

# THE FIGHT AGAINST THE WMR PLAN 20-50 IS NOT OVER

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The Government of Manitoba has pulled a fast one on all of us, and the clock is ticking.

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**We must take action immediately, at the municipal level.**

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## INTRODUCTION

"Bill 4, previously referred to as the *"Freedom Bill"*, has been presented as a step toward empowering municipalities in Manitoba by allowing them to opt out of the Winnipeg Metropolitan Region (WMR). However, upon closer examination, the Bill introduces stringent criteria and tight deadlines that municipalities must meet to withdraw. This presentation will critically analyze the provisions of Bill 4, its implications for municipal governance, and its alignment with broader planning frameworks like Plan 20-50, to highlight the challenges and contradictions inherent in this legislation."

## **BACKGROUND**

Last fall, in response to the significant backlash from the people who live in many of the municipalities included in the Winnipeg Metropolitan Region (WMR), the Premier of Manitoba, announced that his government intended to introduce legislation, which he euphemistically referred to as the “Freedom Bill” which would allow municipalities to opt out of the Winnipeg Metropolitan Region.

In the fall of 2024, the Manitoba Government did announce Two Bills which would reportedly accomplish this task, (Bills 40 and 41) however, each of these bills were rescinded when the legislative session ended in late 2024.

With the new legislative session, the Manitoba Government has re-introduced the “Freedom Bill” as Bill 3 & Bill 4.

For this discussion we are going to focus on Bill 4: “THE PLANNING AMENDMENT ACT”.

## WHAT WAS THE SITUATION BEFORE BILL 4?

<https://web2.gov.mb.ca/bills/38-3/b033e.php>

Under the original **Planning Act**, there were no specific procedures or requirements set out for a municipality to opt out of the Winnipeg Metropolitan Region (WMR). The decision to add or remove municipalities was entirely at the discretion of the Minister, who could modify WMR membership by regulation without defined criteria.

The relevant clause in the original **Planning Act** that allows the Minister to add or remove municipalities from the Winnipeg Metropolitan Region (WMR) is **Section 8(3)**.

This section states that the Minister may, by regulation, modify the boundaries of the WMR to add or remove municipalities as members. This power is broad and does not stipulate rigid criteria for making these changes.

So prior to the introduction of the new “Freedom Act” the minister could add or remove municipalities from the regions, but there were no procedures for doing that.

This contrasts with **Bill 4**, which introduces detailed procedural requirements, such as public hearings and strict timelines, adding significant complexity to the withdrawal process.

To date out of the 18 municipalities included in the WMR, 12 have expressed serious concerns or the desire to opt out.

## WHAT ARE THE NEW REQUIREMENTS

<https://web2.gov.mb.ca/bills/43-2/b004e.php>

Bill 4 introduces significant procedural requirements and rigid timelines that municipalities must navigate before any request to exit the Winnipeg Metropolitan Region (WMR) can be granted.

These include completing a series of tasks, such as updating local plans, aligning with provincial standards, and submitting documentation within a prescribed timeframe.

Failure to meet these conditions results in municipalities being deemed part of the WMR indefinitely, with no appeal process available.

The requirements for a municipality to request an exit from the Winnipeg Metropolitan Region (WMR) under Bill 4 are as follows:

- 1. Council Resolution:**

The municipal council must pass a resolution requesting withdrawal from the WMR and send a copy of this resolution to the Minister of Municipal Relations.

- 2. Public Hearing:**

Before passing the resolution, the council is required to hold a public hearing to receive input from residents and stakeholders about the proposed withdrawal. Notice of this hearing must be provided according to Section 168 of the Planning Act.

- 3. Timeframe for Action:**

The withdrawal request, including the resolution and public hearing, must be completed within **180 days after receiving written notice from the WMR regarding the review of its regional planning by-law.**

- 4. Ministerial Approval:**

Following submission, the Minister **may** issue a regulation to formalize the municipality's withdrawal from the WMR.

## WHAT IS REQUIRED OF THE PUBLIC MEETING

To withdraw from the Winnipeg Metropolitan Region (WMR), **municipalities** must meet several requirements:

### 1. Public Meeting Requirements:

- **Public Hearing Notice:** Councils must provide notice in compliance with Section 168 of The Planning Act. The notice must outline the proposal and invite public participation.
- **Hearing Procedure:**
  - Councils must allow public representatives to present their opinions, whether in support, opposition, or as general information.
  - Presentations are typically limited to 10 minutes unless extended by the chair.
  - The hearing must follow a structured format to ensure clarity and fairness.
- **Documentation:** Resolutions and outcomes from the hearing must be documented and forwarded to the Minister.

### 2. Tight Timelines:

- **180-Day Deadline:** The council must hold a public hearing and send the withdrawal resolution to the Minister within **180 days of receiving written notice that the Capital Planning Region is initiating a review of its regional planning by-law.**

### 3. Timing of Bill 4's Provisions:

- **Retroactive Effect:** Section 11 of Bill 4, governing these procedures, **came into force retroactively on December 31, 2024**, regardless of when royal assent is granted. This means the clock has already been ticking for municipalities to act swiftly.
- Bill 4 states that the WMR must prepare and adopt its initial regional plan by January 1, 2027...

