

**Statutory Review of Provincial Planning Legislation
Outcome from Initial Discovery Phase**

June 2024



Introduction

Manitoba is required by law to undertake a comprehensive review of recent amendments made to The Planning Act and The City of Winnipeg Charter. Braid Solutions Inc. is conducting the independent review and facilitating stakeholder engagement.

This is an interim update from Braid Solutions Inc. at the completion of Phase I of the Statutory Review of Planning Legislation.

It includes a brief status update and provides an overview of the aggregated feedback from the requirements for change (RFC) interviews completed in this phase of the project.

The implications of Phase I on the balance of the review process are incorporated in this document together with an overview of what comes next in the review process.

Status of Phase I

Phase I of the Statutory Review of Planning Legislation has been completed by Braid Solutions Inc. Phase I was designed to accomplish two objectives:

- Engage stakeholders in shaping the scope and process of the review
- Assess the availability, quality and consistency of data that could be used to perform quantitative assessment of outcomes under the legislation

This initial discovery phase was supported by a strong group of stakeholder voices representing the wide range of interests in the legislation from municipalities, planning districts, Winnipeg Metropolitan Region, the Municipal Board and the planning and development community.

Braid Solutions conducted over twenty sessions with stakeholders representing political leaders, local government and planning district administration, the Association of Manitoba Municipalities, Manitoba Municipal Administrators, representatives of the Urban Development Institute, and several individuals with professional experience in the legal, planning and development professions. Meetings were structured to ensure representation and capture feedback from all parts of the province and from those with interests in various aspects of the legislation.

Representative data was requested from the City of Winnipeg, the Municipal Board and four municipalities/planning districts.

An aggregated summary of the feedback from the stakeholder meetings is attached to this report as information in **Appendix 1**.

Feedback from stakeholders contained in this Appendix has not been independently verified or confirmed by the review team at this stage of the review. Information is being provided in this update as a stakeholder engagement best practice to be transparent about feedback received in an engagement process.

Feedback in Phase I of the review has helped the review team understand a starting point for the review in terms of the scope and breadth of issues important to stakeholders. Braid Solutions synthesized the stakeholder feedback in a structured process to ensure that the aggregate feedback is representative. A minimum threshold of 25 per cent of participants was

used in this process. This means that points reflected in the aggregated summary were raised by 25 per cent or more of the participants in the RFC interview process.

What does this mean for the review process going forward?

The review team made recommendations to Municipal and Northern Relations (MNR) about the scope and approach for the review process based on the feedback from stakeholders. These were endorsed by MNR and incorporated in the design of the review process going forward.

The key elements of the review process resulting from this feedback are:

- The fundamental questions to focus for the review have been refined as follows:
 - Did the legislation and supporting regulations achieve their intended outcome?
 - Are the changes implemented to introduce a common service standard for development approvals and appeals working as intended?
 - Are the changes implemented to bring consistency to regional planning across the province working as intended?
 - Are the changes implemented for livestock operations working as intended?
 - Are the changes implemented for quarry and aggregate operations working as intended?
 - Does the Province of Manitoba meet its own service standards for reviews of development applications including processes to circulate and review applications through all government departments?
 - Is the function of The Municipal Board as the appeal body for development and planning decisions working as intended? (What is working well and what is not? What has been the actual performance of The Municipal Board against the service standards established in legislation? What improvements can be made to improve performance of the legislation in this area if at all? Is a fundamental redesign of the appeal function required or can improvements be made to the existing option?)
 - For each aspect of these questions, the review team will be looking to understand:
 - What is working well and what is not?
 - What has the actual performance under the legislation been?
 - What improvements can be made to improve performance under the legislation in this area or is a fundamental realignment required?
- Refined questions based on stakeholder feedback added to the review scope include:
 - Does the legislation strike the correct balance between the authority of locally elected governments to guide local development decisions based on unique requirements and the expectation to establish a common process and service standards across the province?
 - Does the legislation strike the correct balance between the authority of locally elected governments to guide local development decisions based on unique requirements and the expectation to establish a capability to undertake municipal planning at a regional level?
- The following recommendations requested by stakeholders have not been recommended for inclusion in the review process:
 - Complete, historical assessment of the process to establish the legislation. Instead, the review will adopt a going forward recommendation with the scope to make recommendations for improvements or alternate approaches if required.

