

Available in alternate formats, on request. Please call 204-290-9706 or email allison.bednarz@gov.mb.ca.

1. What is the purpose of the proposed legislation?

Legislative amendments will increase the number of local objectors required to trigger a public appeal (called a referral) to the Manitoba Municipal Board from 25 eligible persons to 300 eligible persons in municipalities and planning districts with a population over 6,000 (per census population).

In municipalities and planning districts with a population under 6,000, the proposed amendments increase the number of local objectors required to trigger a referral to the greater of 100 eligible persons or 5 per cent of the census population.

Please refer to the attached table to determine the required eligible persons for each municipality and planning district.

2. What is an “eligible person”?

An eligible person is someone who would be eligible, if a general election were held under The Municipal Councils and School Boards Elections Act on the day the objection was made, to vote at an election of members of council in the municipality or planning district that is adopting the by-law.

3. Why is there a different threshold for smaller municipalities?

Public referrals balance local decision-making autonomy with the value of public participation in the land use planning process. Different thresholds to trigger public referrals are more representative of population differences between municipalities.

4. What is the difference between an appeal and a referral?

Both landowners and citizens in Manitoba have the legal right to challenge certain planning decisions to The Municipal Board where they believe that a decision is inconsistent with local policies and plans.

A planning appeal is made by a landowner or the applicant. A referral is triggered where a required number of eligible voters have filed sufficient objections under the legislation. In such cases the planning related matter must be referred to the Board by the referring authority for a hearing.

5. How does the proposed legislation impact the Statutory Review of Planning Legislation?

Manitoba is required by law to undertake a comprehensive review of amendments made to The Planning Act and The City of Winnipeg Charter (former Bill 37 and Bill 34), that includes public representations. Municipal and Northern Relations will consider additional changes moving forward to fulfil its mandate to speed up approval timelines and ensure local voices are respected.

6. When will the changes take effect?

The legislative amendments will come into effect upon Royal Assent.