There is no specific requirement in **Bill 4** that mandates a minimum number of attendees for a public hearing. However, councils must provide adequate public notice as per Section 168 of The Planning Act to ensure that the public has the opportunity to participate.

The intent is to allow any person interested in the matter to attend and present their views, but there is no obligation for a minimum threshold of attendees to validate the hearing. The focus is on accessibility and proper notice to facilitate community input.

## **HERE ARE THE PROVISIONS FOR THE PUBLIC MEETING FROM THE PLANNING ACT (CLAUSE 168)**

### **Notice re planning districts, development plans and zoning by-laws**

#### 168(1)

Notice of any the following hearings must be given in accordance with this section:

- (a) a hearing on the establishment of a planning district under subsection 16(3);
- (b) a hearing on the alteration or dissolution of a planning district or the amalgamation of planning districts under section 27 or 28;
- (c) a hearing on the adoption of a development plan by-law under subsection 46(1);
- (d) a hearing on the adoption of a zoning by-law or a secondary plan by-law under subsection 74(1).

### **Publication requirements**

#### 168(2)

Notice of the hearing must be given by

- (a) publishing notice of the hearing in a newspaper with a general circulation in the applicable planning district or municipality on two occasions at least six days apart, during the period beginning 40 days before the hearing and ending seven days before the hearing; or
- (b) when there is no newspaper with a general circulation in the area, posting a copy of the notice of hearing in the office of the applicable planning district or municipality and at least two other public places in the district or municipality at least 14 days before the hearing.

### **Required notice**

#### 168(3)

At least 27 days before the hearing, a copy of the notice of the hearing must be sent

- (a) to the applicant, if there is one;
- (b) to the minister;
- (c) to all adjacent planning districts and municipalities;
- (d) when the hearing is held by the council of a municipality that is part of a planning district, to that planning district and all other municipalities in the district; and
- (e) when the hearing is held by the board of a planning district, to all municipalities in the district.

### **Notice to affected property owners**

#### 168(4)

If the hearing is held to consider an amendment to a by-law that would affect a specific property,

- (a) a copy of the notice of hearing must be sent at least 14 days before the hearing to the owner of the affected property, and every owner of property located within 100 metres of the affected property; or
- (b) where the affected property is not remote or inaccessible, a copy of the notice of hearing must be posted on the affected property in accordance with section 170.



## THE CLOCK IS TICKING DOWN ALREADY

According to Bill 4, the Deadline for Submission is within 180 days from the date that the WMR gives written notice of its initiating a review of its regional planning by-law.

Start Clock: December 31, 2024

Deadline For the WMR to Adopt its Plan: January 1, 2027

### Lets just consider this:

1. We have no indication of when the WMR will give written notice of its initiating a review of its regional planning by-law.

Consider What Minimum Time Frame it Will Require to Get the Council's to Submit Their Resolution to the Minister.

- Educating council takes 4 weeks (28 days)
- Notice of Public Meeting must give 40 days notice (40 Days)
- Say Council Resolution takes two weeks. (14 Days)
- Council send resolution to minister two weeks (14 days)

Total time to complete meeting and tasks = 96 days (Optimistic Timeline)

Municipalities cannot simply wait of the WMR to give written notice of its initiating a review of its regional planning by-law.

We do not know when that may occur, if it occurs in the summer there will be less chance of municipalities to act and get public hearings, or the WMR may not announce until a short time prior to January 1, 2027, not giving enough time before the deadline for Municipalities to act.

## QUESTIONS FOR YOU TO CONSIDER

- 1. So, do you think your municipality is going to take these action on their own?**
- 2. Given how little most municipalities understood about Plan 20-25, do you think your municipal representatives know anything about this?**

## CALL TO ACTION

Municipalities must act urgently, as the timelines and procedural requirements are strict.

Failure to meet these criteria will lock them into the WMR indefinitely, with no further recourse.

Here's a detailed action plan for residents in the 18 municipalities to ensure their voices are heard and their elected representatives understand the implications of Bill 4 and the urgency to opt out of the WMR and Plan 20-50:

### Action Plan for Residents in the 18 Municipalities

#### 1. Educate Your Community

- Share Information:
  - Distribute flyers or hold community meetings to explain Bill 4 and Plan 20-50.
  - Use social media platforms and local forums to spread awareness.
- Explain the Stakes:
  - Highlight how the timelines under Bill 4 are already in motion.
  - Emphasize the potential loss of local autonomy and increased planning burdens.

#### 2. Immediate Actions with Elected Representatives

##### 2.1. Municipal Level:

##### 2.1.1. Contact Your Local Council:

- Phone, email, or write letters to your mayor, reeve, or council members.
- Express your concerns about the WMR and urge them to take steps to opt out.

##### 2.1.2. Request Presentations at Council Meetings:

- Submit formal requests to present at upcoming council meetings.
- Use this platform to outline the concerns with Bill 4 and Plan 20-50.