- Complete, economic impact of the legislation. Instead, the review will incorporate an assessment of costs and resource requirements to support required processes under the legislation for all stakeholders.
- In completing the final report, the review team will work to provide detailed findings with clear directional findings supported by lesson learned in other jurisdictions where this adds value or clarity.
- An expanded consultation program with increased number of targeted discussions with stakeholders across the province has been supported. The review team will work with key stakeholder groups (including but not limited to the Association of Manitoba Municipalities, Manitoba Municipal Administrators, Urban Development Institute, Manitoba Home Builders' Association, Keystone Agricultural Producers, Manitoba Heavy Construction Association, etc.) to identify individual participants for these sessions. These sessions will be designed to ensure there is a broad representation of interests including:
 - Fast growing vs slower growing areas of the province;
 - Municipalities in the Winnipeg Metropolitan Region;
 - Organizations with strong internal capacity as well as those with more limited internal capacity;
 - Stakeholders with experience initiating or responding to appeals through The Municipal Board;
 - Ensuring geographic coverage across the province from the City of Winnipeg through to rural and northern municipalities; and,
 - Incorporating structured discussions with development organizations initiated by Indigenous communities that have a direct interest in the legislation.
- Virtual consultation will be supported to provide an opportunity for stakeholders to provide feedback. This process will provide a structured process for stakeholders to provide input by based on their perspective as a/an:
 - Member of the public;
 - Individual with experience with the legislation through an application or appeal process;
 - Municipal administrator or council member; and,
 - Developer or proponent of a project.
- The consultation process will provide an opportunity for formal submissions targeted to key stakeholder groups. These submissions will be structured so that the feedback will support areas of inquiry required by the review team.
- The process will include an expanded scope to evaluate the legislation and regulations together with any recommendations developed by the review team from a legal perspective. The scope of the legal review will be extended beyond the changes introduced by Bill 37, Bill 34 and Bill 19 are required to address inter-related/consequential parts of:
 - The Planning Act;
 - The City of Winnipeg Act and Charter;
 - The Municipal Board Act with and emphasis on its role and function in planning and development decision making processes; and,
 - Un-proclaimed sections of the effective legislation.
- The review team recommended that the expanded consultation program be initiated before the analysis of regulatory performance data is completed. This will provide stakeholders with more time to provide the data that will be requested and allow the team to move ahead with the expanded consultation process.

- The regulatory performance data analysis process will be structured to provide a guided process for providing the requested data. The time period to provide the data will be extended to 4 weeks. A different request will be made for The City of Winnipeg, The Municipal Board, Manitoba Municipal and Northern Relations and all municipalities based the specific changes implemented under the legislation. This process will include an opportunity for stakeholders to provide information on costs and resource requirements where applicable.
- The review team will not establish a separate advisory group to support the review process but will instead rely on existing structures as required. Many stakeholder organizations offered support throughout the initial phase and the review team will reach out to these entities as required.
- Some stakeholders requested access to the draft final report and recommendations prior to its submission to government. This is not a supportable request for a Statutory Review. The review team will take steps to be transparent about key findings and recommendation concepts through its process to conduct the review.
- Some stakeholders asked whether the review is being conducted with the aim to make rapid changes to the legislation or supporting regulations. The review team is being asked to prioritize recommendations for impact including identifying opportunities for quick wins and priority action whether legislative or not. Government will consider these recommendations once the final report has been received and carry out appropriate actions.

How will we receive further updates?

- The review team will provide updates through the department at key milestones during the review process.
- If you have questions for the review team, they can be sent to Ian Shaw, (204) 470-4342, ian.shaw@braidsolutions.com

Appendix 1 – Requirements for Change Interview Guide with Aggregated Feedback from Phase I Participants

Feedback from stakeholders contained in this Appendix has not been independently verified or confirmed by the review team at this stage of the review.

The aggregate feedback from participants is structured to align with the interview guide used by the review team during Phase I. Aggregated stakeholder feedback is highlighted in *blue italics*.

This information is being provided in this appendix as a stakeholder engagement best practice to be transparent about feedback received in an engagement process.

It has helped the review team understand a starting point for the review in terms of the scope and breadth of issues important to stakeholders.

Stakeholder feedback was synthesized in a structured process to ensure that the aggregate feedback is representative. A minimum threshold of 25 per cent of participants was used in this process. This means that points reflected in the aggregated summary were raised by 25 per cent or more of the participants in the RFC process.

