The City of Winnipeg

Governance Review

# Final Report

September 2021



**PREPARED BY**
MNP LLP

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# EXECUTIVE SUMMARY

The legislation and by-laws that guide governance of the City of Winnipeg were established following the last comprehensive review of the City's governance system in 1997. In 2019, MNP was engaged to conduct a review of the governance structure, bylaws and processes of the City of Winnipeg, to consider ways the current model is effective and how it may be improved to further enable responsible and accountable government.

This report includes findings and recommendations based on the review of current documentation, internal, stakeholder and public engagement, and a scan of contemporary governance practices in other Canadian cities.

Overall, the governance practices of the City of Winnipeg are consistent with the formal framework established through *The City of Winnipeg Charter Ac*t and the City's By-laws. The summary analysis below highlights areas of the City's governance framework and practices that are consistent with contemporary practices in other municipalities and support principles of effective governance, and areas of opportunity to further strengthen the governance practices of the City of Winnipeg.

## Consistent with Contemporary Practice

The following aspects of the City of Winnipeg's governance framework (formal structures and practices) appear to be consistent with or leading the practices of the other jurisdictions reviewed, and support principles of effective municipal governance.

- Council procedures and committee structures are established in by-laws
- There is an Office of the Integrity Commissioner and updated Code of Conduct for Members of Council
- Participation in the Bloomberg Harvard City Leadership Initiative
- Council and committee meetings are open to the public, agendas and decisions are publicly posted prior to meetings. Information is posted on how to appear in delegation/public hearing
- There is an Office of Public Engagement (OPE) and Public Engagement Policy.
- The City has a long-term development plan *OurWinnipeg,* which is informed by public engagement (2021 update pending approval).
- The City is continuing to develop long term strategies and master plans in specific focus areas.
- A multi-year balanced budget process was established in 2019 and updated in 2020.
- The City hosts an open data portal which may be searched for information on capital projects, governance, budgets, permits, transit, neighbourhood maps and City services.

## Recommendations

A summary of recommendations, rationale and required amendments is shown below. More detail regarding rationale and implementation considerations is included in each section of this report.

✓ Required amendment to enable recommendation ✦ Beneficial amendment for clarity and continued application

| Recommendation | Rationale | Required Amendment |
|---|---|---|
| Section 5.1 Council | | |
| 1. Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council. | A formal orientation process is an important way for new Members of Council to quickly become aware of their responsibilities, how Council processes work, how to appropriately interact with the Administration, etc. The current binder requires updating and a significant edit to be a useful, concise resource to new and returning Members of Council. | Organization By-law (roles and responsibilities)✦ |
| 2. Formalize process for requests for information and reports from Administration. | Lack of clarity regarding requests or a means of determining relative priority can create significant workload that may divert resources from matters Council would consider higher priority. | Procedure By-law✦ |
| 3. Increase Council access to resources, and improve public accessibility of Council budget information. | Councillor ward allowances are quite low compared to other Cities. Councillors indicated their ability to make informed decisions is significantly constrained by a lack of resources for research and analysis. Council budget information is not user friendly. | Ward Allowance Fund Policy; Potential budget implications |
| Section 5.2 Mayor | | |
| 4. Establish maximum number of appointments by Mayor to ensure these appointments plus the Mayor, do not exceed 50% of Council. | The power of appointment creates political influence over appointed roles. Currently these roles, plus the Mayor, form a majority of Council. Consensus building and engagement with all Members of Council remains important and may be avoided in this context as Mayor-appointed roles can control decisions of Council. | Charter✓ Organization By-law✓ |
| Section 5.3 Committees | | |
| 5. Streamline the flow of information and recommendations to Council and ensure all direction by Members of Council to the Administration is recorded as a resolution. | The current process creates unnecessary delay and the potential for filtering of information to an SPC. Multi-committee reviews of recommendations to Council create duplication, additional workload for both Members of Council and the Administration, and inhibit timely decision making. | Charter✦ Organization By-law✓ |
| 6. Incorporate a mechanism to ensure all wards are | EPC / Standing Committee Chairs have a significant role and authority. The absence of | Charter✦ |

| Recommendation | Rationale | Required Amendment |
|---|---|---|
| reasonably represented on EPC over time. | multiple wards from this forum for an extended period of time reduces the overall balance of perspectives in an important aspect of City decision-making. | |
| 7. Discontinue Community Committee role in the Development Application Process. | Considering development applications in their own wards can create conflicting interests for Councillors that make it difficult to maintain a 'whole city' view in decision-making. Applications also often involve information requiring technical expertise. | Organization By-law✓ Development Procedures By-law✓ |
| 8. Orient Indigenous Advisory Council to provide advice to Council as a whole. | The Council has become an important means of learning and engaging on Indigenous issues. It would have a more sustainable mandate and broader impact towards reconciliation if linked to the whole of Council, versus as an individual initiative of the Mayor. | Organization By-law✦ |
| Section 5.4 Council Processes | | |
| 9. Adjust proposed By-law amendment for Council Leaves of Absence. | Alignment with Charter, efficiency, transparency | Procedure By-law✓ |
| 10. Increase accessibility of Council meeting information to the public. | The decision-making information system and open data portal are best suited to experienced users. The average citizen may find it complicated, hard to navigate and understand, limiting its effectiveness in creating transparency. | No regulatory or policy change required |
| 11. Enable delegations to present to the Committee or Council after the Administration report on an item. | Scheduling delegations at the beginning of the meeting is disconnected from the item, reduces the ability for the delegation to address any verbal or new information that may be presented by the Administration, and the ability of Council to ask the delegation questions in the context of the Administration's report. | Procedure By-law✓ |
| 12. Increase accessibility of Council decision-making and public engagement processes to marginalized groups. | Internal and external engagement identified a need to ensure public engagement processes enable meaningful input from the diversity of Winnipeg residents, particularly marginalized groups. | Engage Winnipeg Policy✦ |
| 13. Ensure the results of public input on a matter before Council are readily accessible to Council. | Stakeholders expressed concern with the extent to which their feedback is considered in Council decision-making. The City's Engage Winnipeg Policy does not currently require the results of engagement processes to be attached to committee/Council agendas (it | Engage Winnipeg Policy✦ |

| Recommendation | Rationale | Required Amendment |
|---|---|---|
| | often is, but is not required). Input received through delegations at the committee level is included in committee minutes but not in the Council agenda package. Transparency and accountability would be improved by formalizing this practice in the Engage Winnipeg Policy. | |
| 14. Establish an overarching Council approved strategic plan, including a framework to annually monitor progress, review priorities and renew the plan at least with each term of Council. | A Council-approved strategic plan enables clear direction for the City, representing Council priorities and a prioritized policy agenda. It enables open debate, a clear understanding of the intended results, and overall transparency and accountability for performance. | No regulatory or policy change required. *OurWinnipeg 2045* identifies the intent to establish a *Strategic Priorities Action Plan* for this purpose |
| 15. Streamline the Development Application Process. | The multi-committee review process extends the time frame for consideration of development applications. Challenges with review by Community Committees as identified in section 5.3 | Development Procedures By-law✓ |

# 1 BACKGROUND

## 1.1 Introduction

The legislation and by-laws that guide governance of the City of Winnipeg were established following the last comprehensive review of the City's governance system in 1997. MNP was engaged to conduct a review of the current governance structure and processes: ways the current model is effective and how current structures and processes may be enhanced or changed to further enable responsible and accountable government.

This report includes findings and recommendations based on the review of current documentation, internal, stakeholder and public engagement, and a scan of contemporary governance practices in other Canadian cities.

The scope of the review included:

- A review of relevant provincial legislation and City of Winnipeg by-laws with respect to governance of the City of Winnipeg, including but not limited to:
    - *The City of Winnipeg Charter Act*
    - City Organization By-law 7100/97
    - Procedure By-law 50/2007
    - Development Procedures By-law 160/2011.
- Engagement of members of Winnipeg City Council and senior management to gather insights on current systems and processes
- A cross jurisdictional review of other Canadian municipalities to identify contemporary governance practices
- Development and execution of a public engagement strategy to allow for in-person and online feedback, in collaboration with the Office of Public Engagement, and
- Development of recommendations for Council consideration on, but not limited to:
    - Structure of committees of Council including the mandate and delegated authorities of each, their function, relevance, distribution of workload, and appropriate process to all committees
    - The interface between the public service and elected representatives
    - Public hearing processes
    - Appeal processes for administrative and political decisions; and
    - Annual budget process – political oversight and review

The scope of the review included Council and its Standing Committees and Community Committees but did not include boards and commissions.

# 2 DATA COLLECTION & RESEARCH

MNP worked with the City of Winnipeg City Clerk's Office to confirm the approach and timelines for the review. Review activities included review of City of Winnipeg documentation, interviews with Council and senior administration, and a comparative analysis of governance systems in other Canadian cities.

## Document Reviews

MNP was provided with and/or independently sourced City of Winnipeg documents for review and inclusion in the development of the context for this study. These documents included legislation and by-laws, reference materials for Council and citizens, organizational charts, and policies. A detailed list is included with References in Appendix A.

## Interviews Conducted

In total MNP conducted 27 in-person interviews between September 30 and November 14, 2019, with supplementary discussion by phone as required. These interviews included all Members of Council, City Clerk and senior Clerk's Office staff, the Integrity Commissioner, six senior administration and three directors.

## Other Jurisdictional and Best Practices Research

MNP conducted secondary research and reviewed legislation, by-laws, and other published information to gain insight into governance structures, policies, and procedures for municipal governments in Vancouver, Calgary, Edmonton, Regina, Toronto, Ottawa, Hamilton, Montreal, and Halifax. This information was used to identify contemporary practices and policies.

MNP also conducted research into contemporary practices and thought leadership surrounding municipal governance generally. A list of this information is included in the references section in Appendix A.

## Public Engagement Process

The original proposed multi-channel engagement plan included both on-line and in-person public engagement activities. To comply with Covid-19 public health measures, all engagement activities were conducted on-line. Questions for engagement sought feedback on participants' experiences with and opinions of City governance processes and priorities for improvement.

Over 900 individual residents provided input through an on-line survey and 55 posts were received on an on-line idea generation and commenting tool hosted on an Engage Winnipeg project webpage. A total of 36 individuals participated in four virtual public events. Twenty-one stakeholder organizations (29 individuals) representing business/industry, community, and planning and development provided input through seven virtual focus groups. We also received eight written submissions from stakeholder organizations which will be provided verbatim to the City.

Insights from public engagement are included in sections with this heading throughout this report. A Summary Report of Public Engagement activities and results, including how input was considered in our recommendations is included as an appendix to this report and will be posted on the Engage Winnipeg Governance Review project page.

The City also contracted Probe Research to include unique, but similar questions as part of an omnibus survey of a random and representative sample of 600 adults residing in Winnipeg. The findings of the omnibus survey are presented separately as an appendix to the Summary Report of Public Engagement.