##### 2.1.3. Demand Resolutions:

- Request your council to pass a resolution opposing the WMR and supporting withdrawal.
- Push for a timeline to organize the required public hearings.

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## 2.2. Provincial Level:

### 2.2.1. Contact Your MLA:

- Call, email, or send letters to your provincial representative.
- Insist on their support for amendments to Bill 4 that allow more flexibility and appeal mechanisms.

### 2.2.2. Engage the Minister of Municipal Relations:

- Directly contact the Minister responsible for Bill 4 and express your opposition.
- Demand clarification on the procedural requirements and assistance for municipalities wishing to opt out.

## 3. Organize Public Advocacy

- Petitions:
  - Create a petition opposing WMR membership and Bill 4.
  - Submit the petition to your municipal council and provincial representatives.
- Town Halls and Forums:
  - Collaborate with like-minded residents to organize town halls discussing the implications of Bill 4.
- Local Media Campaigns:
  - Write op-eds or letters to the editor for local newspapers.
  - Use radio and community TV platforms to raise awareness.

## 4. Legal and Procedural Step

- Monitor Deadlines:
  - Work with your municipality to ensure they meet the 180-day timeline for withdrawal resolutions and public hearings.
- Attend Public Hearings:
  - Participate in hearings to voice opposition to the WMR and Plan 20-50.
  - Encourage others to attend to maximize community representation.
- Request Transparency:
  - Ask municipalities to provide updates on their progress toward meeting the Bill 4 requirements.

## **5. Ensure Long-Term Accountability**

- Follow Up with Officials:
  - Regularly check in with elected representatives to confirm they are taking necessary steps.
- Leverage Elections:
  - Remind representatives that failure to act may influence voting decisions in upcoming elections.
- Track Municipal Progress:
  - Request public updates on compliance with Bill 4 and efforts to opt out of the WMR.

## WHO IS INCLUDED IN THE WMR?

Here is the list of the 18 municipalities included in the Winnipeg Metropolitan Region (WMR):

1. City of Winnipeg
2. City of Selkirk
3. Town of Niverville
4. Town of Stonewall
5. Village of Dunnottar
6. Rural Municipality (RM) of Cartier
7. RM of East St. Paul
8. RM of Headingley
9. RM of Macdonald
10. RM of Ritchot
11. RM of Rockwood
12. RM of Rosser
13. RM of Springfield
14. RM of St. Andrews
15. RM of St. Clements
16. RM of St. François Xavier
17. RM of Taché
18. RM of West St. Paul

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## **SAMPLE LETTER TO MUNICIPAL COUNCIL**

**[Recipient Name]**

**Date:**

[Title/Position]

[Municipality or Provincial Office Name]

[Address]

[City, Province, Postal Code]

**Subject:** Immediate Action Required: Bill 4 and the Winnipeg Metropolitan Region

Dear **[Recipient Name]**,

I am writing as a deeply concerned resident of **[Municipality Name]** regarding the Winnipeg Metropolitan Region (WMR) and their Plan 20-50.

When the Premier introduced Bill 4, also known as the *Freedom Bill*, we were led to believe it would empower municipalities by allowing them to opt out of the WMR.

However, upon closer examination, it is clear that Bill 4 is a **ruse**.

Instead of enabling freedom, Bill 4 introduces severely restrictive timelines and complex procedural requirements that municipalities must meet to opt out of the WMR. Alarming, these requirements are tied to a **retroactive deadline that began on December 31, 2024**, despite the Bill not yet receiving Royal Assent. From the time the WMR gives written notice of its initiating a review of its regional planning by-law Municipalities have only **180 days** to act, with no option to appeal if they fail to meet the deadline.

At this time, we have no idea of when the WMR plans to give written notice of its initiating a review of its regional planning by-law.

This is an incredibly short timeframe to comply with the detailed requirements, including holding public hearings and submitting resolutions to the Minister. As a concerned resident, I urge you to act immediately:

1. **Begin the Process Now:** I expect that our municipality will take immediate steps to hold the required public hearings and submit a formal resolution to the Minister of Municipal Relations as soon as possible. Time is of the essence, and any delay will jeopardize our ability to meet the deadline.
2. **Provide Transparent Communication:** There has been **no communication from our elected representatives** about the resources required to comply with these requirements or the steps being taken to ensure the municipality's autonomy is preserved. This lack of transparency is unacceptable, and I request that updates be shared with the public regularly.
3. **Arrange a Meeting:** I request a formal opportunity to meet with you and other elected representatives to review this issue. It is critical that we work together to ensure the municipality has the tools and knowledge necessary to act swiftly.

Attached to this letter, I have included a detailed analysis of Bill 4 that highlights its challenges and the urgency of the situation.

This is a critical moment for the future of our municipality. The WMR and Plan 20-50 represent a significant loss of local control, and the restrictive conditions of Bill 4 only compound this threat. As we are now racing against the clock, I urge you to prioritize this issue and act immediately to safeguard our autonomy.

Please contact me at your earliest convenience to discuss how we can move forward. I am available to meet with you and other representatives as soon as possible.

Sincerely,  
[Your Full Name]