RFC INTERVIEW GUIDE

Introductions

Provide an overview of the project to the stakeholder

- Legislated review that needs to be undertaken by October 29, 2024 and tabled by government in the legislature by October 29, 2025
- Three phases:
 - Project initiation/scoping phase
 - Discovery/data gathering and analysis phase
 - Realization/report preparation and recommendation to government
- Review team is independent from MNR but working with a project team for coordination and scheduling
- Review will consist of stakeholder engagement/consultation and analysis of regulatory performance data for key metrics associated with the legislative changes

Provide an overview of this phase of the project

- Discussion with key stakeholders to inform the process and approach for the formal consultation
- You have been selected because you are part of a key stakeholder organization or because you are a specialist/expert with unique perspective on the landscape for the legislative review
- This will not be your only opportunity to provide formal feedback on the legislation as part of the review
- It is your opportunity to help the review team ensure that it has a solid plan to address key stakeholders and the public
- Critical in this respect we are hoping that you can help us make sure that there are not key stakeholders missing and also to ensure that the planned consultation method will be most effective

- It is also your opportunity to help the review team be prepared for any critical issues that might arise during the review process
- **This is a confidential interview**
- **All feedback and findings will be aggregated by the review team with our final recommendation on consultation and analysis approach**

A. Background on Review

1. What are your expectations for the review process?

Some common expectations that emerged from stakeholders for the review process are:

- *There are concerns that this review is merely an exercise without real intent for change from the province. Stakeholders want reassurance their feedback will be genuinely considered.*
- *The review should provide a thorough, data-driven analysis of the impacts and effectiveness of the recent legislative changes, including both quantitative data and qualitative insights from stakeholders. There is an expectation that the review will develop an understanding of whether or not the legislation achieved its intended goals around efficiency, timeliness, and certainty.*
- *The review process itself needs to be transparent, collaborative, and inclusive of diverse perspectives from municipalities, developers, citizens, and other stakeholders. Many respondents want meaningful opportunities for input to ensure their concerns are heard and addressed. Many stakeholders expressed frustration with previous rushed processes that lacked consultation.*
- *Independence and neutrality of the review team was emphasized by all stakeholders to ensure it the process is not being driven only by the department's/provincial government's agenda.*
- *The final recommendations should provide clear, actionable suggestions on potential improvements to the legislation and planning processes. There is an expectation that the review will identify issues and propose solutions.*
- *The review should clarify the appropriate roles and powers of municipalities vs. the province when it comes to planning processes. Striking the right balance of local autonomy vs. provincial oversight is seen as important.*
- *The review needs to consider economic development priorities, timelines and impacts, especially on major projects. Some feel this was missing from the initial legislation development process.*
- *Some stakeholders expressed the perspective that the main focus of the review should be to "reset" the legislation including but not limited to changes like walking back powers given to The Municipal Board and reshaping the way regional planning districts can be established.*
- *The final report should provide a thorough explanation of the policy choices and changes made in the legislation. Respondents want to better understand the original rationale behind the legislation.*

2. Do you have any specific recommendations for the deliverables that the review team will develop at the end of the review for stakeholders and government?

Here are some common recommendations for the review team's deliverables that emerged from stakeholders:

- *The final report should provide clear, specific recommendations on areas of the legislation and planning processes that need improvement, based on the empirical data gathered and stakeholder feedback.*

- *Provide clear, actionable recommendations for improving the legislation and planning processes. Many stakeholders expressed frustration with the current system and are looking for tangible changes.*
- *Stakeholders noted that the recommendations should address specific pain points they are experiencing such as appeal processes, Municipal Board powers, public consultation, etc.*
- *Participants were split on whether the review should propose detailed legislation improvements but a majority of stakeholders felt that the recommendations should include detailed recommendations/legislative proposals.*
- *The recommendations must directly address the key problem areas driving the legislation changes, particularly planning processes and formation of the Winnipeg Metropolitan Region.*
- *The report should recommend improvements without being overly prescriptive, allowing flexibility in how the recommendations could be implemented.*
- *There reviewers should explain the rationale behind recommendations including evidence behind them. This builds confidence that the review process was robust.*
- *The methodology and stakeholder engagement process should be thoroughly explained to provide credibility and show how the recommendations were developed.*
- *The recommendations should be structured similar to past reports tabled in the legislature for familiarity.*
- *An advisory group with representation from key stakeholders should be considered for the process and could provide a review of the recommendations before public release.*
- *Progress updates and prepared questions should be provided at milestones to keep stakeholders informed and validate the direction*

3. What is the one thing most important to get right if this review is to be accepted by stakeholders?

Some common stakeholder perspectives on the most important thing to get right for stakeholder acceptance of the review include:

- *Clearly communicating the purpose, scope, timelines and deliverables of the review*
- *Ensuring the review process is seen as fair, representative, and inclusive of diverse perspectives*
- *Providing transparency around the review process, data collection, analysis, and reporting of findings to rebuild trust*
- *Stakeholders need sufficient notice and information to meaningfully contribute feedback*
- *Demonstrating that the review has been conducted independently and objectively*
- *Ensuring thorough consultation and engagement with all key stakeholders, including municipalities, planning districts, developers, professional organizations, Indigenous groups and the public.*
- *Demonstrating that the review has addressed stakeholders' frustrations with previous processes. Many felt the initial legislative change process did provide sufficient opportunities for input and did not incorporate feedback that was provided.*
- *Stakeholders indicated that the final report should provide clear, evidence-based recommendations when addressing concerns especially when addressing perceived problem areas created by the legislation in Winnipeg and the Winnipeg Metropolitan region.*
- *Backing up analysis and recommendations with comprehensive data collection from all stakeholders*
- *Producing clear, actionable recommendations that address stakeholders' concerns and suggestions*
- *Providing opportunities for stakeholders to review and give feedback on the draft report including but not limited to providing an embargoed copy of the report for comment prior to its release.*

- *Structuring the report and recommendations similar to past legislative reports for familiarity.*
- *Consider using an advisory group to review recommendations before release.*
- *Ensuring the expedited timeframe does not undermine meaningful consultation and analysis, which is viewed as crucial for acceptance.*

4. What is the one thing most important to get right for this review to be helpful for stakeholders and government with respect to moving forward?

The key themes that emerge around the most important thing to get right for the review to be helpful for stakeholders and government in moving forward are:

- *Stakeholders want their concerns to be genuinely heard and addressed. They need to feel the review process is transparent and collaborative, not just an empty exercise.*
- *Stakeholders want practical, implementable suggestions for improving legislation and processes, not just high-level critiques.*
- *To be accepted, the review must be seen as unbiased and evidence-based, without undue influence from government, municipalities or the development industry.*
- *The review should have a strong fact-based analysis grounded in data to support the review findings and recommendations.*
- *Stakeholders want to understand the reasoning behind suggestions to improve buy-in and acceptance.*
- *Understanding the impacts, intended and unintended, of the legislative changes on municipalities, developers, citizens and other stakeholders*
- *Recommendations should consider resource constraints and capabilities of all stakeholders when proposing changes.*
- *Recommendations should account for municipalities' staff capacity, time, budgets, and other practical limitations.*
- *Recommendations should clarify the appropriate roles and powers of municipalities vs. the province in planning processes.*
- *The review should assess whether the legislation achieved its intended goals around efficiency, timeliness, and certainty.*

B. Feedback on readiness and process

5. Provide an overview of the planned methodology including key idea that data helps frame conversation during the in-person and virtual consultations.
 - a. What part of the planned methodology is most important from your perspective?
 - b. Are there obvious or critical steps missing or that need further development? If further development, what are the key gaps that you see?
 - c. Do you have any feedback on planned timeframes or turnaround times?

Here is a summary of the aggregate perspective stakeholders on the planned methodology for the review, with a focus on gaps, missing elements, and turnaround times:

- *There is a consistent desire for thorough in-person consultation and engagement with key stakeholders like municipalities, planning districts, and developers. Virtual methods like surveys can supplement but not replace in-person sessions. The short timeframe poses challenges.*
- *Data availability, consistency, and quality are concerns due to the short timeframe. Support may be needed to help stakeholders gather and submit data. The review team should clearly communicate data requirements and expectations for their preparation.*

- *There were also questions raised around what specific metrics, costs, and data points would be requested from municipalities as part of the regulatory performance data. Some emphasized the importance of gathering both quantitative metrics as well as qualitative feedback on costs, resource implications, and unintended consequences.*
 - *Progress updates, prepared questions, and transparency around the process are important, especially given the tight timeframe.*
 - *An advisory group could help validate direction or provide support to the review team.*
 - *The methodology seems logical but the expedited timeframe raises concerns about sufficient consultation, data analysis, and building stakeholder relationships. Extensions may be needed.*
 - *Some key groups seem to be missing from the initial consultation, like individual citizens/landowners, indigenous communities, and municipal administrators. Their input is valued.*
 - *Turnaround times for data submission should be at least 2 weeks. Tight timeframes risk lower quality input. The summer months pose availability challenges. Some stakeholders suggested turnaround times at least 6 weeks especially for smaller municipalities.*
6. Are municipalities and planning districts prepared to provide meaningful feedback to the review team? The Municipal Board?
- a. For which aspects of the review are municipalities, planning districts, and the Municipal Board in the best position to participate?
 - b. For which aspects of the review are they in the worst position to participate?