# 3 REGULATORY FRAMEWORK

Several acts and regulations prescribe what and how public services will be provided in the City of Winnipeg. The most relevant legislation and policies to the City of Winnipeg governance review are:

- *The City of Winnipeg Charter Act* S.M 2002 c. 39 (*The Charter*) – The primary provincial legislation governing the City of Winnipeg, which establishes the general purpose of the city, composition of Council, the authority of Council to govern the city and the general powers and duties of Council.
- *The Municipal Council Conflict of Interest Act* C.C.S.M. c. M255 – provincial legislation that defines when a Council member may have a direct or indirect pecuniary interest.
- City Organization By-law 7100/97 – Under authority of *The Charter*, the City Organization By-law sets out the governance and administrative structure of the City. It establishes the powers, roles and responsibilities of the Executive Policy Committee (EPC), Standing Committees (all named as Standing Policy Committees (SPC),) and delegates certain powers and duties to administrative employees.
- Procedure By-law 50/2007 – Under authority of *The Charter*, the Procedure By-law sets out the rules by which Council and committee meetings, hearings and appeals shall be conducted, and by-laws enacted.
- Development Procedures By-law 160/2011* – The Development Procedures By-law outlines the approval procedures related to the different types of applications required for development in Winnipeg according to the zoning and planning by-laws. It defines the types of applications and approval bodies for each, the public hearing process, notification, and appeal processes.
  The primary planning and zoning by-laws include:
  - OurWinnipeg Plan By-law No. 67/2010
  - Complete Communities Direction Strategy By-law No. 68/2010
  - Secondary plan by-laws
  - Winnipeg Zoning By-law 200/2006
  - Downtown Winnipeg Zoning By-law 100/2004

  **At the time the preliminary report was prepared, the Development Procedures By-law was under review. By-law 104/2020 was approved by Council October 29, 2020.*
- In Camera By-law 21/2011 – Specifies categories of matters that may be considered at in camera meetings of Council, committee, or sub-committee of Council.
- Members of Council Code of Conduct By-law 19/2018 – Most recently updated in October 2019, the Code of Conduct establishes a common understanding of the ethical obligations of Members of Council and their staff.
- Board of Adjustment By-law 5894/92 – Provides for the appointment of members and the functions of the Board of Adjustment.

Specific sections of *The Charter*, by-laws, and policies relevant to this governance review are included by topic in the sections that follow.

Provincial legislation that has some limited application to the City of Winnipeg includes the following:

- *The Municipal Act* C.C.S.M. c. M225 – the provincial legislation that establishes the authority and responsibilities of municipalities in Manitoba. While certain sections of this Act apply to the City of Winnipeg, for example, related to annexation, taxation, intermunicipal roads, etc. it is mostly supplanted by *The City of Winnipeg Charter Act* including provisions related to Council.
- *The Planning Act* C.C.S.M. c. P80 – provincial legislation that provides the framework for land use planning at the provincial, regional, and local levels, establishes planning authorities and general requirements for a development plan, zoning by-laws, subdivision approvals and public hearings. Provincial Land Use Policies are established by regulation. Only certain sections of *The Planning Act* apply to the City of Winnipeg, for example provincial land use policies (Part 2 Division 1), regional strategies (if adopted with other planning districts or municipalities) (Part 2 Division 2),

# 4 PRINCIPLES OF "GOOD GOVERNANCE"

Municipal governments today are facing demands for more and better services, expectations of accountability, transparency, and value for taxpayer investment, increasing costs and sometimes decreasing resources. More and more, local governments are critically reviewing their programs, services and their supporting systems and structures from governance and leadership to front line service delivery.

Municipal governance, like all governance, has a critical role in the leadership, stewardship, and oversight of the organization. It also sets the tone for organizational behaviour and is integral to creating a culture that will deliver sustainable performance. Openness and accountability matter at every level. Good governance means a focus on how this takes place throughout the organization and those that act on its behalf. Effective governance requires more than individual dedication and commitment to responsible and responsive decision-making. It requires a system and structure that provides clarity, informed, efficient, and democratic decision-making, and promotes accountability and performance in the organization.

While there is no "one size fits all" model of governance, sound governance principles and processes help to guide those charged with governance. Principles applied in the review of the City of Winnipeg's governance structures and processes were identified through a review of related literature as well as common expectations of government. They include the following:

Accountability – The ultimate accountability of an elected official or body is to their voting constituents, who may choose not to re-elect them. Between elections, accountability can be supported by related principles. *Oversight* is the ongoing monitoring to ensure policies are implemented and resources are used as intended, and related reporting to the public. *Recourse* includes the means of correcting either incorrect action or unintended impacts, and includes processes to investigate public complaints, protect whistleblowers, and provide access to appeal of municipal decisions (Taylor, 2016).

Transparency – Open access to information regarding decisions, the decision-making process, and the basis for or influences on decisions such as outcomes of consultation processes or lobbying activity allows citizens to evaluate the quality of decisions and implementation, and satisfy themselves as to the fairness of governance processes (Taylor, 2016). While transparency is also a significant aspect of accountability, it has sufficient import in today's society to merit separate consideration.

Efficiency – Efficiency in governance involves ensuring the best possible use of available resources (Council of Europe, 2008). This includes streamlined processes that minimize duplication and overlap, with only deliberate redundancy. Timeliness of governance processes is included within this principle as a balancing factor for the time and resources needed to support accountability, transparency, and inclusivity. A perfect process is not valuable if decisions are too late to respond to urgent problems or if delays impose undue burdens on stakeholders.

Effectiveness – At its most basic, effectiveness means results meet the agreed objectives. It also includes the systems and processes to evaluate performance of the organization. Audits are carried out at regular intervals to assess and improve performance (Council of Europe, 2008).

Inclusivity – Inclusive processes are both an inherent good and a necessary condition of effective action, supporting social capital. People who feel they have had a reasonable opportunity to participate in a process are more likely to voluntarily comply with the outcome (Taylor, 2016) (Wilde, Narang, Laberge, & Moretto, 2009; Nogales & Zelaya-Fenner, 2012). For the purpose of this review, we consider inclusivity as the opportunity for citizens to provide input to decision-making processes, and the degree to which Council deliberations reflect democratic process.

Impartiality – Impartiality generally refers to fairness and objectivity in decision-making processes, without bias towards a particular interest. These are generally supported by codes of conduct that emphasize honesty, and impartial treatment, as well as a duty to follow political direction within the law (Taylor, 2016) (Council of Europe, 2008).

Learning – Includes the processes and degree to which the knowledge and skills of those charged with governance are continuously maintained and strengthened, and performance is reflected upon to identify opportunities for growth. It also includes how decisions may be informed by both information and lessons learned from past experience (Council of Europe, 2008)

The City of Winnipeg's governance structures, systems and processes were reviewed in the context of these principles, with consideration to the formal structures of legislation, regulation, by-laws and policies and informal organizational norms (practices) and culture.

# 5 FINDINGS AND RECOMMENDATIONS

The findings that follow reflect analysis of relevant legislation, by-laws, policies, insights from interviews, and governance practices in other Canadian cities.

Findings are presented for each topic under the categories of:

- ***Formal Structures*** – relevant legislation, by-laws, and documented policies.
- ***Current Practice*** – Current processes and practices identified through review of City of Winnipeg information such as meeting agendas, minutes, reports, recommendations, procedures, webpages etc. and interviews.
- ***Insights from Internal Engagement –*** interviews with Council members and senior administration
- ***Insights from Public Engagement –*** results of a public survey, stakeholder focus groups, and written submissions
- ***Insights from Other Jurisdictions*** – Information on corresponding approaches in other cities included in comparative research.

Recommendations, with associated rationale and implementation considerations are presented following each topic in sections 5.1-5.3, and by sub-topic for section 5.4.

## 5.1 Council

### 5.1.1 Formal Structures

#### Responsible and Accountable Government

*The City of Winnipeg Charter Act* is the primary provincial legislation governing the City of Winnipeg. It establishes the general purpose of the city as:

- To provide good government for the city
- To provide services, facilities or other things Council considers necessary for all or part of the city
- To develop and maintain safe, orderly, viable and sustainable communities
- To promote and maintain the health, safety, and welfare of the inhabitants.

*The Charter* further specifies "The City is created to be a responsible and accountable government with respect to matters within its jurisdiction." [s.5(2)]

#### Mayor and Council Established by *The Charter*

As set out in *The Charter*, the City of Winnipeg Council consists of an elected Mayor and Councillors. Each Councillor is elected by the voters in an individual ward while the Mayor is elected by a vote of the city-at-large in the general election held every four years.

Under the authority of *The Charter,* wards and boundaries are established by the Winnipeg Wards and

Boundaries Commission. There are currently 15 wards (and thus 15 Councillors), with boundaries and names most recently changed in September 2018.

## Powers and Duties of Council

The powers given to Council under *The Charter* are stated in general terms, to give broad authority to govern the city in whatever way Council considers appropriate, and to enhance the ability of Council to respond to present and future issues in the city. [s.6(1)]

Under section 54(1) of *The Charter,* "Council may only act by by-law or resolution." Council has the authority to establish committees of Council and may delegate a power, duty, or function to such a committee by by-law. Under *The Charter*, Council also establishes the administrative structure for the City and may delegate any of its administrative powers to an employee of the City, subject to specified restrictions. Council delegates authority to the Chief Administrative Officer (CAO) to establish the administrative organizational structure in the City Organization By-law 7100/97 [s.17].

*The Charter* also sets out certain matters whereby Council has final decision-making authority and cannot delegate, specifically its power to:

- Enact by-laws, or any function that Council must perform by by-law
- Approve an operating or capital budget
- Appoint, suspend, or dismiss a statutory officer; or
- Enter into a collective agreement in respect of employees.

The City Organization By-law also establishes certain matters that remain the purview of Council as a whole:

- Approval/setting of mill rates, fees, and charges for City services except as specifically delegated
- Approval of staff establishment
- Level of public services as per the operating budget
- Policies affecting inter-governmental relations, including requests for legislation
- Declaration of surplus properties and budget approval of land purchases
- Receipt of reports from the City Auditor and complaint investigation reports from the Integrity Commissioner.

## Role

Councillors have a dual role. They are Members of Council dealing with decisions affecting the whole city, and representatives of their wards. All Councillors of the City of Winnipeg sit on at least one SPC and a Community Committee, and may serve on other committees of Council, boards, and commissions.

A written Code of Conduct for Members of Council (Code of Conduct) was first established in 1994. By-law 19/2018 established a new Code of Conduct that was further updated by By-law 83/2019 in October 2019. It is intended to complement other statutes, by-laws and policies that govern the conduct of Council Members including *The Charter*, *The Municipal Council Conflict of Interest Act*, *The Human Rights Code of Manitoba*, *The Freedom of Information and Protection of Privacy Act* (FIPPA), the *Criminal Code of Canada*, City of Winnipeg policies, by-laws and procedures, codes of conduct for City boards or commissions.

Under Key Principles, the Code of Conduct states "the public interest is best served when Members:

- perform their duties of office honestly and with integrity, impartiality, and transparency, putting the public interest before private and self-interest;
- conduct themselves in such a way as to promote respect for Council and municipal government;
- serve their constituents and the City in a conscientious and diligent manner and approach decision making with an open mind; and
- perform their duties of office and manage their private interests in a manner that promotes public confidence and trust in the political process."

It further provides Rules of Conduct in the following areas:

- Confidentiality
- Conflict of Interest
- Fundraising
- Gifts and Benefits
- Use of Influence
- Use of Staff, Resources and Property
- Election-Related Activity
- Conduct Concerning Staff
- Respectful Conduct
- Adherence to Council Policies and Procedures
- Reprisals and Obstruction

### Council Budgets and Compensation

Members of Council receive funds to enable the performance of their roles according to By Law 158/2011 – *A Bylaw to provide compensation to members of Council*, sets compensation for members of Council and an annual adjustment factor. The Ward Budget Policy establishes allowable expenses including advertising and promotions, business meetings and hospitality, community expenses and donations to community groups, employment of Councillor assistants, office expenses, professional and consulting services for the purpose of research related to City business, training, and travel. There is also a Mayor's Office Expenditure Policy, described in section 5.2.1.

## 5.1.2 Current Practices

### Roles and Responsibilities

A Council Reference Guide is provided to Council Members upon taking office. It includes guidance on the use of the ward allowance, the Code of Conduct, administrative information and contacts, Council Procedure and City Organization by-laws, grant applications and related policies, FIPPA, the budget process, and information on 311. It does not define the duties and responsibilities of a Council Member. *The Charter* also does not speak to the responsibilities of individual Members of Council. While there are many references to it in other material contained in it, the Guide does not include a copy of *The Charter* or a general explanation of what it contains.

