](#)).

The new public authority objection referral process is different from the existing process in two main ways. First, The Municipal Board's hearing notice is given only those that have already participated in the local planning process. This recognizes the importance of public participation in decision-making at the local level and respects the autonomy of local governments. The Municipal Board's hearing on public authority objections will allow new information to be brought forward and discussion of issues to ensure that public authorities are able to share their concerns in detail and work towards resolution.

Second, The Municipal Board decision on objections from public authorities is a final (non-appealable) order. This means that the final decision in these matters is always made by an independent third party to resolve inter-governmental concerns and give the same recognition and authority to all levels of government.

Bill 33 aligns the processes for these referrals to be reviewed by The Municipal Board in The Planning Act and The City of Winnipeg Charter. Once a public authority objection referral is triggered:

1. The municipality must refer the by-law to The Municipal Board. When referring the by-law, the municipality³ must provide The Municipal Board with copies of the:
 - planning application and all material filed by the applicant, if there is one;
 - minutes of the public hearing;
 - record of all presentations made at the public hearing, including each written submission received before or at the hearing;
 - supporting materials submitted to the municipality before or at the hearing;
 - objections to the by-law;
 - written decision of the local board or council, including reasons for proceeding with the by-law or by-law amendment; and
 - other documents relevant to the matter (e.g. planning by-laws).
2. The Municipal Board must, at least 14 days before its hearing, give notice of the hearing to:

³ In cases where a proposed City of Winnipeg airport area secondary plan by-law has received public authority objections, submission materials may vary. The City should make best efforts to fulfill the list items wherever possible during The Municipal Board's review and hearing process in consultation with The Board.

- the applicant, if there is one;
 - the board or council that referred the public authority objection;
 - the regional planning board, if the land is subject to a regional plan by-law;
 - the minister;
 - every person that made a representation at the local public hearing; and
 - every person (and organization) that objected to the by-law.
3. The Municipal Board must hold a hearing within 120 days of receiving the public authority objection referral.
 4. The Municipal Board must make an order to confirm, refuse, or change the by-law within 60 days after their hearing. The order may be subject to any terms or conditions The Municipal Board deems appropriate.
 5. The Municipal Board must provide copies of the order to:
 - the applicant, if there is one;
 - the board or council that referred the public authority objection;
 - the regional planning board, if the land is subject to a regional plan by-law;
 - the minister;
 - every person that made a representation at The Board’s hearing; and
 - every person (and organization) who objected to the by-law.

Service Standard Timelines

Bill 33 makes timelines for planning matters at The Municipal Board consistent across planning legislation, including for the City of Winnipeg. These timelines are:

- 14 days** notice before a hearing is held,
- 120 days** from receiving a planning matter to holding a hearing, and
- 60 days** from the hearing to making a decision or recommendation.

These new timelines will now apply to:

Applicant appeals of municipal or planning district board decisions for:

- ✓ Conditional use applications related to aggregate quarries,
- ✓ Conditional use applications related to large-scale livestock operations,
- ✓ Subdivisions including minor subdivisions, and
- ✓ Development agreements on subdivision applications.

Ministerial referrals, which are where the minister may refer a matter to The Municipal Board for their report and recommendation on how to proceed for:

- ✓ Proposals to establish a planning region,
- ✓ Proposals to change a planning district’s membership,
- ✓ Regional plan by-laws or by-law amendments,
- ✓ Development plan by-laws including plan by-laws and amendments for the City of Winnipeg;

Public authority objection referrals, which are where other municipal governments, the provincial government, the federal government, or their agencies (ex. the Winnipeg Airports Authority) object to a proposed secondary plan, zoning by-law, or by-law amendment for:

- ✓ Municipal secondary plan by-laws and by-law amendments,
- ✓ Municipal zoning by-laws and by-law amendments, and
- ✓ City of Winnipeg airport vicinity protection area secondary plan or zoning by-laws or amendments.

Public objection referrals, which are referrals to the Board where sufficient eligible voters object to a proposed secondary plan, zoning by-law, or amendment, have a timeline of **120 days** from referral to recommendation. There is no timeline for a hearing, as no hearing will be held.

Cost Awards

Bill 33 removes the specific authority for The Municipal Board to assign costs against municipalities where the Board believes there were unreasonable delays impacting The Board's hearings.

Bill 33 also removes the ability for applicants to seek punitive costs for the delay of development permits. Applicants still have the right to arbitration for compensation due to cancelled permits.

Change #2: Addresses priority concerns with the regional planning board model

Under The Planning Act, the Minister may establish a planning region. Planning regions are similar to planning districts, but span larger geographic areas united by similar geographic, economic, and social ties. Only one planning region has been established called the Capital Planning Region.