*Here is a summary of the aggregate perspective from stakeholders on whether **municipalities and planning districts** are prepared to provide meaningful feedback to the review team:*

- *There is general confidence that most municipalities and planning districts will be able to provide feedback, but their level of preparedness varies. Larger municipalities and those more impacted by the legislation changes are seen as more prepared and motivated.*
- *Smaller, rural municipalities may struggle more with data availability and staff capacity to gather and submit information within the tight timeframes. They will require clear direction on data needs and support to provide good responses.*
- *The quality and consistency of data submitted is a concern due to different tracking methods. Support may be needed to help standardize data.*
- *The summer timeframe poses availability challenges for administrative staff.*
- *AMM and MMA can provide strong support to their member organizations from a political and administrative perspective respectively.*
- *While data availability is a challenge, municipalities and districts can still provide valuable qualitative feedback based on experiences.*
- *Some planning districts may be less prepared as they have had limited direct experience with the legislation changes so far.*

In summary, while some larger municipalities may be better prepared, many smaller municipalities and districts may lack the resources and capacity to provide robust quantitative data. Supporting municipalities by providing clear data requests, allowing sufficient time, and working through associations could help improve the quality of feedback. The review team should be prepared to gather both quantitative data and qualitative perspectives from municipalities of varying capacity levels

*Here is a summary of perspectives from stakeholders on whether the **development community** is prepared to provide meaningful feedback to the review team:*

- Larger, more sophisticated developers that were actively involved in pushing for the legislative changes are seen as more prepared and motivated to provide feedback.
- Smaller developers may struggle more with data availability and capacity issues in providing feedback within the tight timeframes. They will require clear direction on data needs without overly prescriptive templates.
- Developer associations like UDI are positioned to gather perspectives and provide formal submissions on behalf of members.
- The development community's feedback will be driven by how the legislation has impacted their specific projects and interests. Those negatively affected will be more motivated to provide feedback.
- The review team was cautioned that some developers may hesitate to provide open feedback if they perceive it could impact future dealings with municipalities.
- Overall, developers are viewed as well-prepared to provide feedback, but smaller players may need support and their perspectives should be directly sought out.

In summary, the development community's preparedness to provide meaningful feedback varies, with larger and more impacted developers more motivated and equipped to respond. Developer associations and targeted outreach can help include smaller players. Some may hesitate to provide fully open feedback due to municipal relationships.

*Here are some key perspectives from stakeholders on whether The **Municipal Board** is prepared to provide meaningful feedback to the review team:*

- The Municipal Board's feedback will likely focus on their role in the subdivision and development appeal processes. Areas like appropriate timelines, procedures, and scope of power need clarification.
- The Municipal Board's feedback can provide valuable perspective on the efficiency and effectiveness of the new two-tier planning appeal structure.
- Engaging the Municipal Board may require targeted outreach and interviews to obtain candid perspectives from members.
- The Municipal Board members are seen by the majority of participants as lacking experience and understanding of the recent legislative changes, since many new members were appointed after the legislation was passed. Their feedback may therefore not provide much insight.
- There are concerns from the majority of participants that the Municipal Board may be biased towards protecting their new powers and expanded scope under the legislative changes. They may be reluctant to recommend dialing back any of the changes.
- The Municipal Board's expanded powers are seen as undermining local council accountability for planning decision making.

In summary, while The Municipal Board can provide helpful feedback on its own challenges under the legislation there is concern that the Board as an organization does not fully understand the real impacts of the legislation at the local level. There are concerns that The Municipal Board will be biased to protecting its expanded powers and scope under the legislative changes. Targeted outreach/engagement with Board staff is required to obtain open and objective findings.

*Here are some key perspectives on whether the **Department of Municipal and Northern Relations (MNR)** is prepared to provide meaningful feedback to the review team:*

- Stakeholders noted that MNR officials are seen as deeply knowledgeable about the legislation and its implementation, so can provide valuable technical feedback on aspects like timelines, procedures, and coordination issues.
- The majority of stakeholders expect that MNR is invested in some areas of the legislation including the Winnipeg Metro Region's formation and powers, the approach to establishing regional planning areas and some of the key aspects of decision making.
- Some stakeholders noted their concerns that MNR may not provide fully open and candid feedback, and their recommendations may be driven more by internal views of the Department rather than independent views provided through the review process.
- Some stakeholders stated their perspective that the review needs to be conducted independent from MNR to be accepted as credible.
- The majority of stakeholders expressed concerns that MNR may want to protect expanded powers created for the Department and Municipal Board established through the legislative changes in scope of the review.
- Some stakeholders recommended that the review team consider targeted outreach to individual MNR staff in order to obtain open and candid perspectives.

In summary, while MNR can provide strong technical feedback, there are concerns that the review's final recommendations may be shaped by the department's perspective of the legislation and impacts instead of being developed through a truly independent process. Targeted outreach may be required to obtain fully open perspectives from officials.