The January 20, 2019 report of Acting Integrity Commissioner Gregory Levine submitted that Council ought to make representations to the Province to incorporate duties of Council Members into *The Charter* as the Province has in *The Municipal Act*.

## Resources

The City Clerk is a statutory officer appointed by Council whose role is to support the work of Council and its committees, the Mayor and Mayor's Office. The City Council Reference Guide (City of Winnipeg, 2018) indicates the Clerk's role is to

> *"support the work of Council, Executive Policy Committee, Standing Committees, Community Committees, the Mayor and Mayor's Office, Members of Council and liaise with the Chief Administrative Officer, the Deputy Chief Administrative Officers and senior administrators…*
>
> *The Department works closely with each Member of Council to support the ongoing governance activities, especially through the decision-making process.*
>
> *The Department provides direction on jurisdiction, legislation, and by-laws as well as Council policy, procedure and precedent and liaises with the City Solicitor on all related matters. The Department advises on options for decision-making matters and prepares motions at the request of Members of Council."*

The total budget for mayor and council operating expenses is included in the detailed adopted budgets under Council Services. Councillors all have a ward allowance, with expenditures guided by the Councillors Ward Allowance (CWA) Fund Policy. All Councillors have the same base ward allowance fund ($82,924 in 2018). Committee chairs receive a supplement of approximately $6,200 for chair roles on SPCs and $4,450 for other committees or responsibilities (Deputy Mayor, Speaker). Historically, the City Auditor has audited Councillor expenses annually. In 2021, the CWA Fund Policy was amended to provide for audit of Councillor expenses on a rotational basis. Open data information allows a search for expenditures by month by Councillor (or Mayor). The annual budget for a Councillor is not posted in this area, and the open data search does not provide a summary of year-to-date spending by category or by Councillor. Information on the annual budget for each member of Council is not posted with this information. A scan of 2018 expenses indicates 65-75% of Ward Allowance funds are typically used for Councillor assistant compensation (Auditor, 2019). Councillors' staff are considered political appointments and are not staff of the City of Winnipeg.

## Conduct

The Office of the Integrity Commissioner was established in 2017 with the appointment of the current Integrity Commissioner, and a new Code of Conduct in 2018. The Integrity Commissioner has published two annual reports indicating the frequency of requests for advice, complaints, and their disposition. The December 2018 report indicates four formal complaints. At the time of the annual report, three were dismissed and one remained under investigation. The Integrity Commissioner's annual report for 2019 was not yet available.

The Code of Conduct By-law includes a requirement to review the Code of Conduct with each Council Member once per year. The Integrity Commissioner recently facilitated a Council seminar regarding the Code of Conduct.

## 5.1.3 Insights from Internal Engagement

Members of Council most frequently identified their primary responsibility as representing constituents in their ward, and generally felt they are a good conduit for communication between citizens and the City. A minority discussed their role in terms of city-wide responsibilities, including developing policy, developing the budget, and working with their peers to better the community.

Members of Council identified a lack of orientation and training regarding their role as a Member of Council or as Committee Chair, which can lead to inefficient use of time and resources. There is a need for clarity on appropriate ways to interact with the Administration.

Members of Council not on EPC indicated they require additional resources to assist with research and understanding technical reports. Access to sufficient and balanced information was noted frequently as a gap, with some Members of Council spending significant individual effort to seek out additional information on an issue.

## 5.1.4 Insights from Public Engagement

Concern regarding the ward system was a theme from public engagement, including the split of downtown into three wards, and a concern that the ward system overall does not support a whole city view in decision-making.

## 5.1.5 Insights from Other Jurisdictions

Like the City of Winnipeg, most cities reviewed elect a Councillor for each ward. The exception is Vancouver, where all Councillors are elected at large. Montreal has a unique structure whereby Councillors are elected for a district within a borough, and a Council is established for each borough.

***Table 1 – Councils in Other Canadian Jurisdictions***

| | Winnipeg | Vancouver | Edmonton | Calgary | Regina | Toronto | Hamilton | Ottawa | Montreal | Halifax |
|---|---|---|---|---|---|---|---|---|---|---|
| Population* | 705,244 | 631,486 | 932,546 | 1,239,220 | 215,106 | 2,731,57 | 536,91 | 934,243 | 1,704,69 | 403,131 |
| Size of Council *(including Mayor)* | 16 | 11 | 13 | 15 | 11 | 26 | 16 | 24 | 65 | 17 |
| Councillor Election | By Ward | At-Large | By Ward | By Ward | By Ward | By Ward | By Ward | By Ward | By Borough district | By District |

* (Statistics Canada Census, 2016)

### Council Roles and Responsibilities

*The Municipal Act (Manitoba)* defines the duties of Council for other municipalities in Manitoba.

*83(1) Each Member of a Council has the following duties:*

*(a) To consider the well-being and interests of the municipality as a whole and to bring to the Council's attention anything that would promote the well-being or interests of the municipality;*

*(b) To participate generally in developing and evaluating the policies and programs of the municipality;*

*(c) To participate in meetings of the Council and of Council committees and other bodies to which the Member is appointed by Council;*

*(d) To keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the committee decides to keep confidential until the matter is discussed at a meeting of Council or of a committee conducted in public;*

*(e) To comply with the code of conduct for Members of Council; and*

*(f) To perform any other duty or function imposed on the Member by the Council or this or any other Act.*

The Council Members Guide published by Manitoba Municipal Government and the Association of Manitoba Municipalities (AMM, 2018) provides the following further guidance:

> *It is important to remember that wards are for election purposes. All Council members, even if elected by a ward, have a responsibility to the whole of a municipality.*

The Manual also interprets other duties, as including:

- *Participating in developing and evaluating policies that direct planning, financing, and municipal services*
- *Participating in and most importantly voting at Council meetings, committee meetings and on other bodies to which you are appointed. Council members are expected to attend and be actively involved in the business of those meetings*

*Keeping municipal matters confidential until they are discussed at a meeting open to the public. The consequence of breaching confidentiality is disqualification from Council.*

In B.C., roles and responsibilities for Mayor and Councillors are detailed in *The Community Charter* of B.C. and further explained in a guide (Stewart, 2012). This information is relevant for Vancouver City Councillors. More detail on the role of the Mayor is included in *The Vancouver Charter*.

The Government of Alberta's Department of Municipal Affairs has an online Council Member Handbook providing a detailed description of the responsibilities of the role such as governance, finance, and planning and development. The Handbook also contains detailed information on legislation, financial implications of decision-making and provides a detailed description of Alberta's Intermunicipal Collaboration Framework. This material would be relevant for Council Members in all cities in Alberta, including Calgary and Edmonton.

The Government of Saskatchewan has a webpage that describes in detail what an individual can expect when running for municipal office within the province (this would include Regina). The page describes how municipal governments are structured, Council roles and responsibilities, time commitment, how to

run for office (including if government employees are seeking nomination), rules for campaigning and responsibilities once elected. There is also a Council Members Handbook available online that includes detailed information about the role, procedures, and a link to the Municipal Leadership Development program.

The City of Toronto has three volumes of a City Council Handbook. Volume one focuses on operations and has detailed descriptions of Councillor salaries, benefits, budgets, staff, office space and how to run their office. Volume two focuses on Council decision-making and has detailed descriptions regarding the Council decision-making process, agendas, meetings, and appointments. Volume three focuses on accountability and transparency and has detailed descriptions about the *City of Toronto Act* and Chapter three of the municipal code which talks about the integrity commissioner, lobbyist registrar, ombudsman, and auditor general.

The Ontario Municipal Councillor's Guide 2018 applies to all other municipalities in Ontario apart from Toronto. It includes sections on the roles of Council, head of Council, individual Councillors, and staff. It includes a section on Council-staff relationship and considerations for inclusion in a policy on the relationship between Members of Council and municipal staff (such a policy is mandated for all Ontario municipalities). Strategic planning and succession planning are also addressed in the guide.

The City of Moncton's Enhancing Democracy Committee has produced an updated document that details the duties and responsibilities of Councillors, the Mayor, and the Deputy Mayor. Individual Councillor's performance against the set of responsibilities and expected outcomes is documented and reported annually to Council and posted on the City's website.

## Integrity Commissioner

Seven of the nine other Canadian cities we reviewed have an Integrity Commissioner with similar mandates as established in Winnipeg. The two cities that do not currently have someone in this role are Vancouver and Halifax. It appears to be under consideration in Halifax.

The City of Edmonton's Council approved their first Integrity Commissioner (and an Ethics Advisor) in September 2018 on a contractual basis. The Integrity Office is an independent body that is responsible for ensuring that the Code of Conduct for Council is followed and supports elected officials in maintaining ethics and integrity in the work that they accomplish.

The City of Calgary was the first municipality in western Canada to create an independent Integrity Commissioner. The Integrity Commissioner is responsible for investigating and reviewing any breaches or issues related to ethics or integrity in matters undertaken by Members of Council.

The City of Regina appointed their first Integrity Commissioner in July 2018. The Integrity Commissioner was appointed to be an independent and unbiased body that will review and analyze violations or contraventions in the City of Regina's Code of Ethics Bylaw in addition to providing guidance and counsel to Members of Council on any ethical matters they encounter as they fulfill their duties.

The City of Hamilton has an Integrity Commissioner who performs his or her duties on a part-time as needed basis (no permanent office in the City of Hamilton). The Integrity Commissioner is responsible for advising and educating Councillors on the code of conduct and works in a preventative nature. The

Commissioner is also responsible for complaint investigation and complaint adjudication and administers the appropriate disciplinary actions as needed.

In Toronto the Integrity Commissioner is appointed for a five-year non-renewable term of office. Generally, the Commissioner is responsible for providing advice on the application of the *Municipal Conflict of Interest Act*, code of conduct, city or board by-laws, policies, and protocols. The Commissioner is also responsible for conducting inquiries if policies/codes were contravened, providing educational training to Council, and providing opinions on policies regarding topics of ethics and integrity.

The City of Ottawa has an independent Integrity Commissioner that reports directly to Council. This individual is responsible for overseeing the Code of Conduct and the Gifts Registry for Councillors which includes providing guidance and advice to Councillors regarding integrity and ethical matters, analyzing and investigating complaints and recommending sanctions on an as-needed basis. The Commissioner has also been given / delegated the Lobbyist Registrar and Meetings Investigator roles and responsibilities.

Montreal currently has an Ethics and Integrity Advisor that assists in advising elected officials and executive staff for the City of Montreal.

Halifax Council has had multiple discussions about appointing an integrity commissioner, but at this time there is not an individual in this role.

## Ward Budgets / Spending

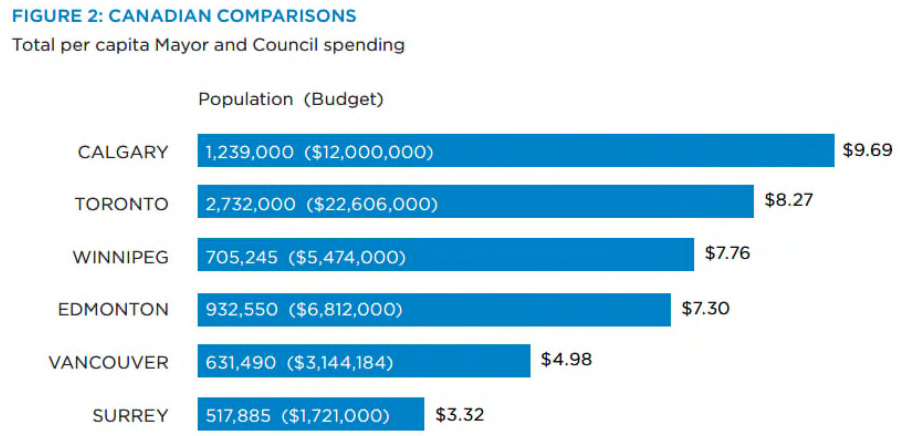
The City of Winnipeg ward budgets at $82,000 -$94,000 annually are low compared to most other jurisdictions reviewed. Net of Councillor remuneration, Councillor budgets ranged from a low of $90,000 in Vancouver (no wards) to $532,000 in Toronto. The average ward budget excluding Vancouver and Toronto, net of compensation, was $238,000.