The following changes are made by Bill 33 to planning regions created under The Planning Act. First, it removes the powers for a planning region to acquire real property (land) by expropriation.

Second, it removes the former ability of a planning region to seek court injunctions against member municipalities in cases where member municipality proposed by-laws or subdivision approvals do not align with the regional plan.

Third, the Bill clarifies that applications that were in progress at the local level before the regional plan is adopted are not subject to the regional plan.

Change #3: Streamlines housing approvals (outside of Winnipeg)

The minor subdivision process under The Planning Act is a simplified, faster process for reviewing and approving certain kinds of subdivision applications outside of the City of Winnipeg. The City of Winnipeg already has its own similar process for minor subdivisions, and no change was made to The City of Winnipeg Charter.

Before Bill 33, the minor subdivision process would allow one new lot (parcel) to be created per application. Going forward, Bill 33 expands the types of development that qualify to use the minor subdivision process to include multi-unit developments that have party (shared) walls like duplexes, triplexes, and row homes.

To be eligible to be considered as a minor subdivision, a subdivision application must:

- conform to all local planning by-laws including the development plan, any secondary plans, and the zoning by-law;
- not create any new public roads;
- not require any change in access to a provincial road or provincial trunk highway; and
- have at least two lots (parcels) where at least one property boundary is a shared wall.

Municipalities retain the same authority to approve, reject, or approve minor subdivision applications with conditions. In many cases, the municipality will have already approved a previous rezoning or larger subdivision before the minor subdivision application is made, especially if it is located in a new development area.

Change #4: Extends livestock operation expansion rights to supply managed industries

Bill 33 allows producers in supply managed industries, which are dairy, poultry (chickens/turkeys), and eggs, to increase their herd size (expressed as animal units) up to 15% without requiring new conditional use approval or triggering a new provincial technical review. Increases cannot exceed a cumulative 15% unless new conditional use approval and provincial technical review are completed. This aligns with existing provisions in The Planning Act that allow operations making animal housing upgrades to expand by up to 15% without technical review and conditional use approvals.

Under Bill 33, all livestock producers seeking a minor expansion must submit their plans to the municipality and obtain a zoning memorandum that states the number of animal units before and after the change, and that the operation conforms to the zoning by-law.

Bill 33 also gives municipalities the autonomy to make changes to existing conditional use orders which don't involve increasing the herd size or changing the animal category, without provincial technical review. These changes now include expanding the list of items that can be addressed in a development agreement to include water servicing of the livestock operation. Changes in farms with more than 299 animal units, that involve changing the category of animals or increasing the number of animals, other than the exceptions for up to 15%, will still require a provincial technical review.

Frequently Asked Questions

Where can I find the Bill?

Bill 33 is available at: <https://web2.gov.mb.ca/Bills/43-3/b033e.php>.

Why is the government amending the legislation now?

Bill 33 amends *The Planning Act* and *The City of Winnipeg Charter* in response to the recommendations made by the statutory review of planning legislation, also called the "Braid Report" or "Bill 37 Review." Government accepted all 19 recommendations of the review and released Manitoba's Land Use Planning Action Plan (Action Plan) to improve land use planning processes in response.

Manitoba's Action Plan guides the work of the department for the next five years. Planned actions include multiple stages of legislative and regulatory amendments to strengthen Manitoba's land use planning framework. Bill 33 is part of the second stage of amendments after the former Bill 3 and Bill 4, both made law in 2025.

What are the major things being changed under Bill 33?

Bill 33 amends The Planning Act and The City of Winnipeg Charter in four areas:

- 1. Clarifies and refines the role of The Municipal Board as an appeal body,*
- 2. Addresses priority concerns with the regional planning board model,*
- 3. Streamlines housing approvals (outside of Winnipeg), and*
- 4. Extends livestock operation expansion rights to supply managed industries.*

When will the Bill take effect?

Bill 33 will come into effect after it has passed all stages in the legislative process. The Department of Municipal and Northern Relations will continue to work with all municipalities, planning districts, and other key stakeholders to ensure they understand the requirements of the Bill.

How will the Bill increase local autonomy?

Bill 33 will increase local municipal autonomy in a few ways.

First, Bill 33 gives municipalities the power to make final decisions on secondary plan and zoning by-laws and amendments that were referred to The Municipal Board due to sufficient public objections.

Second, Bill 33 removes the powers for planning regions to compel municipal compliance through Manitoba's Court of King's Bench or to expropriate land. Adoption of a regional planning by-law for the Capital Planning Region no longer affects pending applications and puts the control back in local hands.

Third, Bill 33 gives municipalities more authority to make decisions regarding local livestock operations by allowing councils to amend minor conditions to existing conditional use orders for livestock operations without provincial Technical Review Committee review.