7. Will there be strong data available to measure actual performance under the legislation from all stakeholders?

There does not seem to be a strong consensus that robust performance data will be available from all stakeholders to effectively measure outcomes under the legislation. The key perspectives from stakeholders included:

- Municipalities, especially smaller rural ones, may struggle to provide consistent, high-quality data due to differences in tracking methods and limited resources/capacity for data collection. Support may be needed to help standardize their data.
- The short timeframe for implementation so far means there is limited experience with the new processes created under the legislation among stakeholders like municipalities and planning districts. Their data quality will be impacted.
- Larger developers are equipped to provide data, but smaller developers may struggle. Targeted outreach can help include their perspectives.
- Associations like AMM and UDI are seen as well-positioned to gather member data through surveys or other means. However, there are concerns about bias in the data they provide.
- The Municipal Board's lack of experience with the legislation changes raises doubts about the quality of any data they can provide. Their submissions may be limited.
- The short timeframe for implementation also limits the amount of meaningful data available. More time may be needed.
- Some additional data gathering by the review team directly seems advised, such as building permit analysis, to supplement stakeholder submissions.

8. **WMR stakeholders only:** What is the best way to assess the progress WMR municipalities are making in aligning their development plan and zoning by-laws with the WMR Plan?

Here are some key perspectives on assessing the progress of WMR municipalities in aligning their development plans and zoning bylaws with the WMR Plan 2050:

- Comparing municipal plans to the WMR Plan 2050 may have limited value since the plan has not been approved and there is a three-year process following that point in time to complete this work.*
 - The quality of alignment is viewed as more important than simply updating documents.*
 - The review should analyze the zoning bylaws, development plans, and planning documents of municipalities to assess their level of alignment with Plan 2050 and the priorities of the member municipalities. This review could identify gaps and progress on a more technical/policy level.*
 - The review team may need to supplement data provided by establishing a structure with gates for all WMR municipalities to report against.*
 - The key issue at this point in time is work by municipalities to get their plans and by-laws updated generally.*
9. Do you have any recommendations for contacts and process to ensure that the perspectives of stakeholders from Northern Manitoba are included in the review?

Here are some common recommendations from participants for engaging stakeholders in Northern Manitoba as part of the review process:

- Conduct in-person consultations in Thompson, as it is the largest urban center in Northern Manitoba. Engage with the mayor, council, administrators, developers and citizens.*
- Reach out to Indigenous communities and leaders across Northern Manitoba to obtain their perspectives. This was noted as a gap by some participants.*
- Send prepared questions and information packages in advance to help Northern stakeholders provide meaningful input within the tight timeframes.*
- Leverage organizations like the Association of Manitoba Municipalities (AMM) to survey Northern members and gather data.*
- Provide online surveys or virtual consultation options in addition to in-person sessions to increase accessibility for remote Northern communities.*
- Allocate additional time and resources to engage meaningfully with Northern stakeholders given the logistical challenges. Avoid trying to fit them within timeframes designed for Southern Manitoba.*

10. Are there any supports required for stakeholders to successfully participate in the review?

Some common perspectives on supports required for stakeholders to successfully participate in the review include:

- Providing clear documentation, templates, and educational materials to help stakeholders, especially smaller municipalities and districts, gather and submit the required data and information. This can help address capacity issues.*
- Allowing sufficient time for stakeholders to prepare and submit information, with suggested turnaround times of at least 2 weeks. The tight timeframes pose availability challenges, especially over the summer which also coincides with the busy period for planning and development activity.*

- *Providing questions and information packages in advance to help stakeholders, especially those in Northern and rural areas, provide meaningful input within the expedited timeframes.*
- *Offering online surveys or virtual consultation options in addition to in-person sessions to increase accessibility and reach for remote stakeholders.*
- *Leveraging organizations like Association of Manitoba Municipalities to survey members and gather data on behalf of municipalities and districts. However, potential bias is a concern.*
- *Providing regular progress updates and prepared questions at milestones to keep stakeholders informed and validate direction.*
- *In-person consultation and engagement are preferred by many stakeholders to build relationships and have productive discussions*

11. If formal submissions are included in the final process, who would you target for that approach?

Some key groups that were suggested for formal submissions as part of the review process include:

- *Associations representing municipalities, such as the Association of Manitoba Municipalities (AMM), to gather feedback from their member municipalities through surveys or other means. However, potential bias in the data provided is a concern.*
- *Planning districts like the Red River Planning District, to provide insights on implementation experiences so far, which have been limited.*
- *Developer organizations like the Urban Development Institute (UDI) and Manitoba Homebuilders' Association, to consolidate feedback from their member developers. Larger developers seem more prepared to provide meaningful input.*
- *Professional planning organizations like the Manitoba Professional Planners Institute, to provide expertise on planning processes.*
- *Legal organizations like the Manitoba Bar Association, to review legislative recommendations.*
- *Key municipalities like the City of Winnipeg and rural municipalities impacted by the legislation changes, to provide direct feedback.*

12. Is there a role for an advisory oversight group like MNR's Planning and Development Working Group to participate in the review? If so, what is the best composition of that type of group?