At its current funding level, the City of Winnipeg ward budget allows for one administrative staff member per Councillor. In other cities, ward budgets accommodate multiple staff. In Calgary, for example, ward budgets are designed to support three staff for each Councillor, plus a seven-member shared administrative office.

In Winnipeg, the amended budget for the Mayor's Office Fund in 2019 was approximately $1.17 million, and includes communications, policy, and strategic analysis personnel. Additional amounts of approximately $660,000 were budgeted within the Mayors Office for civic initiatives, promotional and protocol. Mayor's office budgets in compared cities ranged from $89,000 in Edmonton (does not include personnel) to $2.6 million in Toronto. Excluding these two cities, the average Mayor's office budget for the remaining three cities was approximately $1.08 million.

Vancouver, as per information on its website, expresses its Mayor and Council budget on a per capita basis and compares it to other Canadian cities.

***Figure 1 - Comparison of per Capita Mayor and Council Budgets***




*Source: City of Vancouver, Mayor's Office Budget 2019*

***Table 2 – Other Jurisdictions Ward Budgets***

| City | Ward Budget | Inclusions | Information Posted Online |
|---|---|---|---|
| Winnipeg | Mayor's Office $1.83 million<br><br>Ward budgets $82-94,000 (+/-) | • Personnel, office, travel, meeting expenses (all ward fund allowance or Mayor's office expenses)<br>• Mayor's office budget also includes civic initiatives, promotional and protocol budgets<br>• Councillor salaries and community grants not included | Policy, month by month expenses https://winnipeg.ca/council/expenses.stm<br>Ward Fund Allowance audits https://www.scribd.com/document/414496318/2018-Councillors-Ward-Allowance-Expenses |
| Vancouver | Mayor's Office $1.345 million<br><br>Council - $1.79 million (179,000/Councillor, calculated average) | • Salaries and benefits for elected officials and staff<br>• Local expenses<br>• Discretionary expenses<br>• Travel and training expenses | Mayor's office structure, functions, budget<br>https://vancouver.ca/files/cov/mayors-office-budget-2019.pdf<br>Council compensation, budgets, and actual expenses<br>https://vancouver.ca/your-government/city-council-salaries-expenses.aspx |

| City | Ward Budget | Inclusions | Information Posted Online |
|---|---|---|---|
| Edmonton | Mayor $88,957*<br><br>Ward Budgets $191,649<br>(Does not include compensation for elected officials) | • Communications<br>• Promotional items<br>• Travel<br>• Training and hosting<br>• Tickets<br>• Personnel included in ward budgets, not included in Mayor's expenses*<br>• FCM, AUMA conference travel paid through a central budget | Compensation, budgets, and actual expenses<br>https://www.edmonton.ca/city_government/city_organization/councillors-ward-expenses.aspx |
| Calgary | Mayor, $1.87 million<br><br>$7.14 million Office of the Councillors, incl ward and shared office budgets (avg $510,000/councillor)<br><br>Ward Budgets $285,900 | • Communications, research, and office projects<br>• Travel<br>• Courses and seminars<br>• Ward budget funds up to three full time assistants<br>• Shared office staff (7) for reception, secretarial, administration, etc. | Code of conduct, budgets, duties, compensation<br><br>https://www.calgary.ca/citycouncil/Pages/City-Council-Accountability.aspx<br><br>https://www.calgary.ca/cfod/finance/plans-budgets-and-financial-reports/plans-and-budget-2019-2022/service-plans-and-budgets.html<br><br>https://www.calgary.ca/content/dam/www/citycouncil/documents/duties-pay-and-benefits-for-office-of-the-councillors.pdf |
| Regina | $1,278,300 (Mayors Office, City Council) | Not found | |
| Hamilton | 2019 Mayor's Office $1.13 million<br><br>Ward Budgets $4.11 million (avg $275,000) | Inclusions not found<br><br>Councillor remuneration $90-97,000<br>Mayor remuneration $185,000 | Summary of total annual remuneration and expenses by council member https://www.hamilton.ca/government-information/accountability/council-expenses<br><br>Mayor's Office and Ward budgets listed in Operating Budget, Appendix 3, p4 |

| City | Ward Budget | Inclusions | Information Posted Online |
|---|---|---|---|
| Toronto | Mayor's Office - $2.57 million<br><br>$532,000/Councillor<br>• Ward activity - $50,000<br>• Staffing - $482,000, excluding benefits | • Constituency services<br>• Office<br>• Staffing | Budget for Mayor's office, Councillor offices, Remuneration, Annual reports https://www.toronto.ca/city-government/council/budgets-and-expense-reports/ |
| Ottawa | Mayor's Office $944,436<br><br>Ward Budgets $266,565 | • Staffing<br>• Office<br>• Engage with constituents | Policy, Budget, monthly actuals, year to date by Council member https://ottawa.ca/en/city-hall/accountability-and-transparency/accountability-framework/public-disclosure-office-expenses |
| Montreal | | Not found | |
| Halifax | 2019 Mayors Office $857,000<br><br>2019 Councillor's Support Office $2,802,700 total = $175,169/ward (calculated average) | • Coordination of resident relations<br>• Communications<br>• Administrative support for members of Regional Council<br>• Investigates issues and shares information to assist Councillors | Council expense and out of town travel claims (on each councillor page) https://www.halifax.ca/sites/default/files/documents/city-hall/budget-finances/2019-20_Budget_and_Business_Plans.pdf<br><br>https://www.halifax.ca/city-hall/districts-councillors/district-2/expenses |

### Requests to the Administration

Two cities have by-law provisions regarding information requests from Members of Council.

- City of Calgary – Council votes whether to proceed with or abandon administrative inquiries from elected officials deemed to require funding beyond $2,000.
- City of Regina – Council votes whether to proceed with or abandon an inquiry from an elected official deemed by the City Manager to require over $1,000 in resources

## 5.1.6 Recommendations

1. **Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council.**

   The current binder of information requires updating and a significant edit to be a useful, concise resource to new and returning Members of Council. It should also prominently include information on governance principles and the roles and responsibilities of Members of Council, individually and collectively. This information should be part of a formal process of orientation following each

election. Making the roles and responsibilities information available to the public will also help constituents to understand the full responsibilities of their elected Member of Council.

*Rationale:* A formal orientation process is an important way for new Members of Council to quickly become aware of their responsibilities, how Council processes work, how to appropriately interact with the Administration, etc. It also enables a common understanding among Council Members of constructive methods to bring forward matters for consideration, when and how to engage constituents on matters to come before Council.

Four of the cities reviewed posted information on the roles and responsibilities of Members of Council, in addition to the responsibilities detailed in provincial guides in Alberta, Saskatchewan and Manitoba. The City of Moncton (not part of detailed review) also publishes a position profile for Members of City Council.

*Implementation Considerations*: While no bylaws must be changed to implement this recommendation, there would be value to codifying the roles and responsibilities of Members of Council in an update to the Organizational By-law. The Governance Committee may be an appropriate body to ensure this information is effectively updated, maintained, and conveyed to support overall effectiveness of Council.

2. Formalize process for requests for information and reports from Administration

A process to relay and prioritize requests from Council should be confirmed and included in the orientation manual. The Interim CAO put forward such a process in 2019 that could be confirmed or refined by Council.

*Rationale:* At the time this review was initiated, there was no policy to guide requests to the Administration by Councillors or Committees for reports or information, or a means of determining relative priority. This can create significant workload for the Administration that may divert resources from matters that Council would consider higher priority.

Two cities have specific provisions for Council approval of any requests involving resources over a limit ($1-2,000) to be confirmed by Council

*Implementation Considerations:* This process should be documented and included in the orientation manual.

3. Increase Council access to resources, and improve public accessibility of Council budget information

All Members of Council should have equal access to information and analysis related to matters before Council. This is currently limited by both access to available resources and individual budgets.

User-friendly information on annual approved ward allowance budgets and year to date spending by category (vs by individual expenditure, by individual month) would improve the accessibility of this information.

*Rationale:* Individual Councillor ward allowances are quite low compared to other Cities, at less than half of the lowest comparable amount. The Mayor's Office includes resources for research, strategy and policy analysis which are to be available to EPC. There is not a similar resource available to other

Members of Council. Councillors indicated their ability to make informed decisions is significantly constrained by a lack of resources for research and analysis.

While detailed expenditures of Mayor and Council can be searched by month, there is no accompanying summary analysis to enable citizens to easily understand total budgets, year to date expenditures or comparisons. Seven of nine other cities post total budgets, year to date summaries as well as monthly actual expenses, and policies.

*Implementation Considerations:* Options to provide access to reasonable resources to support decision-making should be prepared and the relative cost-benefit evaluated in consultation with Members of Council. These options could include a shared strategic and policy advisory service available to all Members of Council, increases in individual budgets to enable Councillors to hire additional capacity for analysis, or other potential solutions. Presenting Council budget information on the website in a more accessible way would require nominal administrative effort and no change in policy.

*July 2021 Update:* In July 2021 the Governance Committee of Council recommended increases in resources for Council be referred to the 2022 budget process, including a 54% increase in ward allowance budgets *(on a per capita basis)*, and access by all members of Council to corporate communications staff equivalent to 2 FTE's.

# 5.2 Mayor

## 5.2.1 Formal Structures

The Mayor is a distinct position on Council, differing in both how the position is elected and the powers of the position.

### Election

Under *The Charter*, the Mayor must be elected by the electors of the City. This differs from Councillors, who are elected by the electors of a ward.

### Role

Under Section 57 of *The Charter*, the Mayor is established as the head of Council and the chief officer of the city. The Mayor is also *ex officio* a Member of every committee of Council and is the chair of the EPC.

The role as head of Council or chief officer is not further explained in *The Charter.*

*The Charter* establishes that Council must appoint a CAO and establishes responsibilities of the CAO. It further establishes responsibility for supervision of the CAO with EPC. The Mayor's only separate authority under *The Charter* regarding the day-to-day activity of the public service is the authority to suspend the CAO for a period not exceeding three working days.

Under *The Charter*, the Mayor is also the Chair of the Executive Policy Committee (EPC). The City Organization By-law states that the Mayor is an ex officio member of each Standing Committee and is listed as a member of these committees in the membership lists posted online.

### Authority to Appoint or Terminate Appointment

Under *The Charter*, the Mayor must appoint a Deputy Mayor and Acting Deputy Mayor at the first meeting of Council. The Mayor must also appoint Members of Council to serve as chairpersons of Standing Committees of Council if such committees are established, and members of EPC. The Mayor may determine the number of members of the EPC, but the number must be less than 50% of the total Members of Council.

The Mayor may at any time terminate such appointments or replace the Councillor with another.

### Voting

Most acts required of or by Council and all motions are decided by majority vote. The Mayor votes as a Member of Council with no extraordinary powers. The Mayor may, within 48 hours after the end of the meeting, suspend the implementation of a by-law or resolution approved by Council in specific circumstances where procedure was not followed or if, in the Mayor's opinion, there is an error or omission.

### Meetings

Under *The Charter,* the Mayor may call a Special Meeting of Council when the Mayor considers it appropriate to do so. Special meetings otherwise require a written request from the majority of all Members of Council. The Mayor may also convene an emergency meeting where in the Mayor's opinion an emergency exists.

