QUESTIONS ALL COUNCILLORS SHOULD BE ABLE TO ANSWER

ARE YOU READY TO VOTE?

REALLY READY?

Submitted by Justin Swaddle
EPC - October 19, 2016

HOW CAN YOU IMPOSE FEES WITHOUT PLANS?

- What new infrastructure will new and emerging communities need?
- What capacities have been identified?
- Are there detailed plans that identify this infrastructure and when and where it will be built?
- Is the City prepared to install the infrastructure today for the development of tomorrow?
- If not are we in a stall?

DOESN'T THE OUR WINNIPEG REVIEW INCLUDE AN INFRASTRUCTURE STUDY?

- Shouldn't this happen before an impact fee can be applied?
  - Infrastructure Study -The completion of an infrastructure study will provide a comprehensive understanding of city-wide infrastructure capacities. An infrastructure study could assess city-wide infrastructure capacity and assist with:
    - understanding baseline capacity conditions;
    - proactively identifying existing and potential future constraints and deficiencies;
    - the evaluation of development applications;
    - the prioritization of future infill and greenfield growth areas; and
    - capital planning/budgeting efforts and prioritization of future infrastructure works.

DOES ANYONE ELSE SEE THE IRONY THAT THE OUR WINNIPEG REVIEW IS ON THE SAME AGENDA AS THIS?

- Is it ironic that the Planning Department's Work Plan for the Our Winnipeg Review Background Study shows:
  - The need for a Transportation Master Plan Update?
  - The need for a Residential Lands Strategy Update?
  - The need for an Infrastructure Study?
  - The need for a corridor strategy?
  - The short timeline for completing the Background Study work?
  - Perhaps most ironic, the need for a Public Engagement Strategy?

HOW DOES THE MAYOR'S BUILD WINNIPEG PARTNERSHIP TASKFORCE FIT INTO OUR INFRASTRUCTURE PLANNING?

- "The BuildWinnipeg Partnership will allow us to review and renew how the City prioritizes road, public transit and active transportation investments with our funding partners in the federal and provincial governments, so we can keep pace as a fast-growing and innovative City," said Mayor Brian Bowman. "The framework developed by the Taskforce will be key to building a successful Partnership that will, in turn strengthen the City's plans for the future as a growing, thriving, more modern city. I am confident that the members combined experience will positively shape the foundation of this important 10-year strategy plan." (City of Winnipeg Press Release, Oct. 23, 2015)

INTEGRATED PLANNING

- Does anyone understand what is meant in the Our Winnipeg Work Plan by "integrated land use and infrastructure planning" ?

WHERE IS THE BUILD WINNIPEG WORK PRODUCT?

- The Taskforce will report back with recommendations on the framework and mandate for the BWP in 2016, to ensure long-term prioritization of Winnipeg's growing transportation infrastructure, public transit, and active transportation investments prioritized through the BWP, are included in the 2017 budget process. (City of Winnipeg Press Release, Oct. 23, 2015)
- "The Taskforce is assembling the building blocks for the Build Winnipeg Partnership, which will play an important role in addressing the long-term vision, challenges, priorities, and implementation of infrastructure in Winnipeg," (City of Winnipeg Press Release, Oct. 23, 2015)
- Don't you need this before you can imposes taxes on growth infrastructure?

WHERE'S THE CRITERIA FOR PROJECTS

- Did anyone notice that your bylaw has no project or attribution criteria?

IS THIS A REGULATORY FEE OR A USER FEE?

- If it's a Regulatory Fee why would you refer to section 209 and 210 of the Charter? Aren't section 209 and 210 of the Charter about User Fees?
- Don't recent court decisions state that you must differentiate a "user fee" from a regulatory fee"?
- What technical basis supports the proposed fees?
- If it's a regulatory fee does that mean that the current regulatory scheme used by the City for land development is null and void?
- Will you be amending Our Winnipeg, Complete Communities, The Development Procedures bylaw, and any Secondary Plans or Precint Plans, zoning bylaw amendments and subdivision by-laws created using the current regulatory scheme?

WILL THE CITY BE REPAYING OFF-SITE COSTS TAKEN IN PREVIOUS DEVELOPMENT AGREEMENTS?

- Do the Mayor and some Councillors not understand that developers contributed over $50million for Waverley West Arterials much of which serves as cross community connections, major economic corridors, and easy access for Capital Region Commuters.
  - Cash for a lane of existing Bishop
  - Cash for a lane of existing Waverley
  - Over 200 acres of prime development land at no cost
  - All intersections, including stacking lanes, traffic lights, concrete.
  - 1000's of meters of pavement on Waverley.
  - Cash for pavement on Kenaston
  - Major land drainage upgrades.
  - It comes to over 40% of the value of the total project cost.

MORE REPAYMENT ISSUES

- What about land taken for Bishop Grandin through Sage Creek Approvals?
- What about previous contributions for existing Bishop Grandin?
- What about contributions for Lagimodiere?
- What about contribution for other major arterials throughout the City
- What about land drainage installed by developers through out the City and used for City Arterial Roads?

WERE DEALS CUT TO GET VOTES FOR THIS ILL-CONCEIVED TAX?

- Why are the Parker Lands excluded from the Phase 1 map?
- Why are the Ft. Rouge Lands excluded from the Phase 1 map?
- Why are the Sugar Beets Lands excluded from the Phase 1 map?

- Will these areas benefit from growth taxes in other areas?

IS THE CITY IN A CONFLICT OF INTEREST?

- Why is the City's River Park South Joint Venture excluded from the Phase 1 map?
- Why is the old Transcona Public Works Yard site not on the map?