- a. Team information only P&D Working Group Composition:
 - i. Association of Manitoba Municipalities
 - ii. City of Winnipeg
 - iii. Urban Development Institute
 - iv. Manitoba Professional Planners Institute
 - v. Winnipeg Metropolitan Region/Capital Planning Region
 - vi. Deepak Joshi, CAO of the Rural Municipality of St. Clements
 - vii. Alan Borger, President of LADCO Company Ltd

There are some common perspectives on the potential role and composition of an advisory oversight group like the Planning and Development Working Group to participate in the review:

- *An existing advisory group could provide valuable oversight and help validate the direction of the review, given the tight timeframes involved*
- *The group should include representation from key stakeholders like AMM, City of Winnipeg, UDI, and professional planning organizations to reflect diverse perspectives.*

- *However, some stakeholders expressed strong concerns about potential bias from an advisory group dominated by associations with vested interests in the outcomes and difficulties the review team will have achieved meaningful consensus across the various groups.*
- *Regular updates and prepared questions for the advisory group at milestones could help validate direction.*
- *The advisory group should have limited authority, acting mainly as a sounding board to provide diverse feedback rather than directing the process or outcomes.*
- *If introduced into the review process, an advisory group should have no decision-making authority over the review process or recommendations.*

13. Communication

- a. How frequently should stakeholders get updates on the review process?
- b. What is the most useful mechanism for those updates to be communicated?

There are a few common perspectives on how frequently stakeholders should receive updates on the review process and the most useful mechanisms for communicating those updates:

- *Stakeholders should receive updates at key milestones in the review process, such as after data gathering, after analysis, and before final recommendations.*
- *Updates should be communicated through representative groups and associations like AMM, UDI, City of Winnipeg, and professional planning institutes to reach a broad audience efficiently.*
- *Direct communication through the province to all municipalities is also advised to ensure consistent messaging.*
- *An advisory working group could help communicate updates to their respective stakeholders.*
- *Prepared updates with specific questions at milestones help validate direction.*

C. Awareness of engagement and alignment of process

14. Share list of participants for this phase of the Review.
 - a. Should anyone else be included in this phase that have not been represented?

- *Indigenous – Treaty One, SCO, MMF, Pusiko (KTC)*
- *Representative eastern MB municipality*
- *Headingley, Macdonald, Niverville, Springfield*
- *Small/midsized developers*
- *Manitoba Building Officials Association*

Note: The review team has initiated contact with these groups or has ensured they will be represented in the formal consultation plan.

15. There is scope in the program plan for a combination of virtual and in person consultation.
 - b. What groups would benefit most from in person consultation?
 - c. What groups would benefit most from virtual consultation?

Here are some key perspectives on who may benefit most from in-person vs virtual consultation as part of the review process:

In-Person Consultation Beneficiaries:

- *Municipalities, especially larger urban centres and those more impacted by the legislation changes. Allows more in-depth discussion and relationship building.*
- *Planning districts, to provide more extensive insights on their limited experiences with the changes so far.*
- *Developers, particularly larger players who were actively advocating for the legislative changes.*
- *Key organizations like AMM and UDI which can consolidate feedback from their membership. Builds understanding of issues*
- *Indigenous communities*

Virtual Consultation Beneficiaries:

- *Smaller, rural municipalities with more limited resources/capacity.*
- *Citizens, landowners, and other stakeholders with only periodic experience working under the legislation.*
- *Remote northern communities where in-person sessions are more difficult.*
- *Provincial officials who may hesitate to provide fully candid perspectives in person. Allows anonymity.*

16. Share conceptual list of stakeholder groups for Phase 2 of the review.
 - d. Are there key stakeholder groups that are missing from the overall consultation plan? Who should be added and why?
 - e. Are there stakeholder groups that should be revisited?

This question was often incorporated into other responses by stakeholders during the interview process. The aggregate response has been incorporated into other areas of this summary.