The City Organization By-law No. 7100/97 [s. 16] specifies that the duties of the Mayor's Office shall include issues management and the scheduling and approval of the agendas of EPC and the Standing Committees of Council.

Under Procedure By-law 50/2007 the seating of Councillors and the CAO shall be arranged by the Mayor.

### Office of Policy and Strategic Analysis

The City Organization By-law establishes that the Mayor's Office staff shall provide policy and strategic analysis, research, communication, and support in such areas as necessary to assist the Office of the Mayor. There shall be a group of professional staff known as the Office of Policy and Strategic Initiatives, reporting to the Mayor's Chief of Staff which provides support to the EPC in the areas of policy development and analysis, strategic planning, economic development, communications, and such other areas as the Mayor, as Chair of the EPC determines are required to assist in the discharge of EPC duties and responsibilities.

## 5.2.2 Current Practices

### Appointments

Consistent with *The Charter*, the Mayor appoints the chairs of the Standing Committees, the Deputy Mayor and Acting Deputy Mayor, and may remove them from these roles. This appointment authority pre-dates the current *Charter*. With six Standing Committees (increased from five in 2015), and no

combined roles (e.g., appointment of Deputy Mayor as a Standing Committee Chair), this currently results in direct appointment of eight individuals.

## Mandate Letters

In addition to appointing the chairpersons for SPCs, the Mayor has established a practice of providing mandate letters to the chairpersons, outlining expectations for them in this role. These letters set expectations for conduct and collaboration and indicate the importance of a city-wide view. The letters also establish specific policy direction on matters that would be considered within the purview of Council, including matters related to future budgets, or responsibilities of the public service, such as specific projects or operational improvements. While some matters may reflect past decisions of Council, some precede Council's formal consideration of the matter.

## Vetting of Reports to Council and Committees

In addition to scheduling and approval of agendas, section 16 of the City Organization By-law No. 7100/97 states that the duties of the Mayor's Office include issues management. In practice, the Mayor's Office reviews all administrative reports to be considered by Council or an SPC. The Mayor may direct the Administration to make changes prior to the materials being put forward to the committee or Council. The Mayor has also established a practice of inviting EPC, the Deputy Mayor and Acting Deputy Mayor to participate in informal Report Briefings on certain matters in advance of the matter appearing before the Standing Committee or Council.

More information on the flow and vetting of information from the Administration to Council is explained in s. 5.3.1.2.

## Webpage

The Mayor's web page includes tabs for priorities where mandate letters are posted, the Mayor's past calendar, news and videos, a journal that includes periodic communications on topics of interest to the Mayor, and information on how to contact the Mayor.

## Budget

The Mayor's Office Expenditure Policy dated May 1, 2020 details allowable expenditures and related policy. The policy states staff of the Mayor's Office can be employees of the City of Winnipeg. The Mayor's Office annual expenses are reported annually in the Mayor's Office Expenditure Policy Audit Report. In 2018 total Mayor's Office expenditures were approximately $1.8 million. Expenses by month are searchable on the Council Member expenses web page. The combined operating budget for Mayor and Council is included in the Preliminary 2020 Budget document. The Mayor's Office budget is not segregated.

The Office of Policy and Strategic Initiatives is part of the Mayor's Office and is referenced in the Mayor's mandate letters as a resource available to Committee chairs. Beyond the role specified in the City Organization By-law, and eligible expenses specified in the Mayor's Office Expenditure Policy, information on the functions and staffing of the Mayor's Office is not posted.

### Learning

At the initiative of the Mayor, the City of Winnipeg is currently participating in the Bloomberg Harvard City Leadership Initiative, a leadership development experience for Mayors and senior members of their teams to foster their professional growth and to advance key practices and capabilities in municipal governments throughout the world.

Each year, the Bloomberg Harvard City Leadership Initiative offers leadership and management training to up to 40 Mayors from around the world, and to two senior officials from each Mayor's city who are most crucial to affecting organizational change. Over the course of a year, the program combines an intensive classroom experience with broader training and capacity-building to help each participating Mayor and senior leader foster their professional growth and advance key capabilities within their city hall.

## 5.2.3 Insights from Internal Engagement

Interviews indicated that the appointment structure and advance discussions among those appointed by the Mayor have created a voting block and differing access to information. Some did not see this as a concern, believing the Mayor's appointment authority is a means for ensuring the Mayor is able to act upon the priorities and mandate that he was elected by the City as a whole to implement. Others spoke to concern that this undermines the democratic processes of Council. It has also resulted in Members of Council feeling the need to rally public support and use forums for debate other than the Council floor, such as social media.

## 5.2.4 Insights from Public Engagement

A common theme in written submissions was that EPC members should be appointed by Council, with chairs that rotate annually. Public engagement identified concerns with the associated power imbalance created by the current appointment structure.

## 5.2.5 Insights from Other Jurisdictions

### Role

Municipalities in Canada refer in different ways to the role of the Mayor. The Mayor is the 'chief executive officer' in Vancouver, Toronto, and Charlottetown, 'official head of the city' in St. John and 'Chief Officer of the City' in Winnipeg. A Canadian study of Urban Mayors reviewed the various legislation and found that there was no obvious relationship between the formal authority and terminology. The study also noted a legal review of Ontario's legislation that suggests the use of such a title does not provide any additional authority to a mayor, that the power and duties are found in the express provisions of the legislation (Graham, 2018).

The same author in a later article noted that just because Canadian mayors do not have independent executive authority does not mean that they do not have power. It's actually quite the opposite. Mayors occupy a unique position within Canadian municipalities and can – and do – leverage this position to make things happen in their communities (Graham, 2019).

In all cities reviewed, the Mayor is the head of Council, as in Winnipeg. Unlike Winnipeg, this includes acting as the presiding officer in all cities except Montreal and Toronto, where Council designates a chairperson. The role of presiding officer is considered to somewhat dampen the influence of this individual on topics under debate, as the Mayor must leave the chair to make a motion or participate in debates.

Vancouver by its *Charter*, and Ontario cities by way of *The Municipal Act*, also designate the Mayor as the Chief Executive Officer of the city. Duties as described are more generally as head of Council, with the CAO designated as the senior leader of the administration. In Vancouver, the Mayor oversees the conduct of all employees under jurisdiction of the Council, which includes the City Manager, Director of Finance, City Clerk and City Treasurer. Halifax specifies the additional role for the Mayor to monitor the administration and government of the city, and the Mayor may recommend measures to improve the administration and government. This authority, however, is limited to interaction with the CAO – no Member of Council is permitted to give direction to other city staff. The Executive Committee in Montreal has powers to grant contracts and subsidies, manage human and financial resources, buildings, and purchases. The Mayor appoints the Executive Committee and recommends the Chair but does not appear to have individual authority.

## Authority to Appoint Committee Members and Deputy Mayor

The only cities with similar appointment authority of the Mayor are Toronto and Montreal. Appointments to Deputy Mayor are most often made by Council as a whole. Committee chairs are generally appointed by Council as a whole or selected by the committee. In Toronto, the Mayor appoints Standing Committee Chairs and the Deputy Mayor and may replace them. In Ottawa the Mayor may recommend the Deputy Mayor for appointment by Council. In Montreal, the Mayor appoints all members of the Executive Committee and may replace them but does not appoint members of the other eleven Standing Committees. In Halifax, the Mayor chairs the Executive Standing Committee, which also acts as the nomination committee for committee members to be appointed by Council.

Vancouver – No Council roles appointed by Mayor. Council appoints Deputy Mayor with concurrence of Mayor; may appoint acting Mayor in absence of Mayor

Calgary – No Council roles appointed by Mayor. Council adopts a roster of Deputy Mayors. Standing Policy Committee members appointed by Council; SPC Chairs selected by SPC members except Executive Committee and Intergovernmental Affairs Committee chaired by Mayor.

Edmonton – No Council roles appointed by Mayor. Standing Committee (SC) members appointed by Council. Mayor is chair of Executive, Agenda Review, Audit and Intermunicipal committees. Other SC chairs selected by SC members. Executive Committee members appointed for 16-month rotating terms; each Councillor must serve once during term.

Regina – No Council roles appointed by Mayor. Council appoints Deputy Mayor and Acting Deputy Mayor. Standing Committee members selected by Executive Committee (Committee of the Whole). Deputy Mayor is chair of Executive Committee. Mayor is chair of Priorities and Planning Committee (Committee of the Whole). All other chairs selected by committee members.

Hamilton –No Council roles appointed by Mayor. Deputy Mayor is appointed for a one- month rotation determined by the clerk. Chairs appointed by committee members. Chair of General Issues Committee (Committee of the Whole) rotated among Deputy Mayors.

Toronto – The Mayor appoints and may remove Deputy Mayor and Chairs of Standing Committees (total 5). The Municipal Code states composition of Executive Committee is Mayor, Chairs of Standing Committees, Deputy Mayor and one member at large of Council. Council appoints Members of Council to committees and boards on the recommendations of the Striking Committee. The Striking Committee is appointed by City Council on the recommendation of the Mayor. The Mayor can chair or assign the Deputy Mayor as chair. Appointments to most bodies are made for a half term after which a second appointment process is conducted.

Ottawa – Deputy Mayors recommended by Mayor, appointed by Council. Chairs and Vice Chairs of Standing Committees recommended to Council by Nominating Committee based on Council member voting process. Nominating committee elected by Council, chaired by the Mayor.

Montreal – Mayor appoints and may replace members of the Executive Committee and designates the chair and two vice chairs.

Halifax – No Council roles appointed by Mayor. Council selects Deputy Mayor, Standing Committee members.

A summary table comparing appointment authority for various roles is shown in Table 3 below.

***Table 3 – Appointment Authority, Other Jurisdictions***

| Role | Appointment Authority | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | Winnipeg | Vancouver | Edmonton | Calgary | Regina | Toronto | Hamilton | Ottawa | Montreal | Halifax |
| Deputy Mayor | Mayor | Council (concurrence by Mayor) | Council (rotates among all monthly) | Council (adopts a roster) | Council | Mayor | Clerk / rotates among all monthly | Council (Recomm. by Mayor) | Mayor | Council |
| Committee Chairs | Mayor | Council | Council (Mayor Chairs 3) | Committee (Mayor Chairs 2) | Council (Mayor / Deputy Mayor Chair 1 each) | Mayor | Committee (Deputy Mayor chairs 1) | Council (Mayor chairs 1) | | Council or Committee |
| Executive Committee | Mayor | Committee of Whole | Council (16 mo. term; all must serve) | Council | Council | Mayor | n/a | Council | Mayor | Council |

## 5.2.6 Recommendations

1. Establish maximum number of appointments by Mayor to ensure these appointments plus the Mayor, do not exceed 50% of Council.

   *Rationale:* The power of appointment to roles that serve at the pleasure of the Mayor creates political influence over the individuals that hold these appointments. While it can be argued that

such influence is important to enable the Mayor to provide leadership and focus to Council's agenda, consensus building and engagement with all Members of Council remains important.

Currently under *The Charter*, the Mayor may determine the number of members of the EPC, but the number must be less than 50% of the total Members of Council. The intent of this would be to prevent EPC, and by extension, the Mayor from controlling Council. The net effect of the current process is that with 9 of 16, the Mayor and Mayor-appointed roles can control decisions of Council.

Public engagement identified concerns with the associated power imbalance created by the current appointment structure.