HAVE YOU DONE A FAIR COMPARISON TO OTHER CITIES? AND OTHER CONCERNS.

- What other cities use the CFO to lead planning initiatives?
- Doesn't using the CFO as the lead send a signal that you are looking for projects that allow you to offset tax increases by reducing current cash to capital.
- If you are reducing cash to capital then aren't you just staying in the same place for infrastructure spending?

ARE THERE OTHER FINANCIAL ISSUES THAT NEED CONSIDERATION?

- While we're talking money; the Capital Budget only shows $10mm of the $50mm collected from frontage levies going to the Capital Budget; Where's the other $40mm?
- If your answer is that it's in the operating budget then isn't that an approximately 8% tax increase?
- Didn't it used to be used for the TBO program that's now in the Capital Budget?
- Will this broken process shine the light on other errors that will put the City at risk?

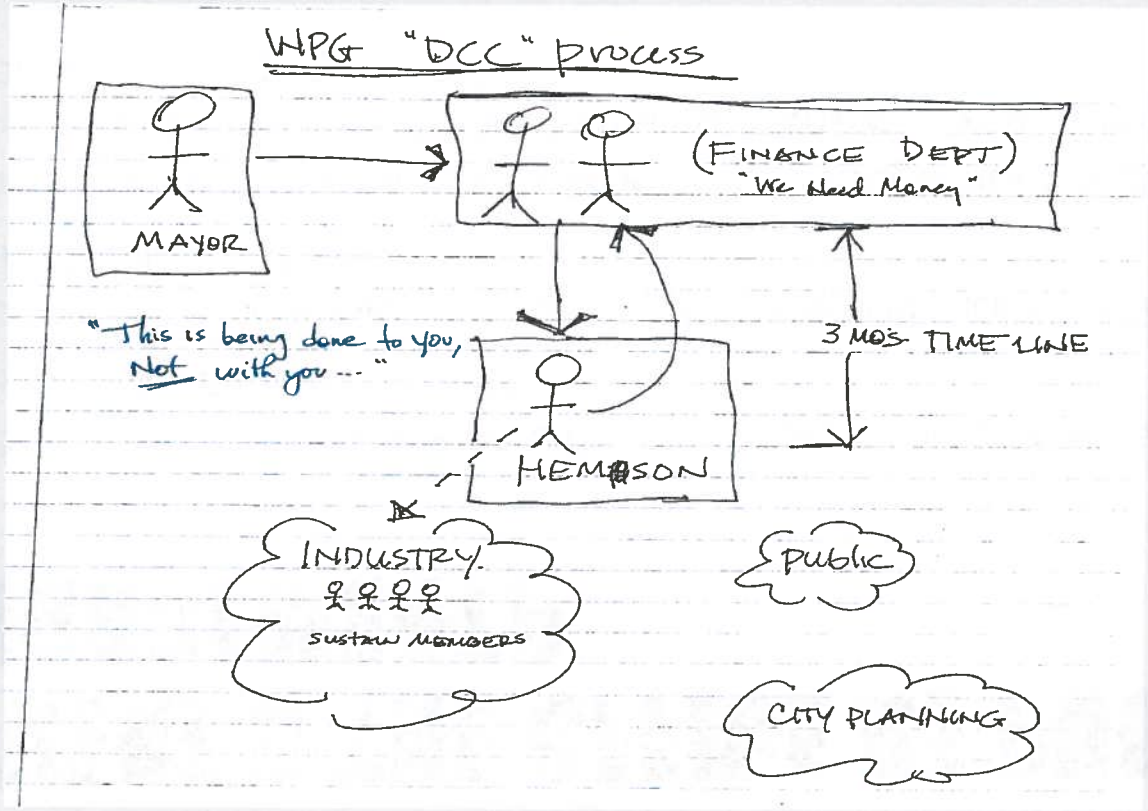
MORE QUESTIONS THAN ANSWERS

- Why does the City want to go down the road of such an obviously broken process.
- Why do you want to take such a risky departure from the clear authority you currently have under the Charter using the Development Agreement Parameters Process.
- The proposed approach will leave the City exposed to litigation. You have left homebuilders and developers with no choice but to take the appropriate legal action to protect themselves and the taxpayers of the City of Winnipeg who will ultimately pay for your mistakes.
- UDI and MHBA have sent numerous invitations to the Mayor and Councillors to sit down in a meaningful plan based process to determine fair and equitable cost sharing, Each time that has been met with new approaches by the City to try to be seen to be doing something but in reality only creating more harm for the City and its taxpayers.
- It's time to recognize your mistakes and sit down through the Development Agreement Parameters Process and the planning detail put forth in the current Our Winnipeg Review process.

WHERE'S THE OFFICE OF PUBLIC ENGAGEMENT?

- Didn't the mayor create an Office of Public Engagement so that effective engagement could occur?
- Is anyone at the table familiar with the International Association for Public Participation (IAP2)?
- Do you have a definition for meaningful engagement or do you consider contacting 40 people and presenting them with your agenda and a lecture as meaningful engagement?

IS THIS A PROCESS OF MEANINGFUL ENGAGEMENT?



CONCLUSIONS

- Winnipeg deserves better.
- You can do better.
- Don't create a divide between the leadership of the City and the Development Community. It's too important to our economy.
- Don't put the City in a position of risk.
- Don't create a Council led or Developer led process. Create a Winnipeg led processes.
- Take the time to align infrastructure cost sharing with Our Winnipeg and it's strategies, the Build Winnipeg Partnership, and the Development Agreement Parameters through integrated planning and true stakeholder engagement
- There should be no fees without a plan.