How will the Bill fast-track development applications?

Bill 33 expands the types of developments that qualify to use the minor subdivision process, which is at least a month faster than the regular subdivision process. Bill 33 allows multi-unit developments that have party (shared) walls like duplexes, triplexes, and row homes to qualify as minor subdivisions if they meet all requirements in the local development plan by-law, zoning by-law, and any applicable secondary plan by-laws. Municipalities retain their rights to approve, reject, or approve applications with conditions.

This change is only being made to The Planning Act because the City of Winnipeg already has a similar process in place.

How will changes to referrals to the Municipal Board reduce workload and costs for municipalities?

Bill 33 will result in significant reductions to the overall workload for planning authorities when public objection referrals occur. Municipalities will see significant cost savings compared to the

previous process. Once the Bill is in force, the public objection referral process will no longer require municipalities to:

- *participate in a hearing held by The Municipal Board on public objections (may span multiple days),*
- *require staff to prepare for and participate in The Board's hearing,*
- *retain legal counsel to represent the municipality at The Board's hearing,*
- *find, book, and equip suitable hearing spaces,*
- *publish notice of the hearing in the local newspaper or equivalent, and*
- *prepare and serve new information and rebuttal briefs in advance of the hearing.*

In addition, notice requirements have been improved. Notice provided in response to group submissions will now be fulfilled when given to one person from that group. Existing notice provisions also allow for electronic distribution (e.g. email) of notice to those that have consented to electronic service.

How will the Bill impact The Municipal Board?

Bill 33 standardizes appeal and referral service standard timelines in the planning legislation for The Municipal Board. Creating one consistent set of expectations gives municipalities, developers, landowners, and Manitobans more certainty about when and how their planning matters will be addressed.

The Bill also requires the Municipal Board to conduct an administrative review of public objection referrals in place of holding a public hearing that may span multiple days.

Once the Bill is in force, the public objection referral process will no longer require The Municipal Board to:

- *work with municipalities to find, book, and equip suitable hearing spaces,*
- *notify people of a hearing,*
- *publish notice of the hearing in the local newspaper or equivalent,*
- *review new information and rebuttal briefs in advance of the hearing,*
- *schedule and hold a hearing,*
- *review and summarize all of the hearing submissions to prepare a decision, and*

instead of sending notices of a decision or recommendation to every participant, the Board will be required to post their reports for public objection referrals online.

Why are the names of all the original municipal members of the Capital Planning Region still listed in the Act rather than in a regulation?

The Capital Planning Region membership is currently defined in The Planning Act and the Capital Planning Region – Regional Member Municipalities Regulation. Once the current opt-out deadline of October 28, 2026 passes and membership stabilizes, government can consider the feasibility of moving the membership list from legislation to regulation.

Why is the government still supporting the need for a regional plan for Manitoba's Capital Planning Region?

A long-term plan is needed for Manitoba's capital region to ensure Manitoba remains competitive with other city regions and provinces across Canada. This will strengthen the region's ability to secure infrastructure funding, make smart choices about coordinated infrastructure, and maintain cost-effectiveness of government spending for all taxpayers.

How does the Bill create more time for regional member municipalities to adapt to the regional plan?

The Manitoba government and Capital Planning Region will work together to establish a timeline to bring the regional plan into full force and effect. The deadline for a regional plan to be submitted to the minister is January 1, 2027. Bill 33 creates an opportunity for the Manitoba government to allow the regional plan to come into force and effect at a later date following third reading. For the regional plan to come into effect, it needs to be given third reading by the regional member municipalities of the Capital Planning Region after it is approved by the minister.

In addition, planning applications pending at the time of regional plan adoption are not required to align with the regional plan. Only applications made after the regional plan is given third reading and comes into full force and effect will be subject to the regional plan.

How does the Bill balance improvements for livestock operators and municipal autonomy?

Bill 33 provides the flexibility for livestock operators of supply managed industries (poultry, eggs, and dairy) to respond to quota increases. The Bill requires livestock operators to report any increase over their previously approved amount to their municipality and receive confirmation that the increase fits the minor expansion allowance and local zoning requirements through a municipal zoning memorandum.

Bill 33 recognizes the importance of municipal participation in the management of local livestock operations in partnership with producers and provincial and federal regulators. Bill 33 empowers municipalities to be able to modernize conditions in conditional use orders for large livestock operations at their request, and, where necessary, establish new or updated development agreement requirements to address water servicing for the operation.

If I am making a minor increase to my livestock operation that is subject to supply management, can I increase my entire livestock inventory by 15%?

No. An authorized change applies only to the livestock category that is undergoing the authorized change. In other words, only the animal category that is regulated under supply management may be increased by up to 15%.