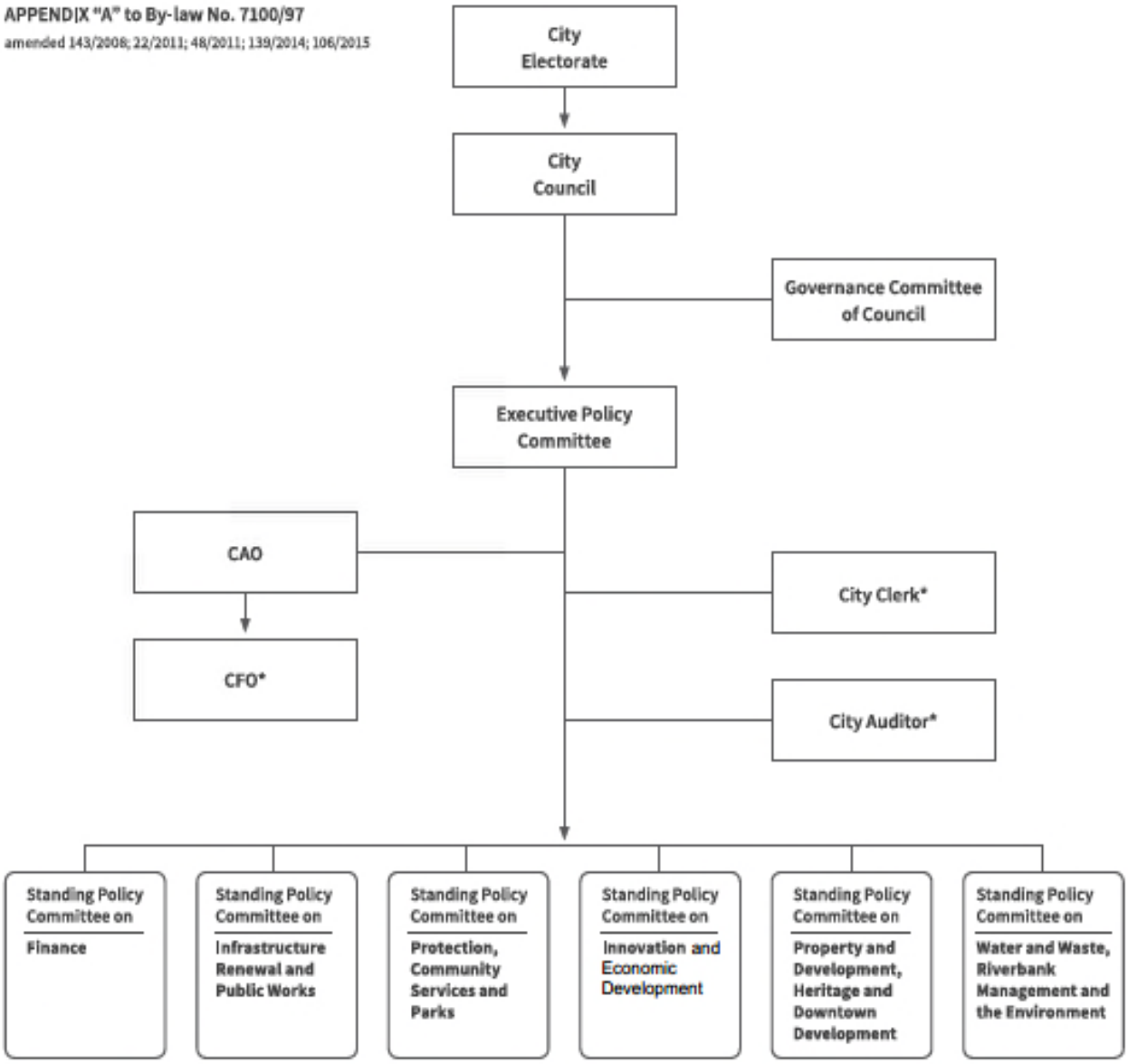
The influence of the Mayor in Winnipeg is extraordinary. All Council and committee roles are appointed by Council as a whole in six of eight cities reviewed that have a similar executive committee structure. While members of the executive committee and Deputy Mayor are appointed by the Mayor in Toronto, this represents a smaller portion of Council (9 of 25 Members of Council). Montreal has a somewhat unique governance model that is less directly comparable.

*Implementation Considerations:* Reducing the number of mayoral appointments plus the Mayor to 50% or less of Council may be accomplished by combining roles or by reducing the size of EPC without a change to *The Charter*. Changes in appointment authority could minimally include Council selecting Deputy Mayor and Acting Deputy Mayor or extend to Council selecting Committee chairs as is more often the contemporary practice. Changes to the appointment authority for specific roles would require a change to *The Charter*.

## 5.3 Committees

*The Charter* obligates Council to establish an EPC, prescribes its composition and duties. It provides enabling authority for Council to establish SPCs and other committees of Council. The overall committee structure is shown below.

***Figure 2 – Council & Committees Organization Chart***



## 5.3.1 Executive Policy Committee

### 5.3.1.1 Formal Structure

*The Charter* requires Council to establish an Executive Policy Committee (EPC) made up of the Mayor, chairs of Standing Committees, and others as may be appointed by the Mayor. The total number of members on EPC must be less than 50% of Members of Council. With a Council of 16, the maximum number of members is therefore seven, including the Mayor. Where the Mayor appoints a Councillor to a position, the Mayor may at any time terminate the appointment or replace the Councillor with another.

EPC is currently a seven-member committee comprised of the Mayor and the chairs from the six Standing Committees (SPCs). EPC members receive modestly higher compensation than other Councillors (about 13%), as outlined in the Elected Officials Compensation By-law No. 158/2011, and receive a 'chairmanship' allowance as well as their Ward Allowance funds.

Section 62(1) of *The Charter* outlines the following duties of EPC:

a. Formulate and present recommendations to Council respecting policies, plans, budgets, by-laws, and other matters that affect the city as a whole;
b. Ensure the implementation of policies adopted by Council;
c. Recommend to Council
    I. individuals for appointment as statutory officers, and
    II. where necessary or appropriate, the suspension or dismissal of statutory officers;
d. Supervise the chief administrative officer;
e. Except as otherwise determined by Council, co-ordinate the work of committees of Council; and
f. Except as otherwise determined by Council, receive the reports of other committees of Council and forward them to Council with its own recommendations.

The City Organization By-law establishes EPC's jurisdiction and additional duties which include:

- Audit Committee
- Integrity Commissioner
- Capital region
- Corporate communications
- Financial management
- Policy development
- Amendments to Plan Winnipeg (now *OurWinnipeg*) and impact
- Human resource and materials management policies
- Property assessment, taxes
- All fees, charges, rates, utility rate structures
- Labour contract negotiations
- Legal services and litigation
- Property Assessment
- Inter-governmental affairs
- Recommendations for street closing and openings
- Award contracts

The City Organization By-law also assigns EPC the responsibility for planning, including annual and longer-range priorities for the growth and development of the City and alignment of Department Strategic Plans. EPC is also to receive all reports from the CAO, City Clerk, or Governance Committee of Council pertaining to the City Clerk with the exception of those reports which deal with matters that have specifically been delegated to one of the SPCs.

### 5.3.1.2 Current Practice

#### Flow of Information

*The Charter* states that EPC will receive all reports from committees prior to presentation to Council. EPC is also to receive all reports from the CAO, unless dealing with matters delegated to a Standing Committee. In practice, reports dealing with matters delegated to an SPC are reviewed by the Mayor's Office and may also be channeled through EPC (plus the Deputy Mayor and Acting Deputy Mayor) in an informal (off-the record) Report Briefing Meeting prior to being received by the SPC. This could be viewed as issues management, as delegated in the City Organization By-law [s.16] to the Mayor's Office. *The Charter* has an exemption allowing such meetings to occur outside the public record [s. 78(1)].

Reports prepared by the Administration for a Standing Committee may go through repeated review cycles by elected officials and may result in revised reports before being presented to the Committee and finally Council.

1. The CAO may choose to send a report to the Agenda Management team for review and input. The Agenda Management team consists of the CAO, Legal, Clerks, Corporate Communications, and Mayor's Office staff. The agenda management team reviews the information and may suggest revisions.
2. The report, as may be revised, is approved by the CAO and/or other Chiefs for review by the Mayor's Office.
3. As per the City Organization By-law [s.16] the Mayor's Office approves all items for SPC and EPC agendas. The Mayor's Office reviews the information for this purpose and may request revisions. The Mayor may also convene a Report Briefing meeting with members of EPC and may include others such as the Deputy Mayor and Acting Deputy Mayor to discuss the report. The report may again be sent back for revisions. Any such revisions would again pass through the CAO.
4. Once satisfied with the report, the Mayor's Office approves the report for the agenda and provides it to the Clerk to put on the Standing Committee agenda*. Materials to be considered at a meeting are posted with the agenda four (4) business days prior to the meeting. The committee receiving the report would receive the information when it is publicly posted.
5. The Standing Committee considers the report at their meeting and may request further information from the Administration. Any further reports or information to be requested from the Administration are subject to a vote by the committee. Once satisfied with the information, the Standing Committee may make a recommendation to Council.
6. The Standing Committee recommendation is then formally considered by EPC, which may add its own recommendation to Council, and the matter is placed on the Council agenda.
7. Materials to be considered by Council are posted with the agenda four (4) business days prior to the meeting. Councillors may ask questions of the CAO. Any further reports or information to be requested from the Administration are subject to a vote by Council.

*As the committee of jurisdiction on some matters, the EPC may be the committee receiving a report prepared by Administration for consideration on its own agenda.

The Procedure By-law [s. 56] establishes a time limit of 30 days for EPC review of a recommendation of a Standing Committee, and 30 days for a CAO response on an EPC referral of such a Standing Committee report to the CAO for report. EPC may apply to Council for an extension of time.

Council Members that are not on EPC would have access to reports when they are placed on the public agendas for the Standing Committee, EPC or Council. Meeting minutes show that the prescribed time for review of agenda materials has been the subject of debate at Council meetings, resulting in a change in the Procedure By-law (by By-law 98/2017) to require materials be posted four business days (from 96 hours) before the meeting, effective January 1, 2018.

#### 5.3.1.3 Insights from Internal Engagement

Interviews indicated the vetting process for a report, once prepared by the Administration, can take two months to get to the committee mandated to receive it. In addition to the delay, concerns regarding this vetting process included the potential for changes to reports that may be directed by Members of Council outside of the public record, and access to information that is not made available to other Members of Council or the public. Those not included in this process believe they are not receiving the quality and breadth of information required to inform their decisions on Council, nor do they have the same time to consider the information as those invited to report briefings.

During our interviews, a lack of representation of particular wards on EPC was identified. A review of EPC members (Standing Committee Chairs) indicated there have been no representatives on EPC from Elmwood/East Kildonan, Mynarski, or Old Kildonan dating back to 2010. An equal allocation of members over nine years (x six SPC chairs) would have enabled each ward to sit on EPC three times (or a total of three years) over this period.

#### 5.3.1.4 Insights from Public Engagement

Public engagement provided mixed views regarding the benefits and risks of the role and influence of EPC and mayoral appointments. There was a strong theme of concern that Councillors not on EPC do not have equal access to information or influence. Others indicated it was a valid means of ensuring the Mayor is able to fulfill their mandate. A common suggestion in the feedback was that EPC members should be appointed by Council. Some also suggested that chairs should rotate annually.

#### 5.3.1.5 Insight from Other Jurisdictions

##### Committee Structure

While the specific committee's name varies, Calgary, Edmonton, Regina, Toronto, Ottawa, Montreal and Halifax have an executive committee with mandates that include strategy, budget, and other matters that broadly impact the City. Each of these committees differ in terms of the number of members on the committee, and their specific duties and responsibilities. Regina and Vancouver have executive committees of the whole. Executive committees in Calgary, Toronto, Ottawa and Halifax are most like Winnipeg in that they are composed of the chairs of the other Standing Committees, some with additional members. More detail is included in Appendix C.