17. What is the best method for engaging with the following groups:

- f. Planning profession – MPPI
- g. Consulting professionals – MALA, MAA, Engineering
- h. Development community – UDI, other
- i. Municipalities – AMM, MMA, AMBM
- j. Other groups – Industry groups (Livestock, quarry operations, MBHCA)
- k. Department staff

This question was often incorporated into other responses by stakeholders during the interview process. The aggregate response has been incorporated into other areas of this summary.

18. How would you recommend that the review team plan for consultation with the public?

Here are some common recommendations for public consultation as part of the review process:

- *Conduct public information sessions in major urban centers to obtain direct feedback from citizens and landowners. This expands reach beyond municipal governments and developers.*
- *Provide online surveys or virtual consultation options to increase accessibility for individual citizens across the province. This captures perspectives from remote areas.*

- *Send prepared questions or information packages on the review in advance to help citizens provide informed input within the tight timeframes. This improves quality of feedback.*
- *Leverage municipalities to assist in advertising public sessions and distributing information to citizens through channels like social media or newsletters. This aids awareness.*
- *Allow sufficient time for public notice of sessions and for citizens to provide feedback.*
- *Avoid overlapping with summer vacation period.*
- *Provide an online portal for submitting comments in addition to in-person sessions. This expands reach and accessibility.*
- *Consider targeting outreach to citizen action groups or ratepayer associations to obtain an alternative perspective beyond governments and developers.*

19. Are there any aspects of the review that will require or be enhanced by technical legal analysis?

There are a few areas where technical legal analysis was suggested as being potentially valuable to enhance the review:

- *Most stakeholders believe technical legal analysis would provide valuable insights for the review process and help ensure the recommendations are sound, rational, and within the applicable legal framework.*
- *Analyzing the legislation itself to identify gaps, inconsistencies, or problematic language. This could help inform recommendations for improvements.*
- *Evaluating aspects related to The Municipal Board's role, such as appropriate timelines, procedures, and scope of power. Legal expertise could help determine if changes are needed.*
- *Providing advice around the appeal processes, rights, and procedures established under the legislation to identify problem areas.*
- *Stakeholders emphasized the importance of having a lawyer review the recommendations to ensure the language and approach used in the final report are legally sound, accurate, and enforceable.*
- *Stakeholders highlighted the need to understand why certain language or provisions were included in the original legislation.*
- *A few noted that legal analysis may be needed to address specific gaps or problems identified through the review process. They suggested engaging legal support if significant issues emerge with the legislation.*
- *A minority of stakeholders felt technical legal review was less critical for this process compared to other aspects like stakeholder engagement and planning expertise.*

D. Closing

20. What other issues does our project team need to be aware of related to achieving the outcome of a successful planning legislation review for Manitoba?

21. Are there any other risks to the review process that have not been anticipated through the course of today's discussion?

Some key perspectives on potential risks or issues that have not yet been anticipated for the review process include:

- *Real time pressure for the province to act on changes to the legislation required for municipalities to access the Housing Accelerator Fund and to move forward with key initiatives with real economic development impact being delayed by the legislation.*
- *Expectation that the project does not include timeframes from government to respond and initiate changes to the legislation.*
- *Day to day activities from the department related to the legislation during the period of the review will have a direct impact on the credibility of the review process and the review team needs to consider these impacts in the final plan.*
- *The tight timeframes for gathering data, conducting analysis, and completing the review may undermine the depth and quality of the work, posing a risk to stakeholder acceptance.*
- *Smaller, rural municipalities may lack the resources and capacity to gather and submit quality data within the expedited timeframes, posing data consistency and availability risks.*
- *Associations like AMM asked to gather member data may provide biased perspectives that skew input.*
- *The limited experience of stakeholders like municipalities and planning districts with the new legislation processes poses risks of low-quality feedback.*
- *Logistical challenges reaching Northern Manitoba stakeholders may limit consideration of their perspectives if sufficient time and resources are not allocated.*
- *The Municipal Board's lack of experience with the impact of the legislation on the ground in communities raises concerns about the importance of their input to the process.*
- *Potential bias among provincial officials poses risks of resistance to recommendations and transparency issues.*

22. Now that this interview has concluded, are there any other questions you anticipated that were not included at this stage?

- *Generally, participants acknowledged the completeness of this process and appreciated the opportunity to have input even at this early stage.*
- *One key question identified by some participants was “if this legislation is not the right approach, what should we try?”*
- *Other participants suggested that it was too early to evaluate the full outcomes of these legislative changes. They stated that there is a risk of “throwing the baby out with the bathwater” and that it will take time to see what the impacts really have been. These stakeholders suggested the review also emphasize what is working as well as working to understand what is not.*