***Table 4 – Appointments to Executive Committees***

| | Winnipeg | Calgary | Edmonton | Toronto | Ottawa | Montreal | Halifax |
|---|---|---|---|---|---|---|---|
| Size of Council (including Mayor) | 16 | 15 | 13 | 26 | 24 | 65 | 17 |
| Size of Committee | 7 | 7 | 5 | 8 | 12 | 12 | 7 |
| Committee % of Council | 44% | 47% | 38% | 30% | 50% | 18% | 41% |

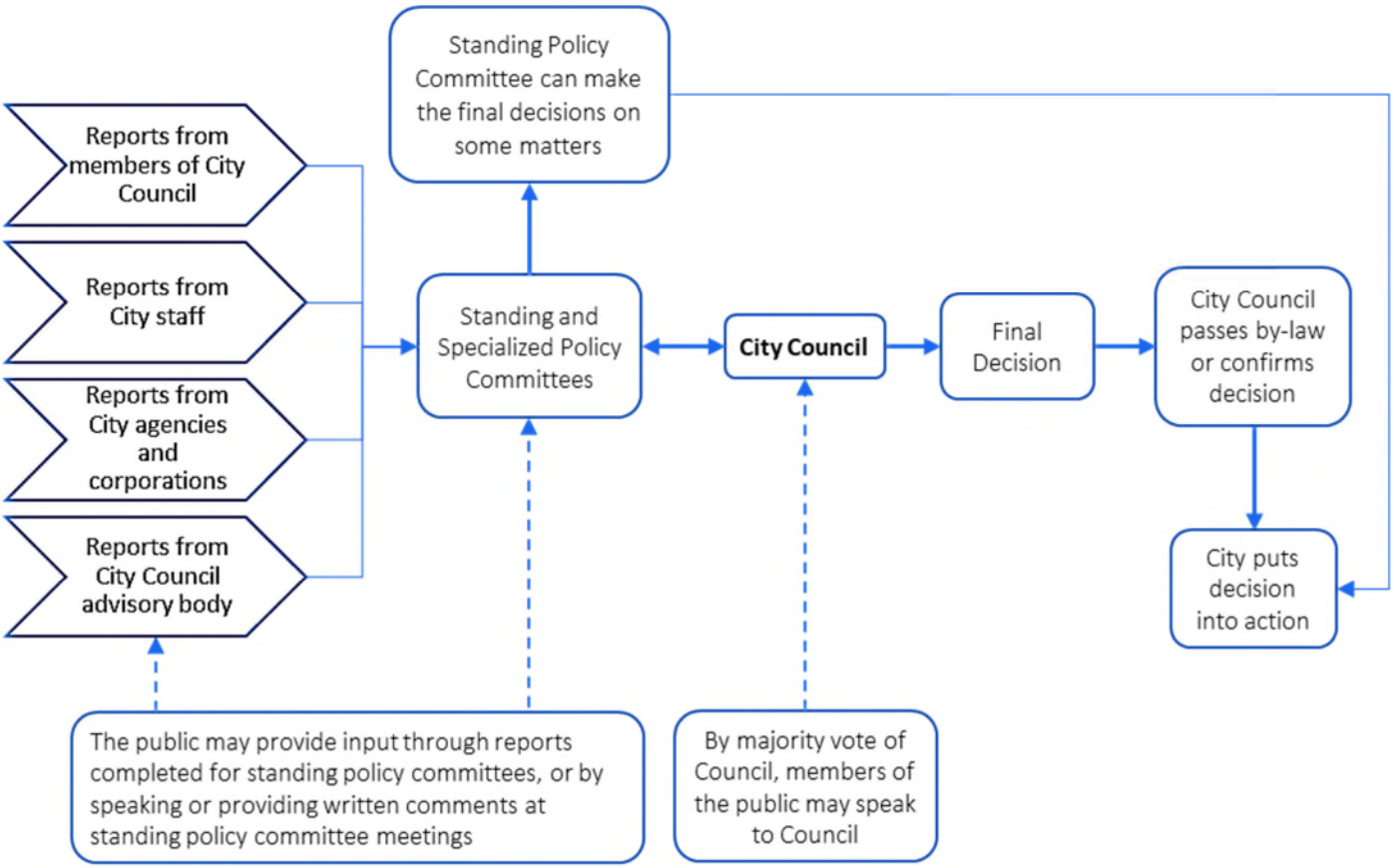
## Flow of Information

None of the other executive committee mandates in the cities reviewed have a similar provision as the Winnipeg EPC's authority under *The Charter* to receive all reports that require a Council vote from the Standing Committees and forward them to Council with their recommendations. Standing Committee recommendations are made directly to Council.

There is a high level of consistency for how information flows and decisions are made by City Council amongst the nine jurisdictions included in this report. Generally, reports are requested from City staff by a majority vote at a committee or Council meeting. Once complete, reports are reviewed by Standing Committees in accordance with their respective mandates. Toronto and Halifax also have community Councils, with limited authority to request reports to be completed by staff or external stakeholders. In eight of nine cities reviewed each Standing Committee has an exclusive mandate that does not allow for any overlap between the work of separate committees. The City of Edmonton is the exception, where items may be re-routed to another committee to address, regardless of mandate, or a Standing Committee can request that staff complete a report for another committee. In all nine jurisdictions, direct contacts confirmed that Standing Committees do not formally or informally review and/or decide upon other Standing Committee reports and recommendations prior to their submission to Council.

As an example, the graphic below depicts the flow of information between committees and Council for the City of Calgary. It also shows where the public may provide input to City committee and Council decision-making. The process in most jurisdictions is similar, with variations mainly in where the public can provide input. Montreal has a unique structure where the Executive Committee would make decisions after review by Council. Further detail for all Canadian cities reviewed is included in Appendix B.

***Figure 3 – Information Flow, City of Calgary***




London, Hamilton, Toronto, and Ottawa specifically allow for closed meetings of Council or committees for education or training of members, as long as no decisions are made at the meeting [*City of Toronto Act* s. 190 (3.1), Municipal Act of Ontario [s.239 (3.1)]. Each of these cities requires that a motion or resolution be passed stating that the meeting (or part) will be closed and the nature of the matter to be considered at the closed meeting. (Further detail on in camera meetings and Council Seminars is included in 5.4.1.1 and 5.4.1.3.)

None of the other cities consulted indicated a process similar to the City of Winnipeg's Report Briefing Meeting. Three jurisdictions specifically indicated that as a rule, when more than 50% of a committee or Council attend a meeting the content of the meeting should be made public by means of meeting minutes or a list of topics discussed. All other jurisdictions consulted for this study referred us to the applicable legislation for closed meetings.

## 5.3.2 Standing Committees

### 5.3.2.1 Formal Structure

The City Organization By-law 7100/97 establishes six Standing Committees, all named "Standing Policy Committees" (SPCs). The role of all SPCs, with the exception of Finance, is to provide policy advice to Council within their specified areas of jurisdictions. The Finance Committee is to provide input and advice to EPC, and report to Council through EPC.

The six SPCs of Council are:

- Finance
- Infrastructure Renewal and Public Works
- Protection, Community Services and Parks
- Property and Development, Heritage, and Downtown Development
- Water and Waste, Riverbank Management, and the Environment
- Innovation and Economic Development

Each SPC has four members, plus the Mayor who is an *ex-officio* member of all Standing Committees. The Chairperson of each SPC is appointed by the Mayor after each election and each November after that, as per the Procedure By-law 50/2007. The other three members of each SPC are elected by Council each November at an Organizational Meeting of Council. The Finance Committee is an exception, whereby the Deputy Mayor or Acting Deputy Mayor is mandated to sit on the Finance Committee. If the Deputy or Acting Deputy has also been appointed the Chairperson, the Mayor shall appoint one other member to sit on the committee and the two remaining positions are elected by Council.

*The Charter* also mandates that at least one member of the SPC on Property and Development, Heritage and Downtown Development be from a ward that lies within the area governed by the Downtown Winnipeg Zoning By-law.

Below are the powers and responsibilities of each of the SPCs as outlined in the City Organization By-law (not exhaustive).

## Standing Policy Committee on Finance

The SPC on Finance shall coordinate and advise upon the City's fiscal policy development and fiscal strategies. It shall provide input and advice to Executive Policy Committee on:

- Short and long-range fiscal strategies
- Budget development and program review
- Assessment policies and strategies
- Investment policies and strategies
- Fiscal and variance reporting
- Capital project recommendations and strategies
- Corporate fees and charges policies
- Economic forecasts and trends
- Other matters referred to it by EPC

The SPC on Finance may approve additional appropriations to an operating budget, including reallocations and additional operating expenditures. The SPC on Finance also shall consider and report to Council through EPC on matters respecting the Entertainment Funding By-law. The SPC on Finance is also responsible for hearing appeals matters respecting business tax.

## Standing Policy Committee on Protection, Community Services and Parks

The SPC on Protection, Community Services and Parks provides policy advice to Council on the following areas of jurisdiction:

- Animal control
- By-law enforcement
- Cultural services
- Disaster planning
- Fire and paramedic services
- Harbour master
- Libraries
- Museums
- Police services[1]
- Public health
- Recreation and parks programming and services
- Zoo
- Parks and open spaces

The SPC is also to consider and report to Council through EPC on a specific list of related matters detailed in the By-law. This committee is also responsible for the making of grants to cultural and artistic groups, and in accordance with the Community Incentive Grant Program, and matters relating to Community Centre Boards. This SPC also hears and decides on appeals for orders, notices or decisions made under the Fire Prevention By-law, the Alarm By-law, the Neighbourhood Liveability By-law, and the Doing Business in Winnipeg By-law.

## Property and Development, Heritage and Downtown Development

Provides policy advice to Council on:

- Asset Management
- Building Inspections
- Civic Buildings
- Development Control
- Facility Maintenance
- Housing policy, including housing grants
- Land acquisition and development
- Parks planning
- Planning and land use
- Vacant and Derelict Buildings
- Heritage matters
- Downtown Development applications

The Committee is also to consider and report to Council through EPC on matters related to acquisition of buildings, shared services – schools, nuisances, building standards, planning and development, cemeteries, Downtown street name changes.

This SPC is the final authority on appeals from the Building Commission, the authority to dedicate City-owned land for street or other public purposes, and approving terms for lease, sale, or purchase of land. It is also responsible for conceptual planning for urban development and transportation systems, and exclusive power to deal with street, lane, and walkway closes, with specific exception. This SPC hears and decides on appeals from owners regarding city employee decisions on zoning by-laws and town planning schemes, including the Downtown Winnipeg Zoning By-law.

[1] Per By-Law 148/2012, authority over police services now resides with the Winnipeg Police Board

### Infrastructure Renewal and Public Works

The SPC on Infrastructure Renewal and Public Works provides policy advice to Council on:

- Engineering services (except for water, wastewater etc.)
- Fleet management
- Public works maintenance
- Traffic control (traffic authority of the City)
- Transit
- Transportation planning (including airports & ferries)

It also considers and reports to Council through Executive Policy Committee on matters respecting streets, utilities, parking sites and meters, pedestrian decks, service agreements, quarries, airports and ferries, stockyards, markets and scales, work with other municipalities and aid for works outside the City, and vehicles for hire.

### Water and Waste, Riverbank Management, and the Environment

This SPC Provides policy advice to Council on:

- Water, wastewater, land drainage services
- Solid waste services
- Riverbank management
- Environment
- Engineering services related to the above related utilities

The Committee is also to consider and report to Council through EPC on matters related to its jurisdiction and deal with matters pertaining to the Clean Environment Commission and hear appeals from orders or decisions made by a City employee on waterways permits.

### Innovation and Economic Development

The SPC on Innovation and Economic Development provides policy advice to Council on:

- Innovation, transformation, and technology
- Economic development
- Business liaison
- CentreVenture Development Corporation
- Economic Development Winnipeg

This SPC also oversees the establishment and operation of special service units including evaluating feasibility studies for proposed new service units, reviewing annual reports and business plans, and ensuring evaluation of effectiveness is performed every three years.

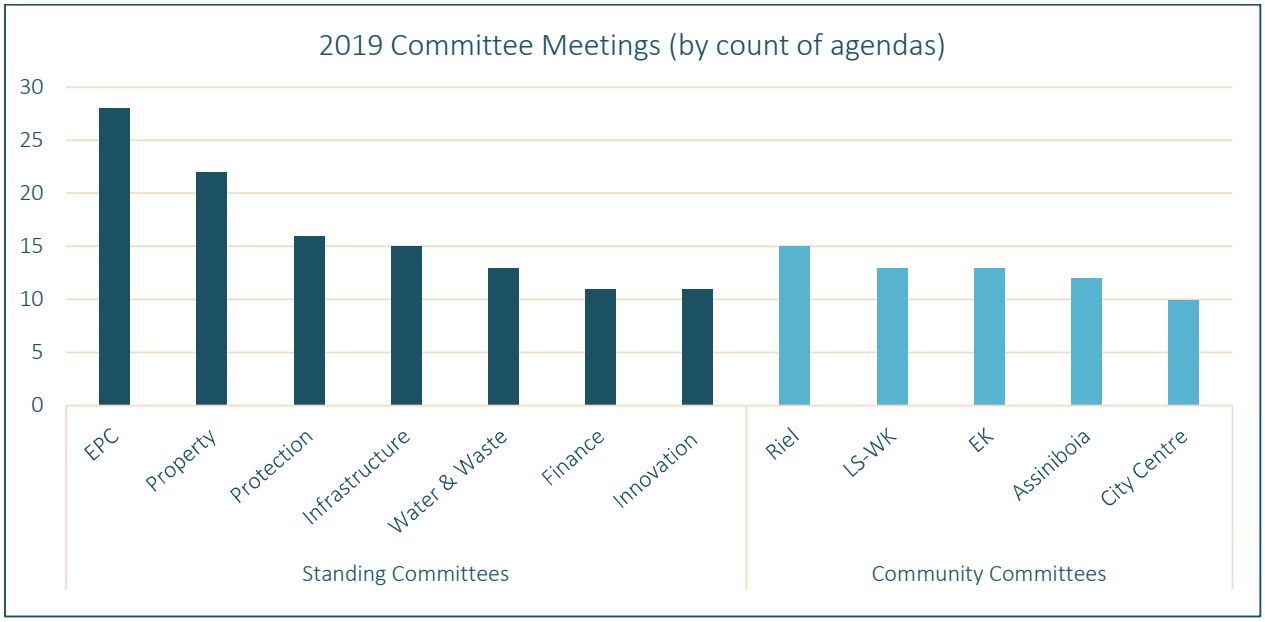
This SPC recommends through EPC to Council the Alternative Service Delivery Review agenda.

In addition to the specific appeals assigned to individual SPCs noted above, all SPCs, in their rotation as the Appeal Committee, hear and decide on appeals for conditional use orders and variance orders made by the Director of PP&D, Community Committees and the Board of Adjustment.

#### 5.3.2.2 Current Practices

The workload of EPC and the Standing Committees varies significantly. The workload of EPC includes a list of its own distinct responsibilities, as well as review of all SPC recommendations to Council. Its unofficial workload also includes informal briefings on administrative reports before they are presented to an SPC.

***Figure 4 – 2019 Committee Meetings (by count of agendas)***




### 5.3.2.3 Insights from Internal Engagement

Generally, Members of Council indicated the structure and function of SPCs is working well. Council Members appreciate the opportunity to participate on the Standing Committees that interest them. The distribution of workload among Members of Council can be uneven, with SPC chairs (members of EPC), spending significant time reviewing reports and policies and attending meetings at multiple levels including Community Committee, SPC, EPC and Council.

### 5.3.2.4 Insights from Other Jurisdictions

The Governance structures in the municipalities reviewed all include Standing Committees (SC). Generally, the Mayor is the *ex officio* member of all SCs. In Vancouver, the two SCs are made up of Council as a whole.

There is no standard number of SPCs across major municipalities in Canada as Table 1 below shows:

***Table 5 – Number of Standing Committees, Other Jurisdictions***

| | Winnipeg | Vancouver | Edmonton | Calgary | Regina | Hamilton | Toronto | Ottawa | Montreal | Halifax |
|---|---|---|---|---|---|---|---|---|---|---|
| Number of Standing Committees | 6 | 2 | 9 | 8 | 7 | 6 | 4 | 8 | 11 | 5 |

There is a wide range of Standing Committees found in other jurisdictions. The most frequent types of SCs are: Planning, Community and Protective Services, Audit/Finance, and Public Works/Environment. Edmonton and Regina include an Executive Committee among their SCs, while Toronto has an overarching Executive Policy Committee, similar to Winnipeg. Regardless of the number of SCs, they are generally responsible for providing a space for debate, public speakers, and providing recommendations to Council within their delegated area of responsibility.

***Table 6 – Standing Committees, Other Jurisdictions***

| Winnipeg | Vancouver | Edmonton | Calgary | Regina | Toronto | Hamilton | Ottawa | Montreal | Halifax |
|---|---|---|---|---|---|---|---|---|---|
| Finance | Policy and Strategic Priorities | Agenda Review | Priorities and Finance | Priorities and Planning | General Government and Licensing | General Issues | Finance and Economic Development | Economic and Urban Development | Community Planning and Economic Development |
| Infrastructure Renewal and Public Works | City Finance and Services | Audit | Audit | Finance and Administration | Economic and Community Development | Audit, Finance, & Administration | Audit | Finance and Administration | Audit and Finance |
| Innovation | | Community and Public Services | Community and Protective Services | Community and Protective Services | Planning and Housing | Emergency & Community Services | Community and Protective Services | Public Safety | Appeals |
| Property and Development, Heritage and Downtown Development | | Council Services | Transportation and Transit | Mayor's Housing | Infrastructure and Environment | Planning | Transportation | Transport and Public Works | Transportation |
| Protection, Community Service and Parks | | City Manager and City Auditor Performance Evaluation | Utilities and Corporate Services | Public Works and Infrastructure | | Public Works | Environmental Protection, Water and Waste Management | Montreal Development and Development Plan | Environment and Sustainability |
| Water and Waste, Riverbank Management, and the Environment | | Inter-municipal and Regional Development | Gas, Power, and Telecommunications | Regina Planning Commission | | Board of Health | Planning | Culture, Heritage and Sports and Housing | |
| | | Urban Planning | Intergovernmental Affairs | Executive Committee | | | Transit | Inspector General | |
| | | Utility | Planning and Urban Development | | | | Agriculture and Rural Affairs | Council Presidency | |
| | | Executive Committee | | | | | | Contract Review | |
| | | | | | | | | Social Development and Diversity | |
| | | | | | | | | Water, Environment, Sustainable Development, and Large Parks | |

## 5.3.3 Community Committees

### 5.3.3.1 Formal Structures

In addition to Standing Committees, there are five Community Committees. While there is no statutory requirement in *The Charter*, Council has chosen to continue the Community Committee structure under the City Organization By-law.

Community Committees are established by region of the city. Each committee is made up of the three Councillors that represent the wards in that region. The five areas are:

- Assiniboia
- City Centre
- East Kildonan-Transcona
- Lord Selkirk-West Kildonan
- Riel

The duties and responsibilities of the Community Committees include the authority to assign street names to roadways on private property and service roads on public rights of way.

Community Committees also conduct public hearings on land matters within their respective areas. Land matters include changes in zoning designation, a variance, or a conditional use under the Winnipeg Zoning By-law No. 200/2006. The public hearing process is an opportunity for interested citizens to present their views and information to the Community Committee as they consider and render decisions on applications. For variance, conditional use and license applications, the Community Committees make decisions which can be appealed. For zoning and subdivision related land matters, the Community Committees submit recommendations to the SPC on Property and Development, Heritage and Downtown Development then EPC, then Council.

Community Committees have a budget allocated for per capita grants to support citizen community service activities and community incentive grants. The Community Committee has final approval on applications that meet all criteria. Community incentive grant applications that do not meet criteria go to the SPC on Protection, Community Services and Parks, then EPC and Council for recommendation, approval and waiving of criteria.

Community Committees also allocate funds collected from developers for the Land Dedication Reserve Fund to support the acquisition and development of land and facilities for parks and recreation. The Community Committee has final approval on applications that do not include the purchase of land, that meet all criteria. Land Dedication Reserve Fund applications for the purchase of land and/or that do not meet criterial go to EPC and Council for recommendation, approval and waiving of criteria where applicable.

The information on duties and responsibilities of Community Committees was found in the Municipal Manual (for citizens), 2017 (City of Winnipeg, 2017). It is not included in the Council Members' Reference Guide. The information on per capita grants, community incentive grants and Land Dedication Reserve

funds was found in the Council Members' Reference Guide. None of this information is included in the City Organization By-law.

Many matters heard at Community Committee require further review by an SPC, EPC and finally Council. Information on the hearing process for development applications at Community Committee is included in section 5.4.4 of this report.

### 5.3.3.2 Current Practice

Grants appear to be the most frequent items on Community Committee agendas. Hearings are less frequent but may take more actual committee time.

Community Committees often make requests for reports on issues brought forward by constituent concerns (e.g., traffic studies) that can require significant effort. For example, The Lord Selkirk-West Kildonan Community Committee requested three traffic studies at its October 15, 2019 meeting. Minutes of Community Committee meetings also show that Councillors who are not part of EPC may be using the Community Committee to get access to information or bring items forward to Council. For example

- *The Assiniboia Community Committee recommended to the Executive Policy Committee:*
    1. *That the Province of Manitoba be requested to amend the City of Winnipeg Charter to ensure all Councillors are given equal opportunity to participate in the final preparation of the budget.*
    2. *That all Councillors be appointed to the Budget Working Group for the 2020-2023 Multi-Year Budget Process* [Nov 5, 2019]

### 5.3.3.3 Insights from Internal Engagement

Members of Council and senior staff noted that elected officials hearing matters in their own wards can feel the need to act on concerns of their direct constituents, regardless of whether an application is consistent with policy or in the best interests of the City. They also spoke of lack of consistency in decisions between wards. Several Members of Council indicated they do not feel qualified to decide property and development matters, and that these decisions should come from technical experts. The inefficiency of multiple layers of committee involvement in property and development matters was also noted.

### 5.3.3.4 Insights from Public Engagement

Concerns regarding a focus on ward-specific interests versus maintaining a whole city view were expressed in public engagement. There was significant concern regarding inconsistency in decisions made on development applications at Community Committee in addition to inconsistency with development policies and By-laws (*OurWinnipeg*, secondary plans, etc.). The local area Councillor is seen to have significant influence at Community Committee, and is strongly influenced by constituents, making it difficult to think on a city-wide level.

Community groups do see Community Committees as an important place to weigh in on issues and would like to be able to put forward agenda items for Community Committee meetings.

### 5.3.3.5 Insights from Other Jurisdictions

Among the nine other municipalities included in our review only Halifax and Toronto have established Community Councils. In 2017, Flynn and Spicer (Flynn, 2017) noted that Hamilton and Ottawa researched the implementation of Community Committees; however, neither decided to establish them. Montreal's Community Committees were replaced with neighbourhood [borough] Councils in 1996.

*The City of Toronto Act* s. 24.1 authorizes the City to establish one or more community Councils to perform functions assigned by the City and exercise the powers and duties delegated to it by the City. The Toronto Municipal Code Chapter 27, Council Procedures specifies the composition, duties, and authorities of Community Councils. *The Halifax Regional Municipality Charter* s. 32 (1) authorizes Council to establish Community Councils and their boundaries by policy, and it establishes the powers and duties that may be established for a Community Council.

The mandate, activities, and authorities of each differ and are included in table 3 below.

***Table 7 – Community Council, Other Jurisdictions***

| Municipality | Composition | Duties/Responsibilities |
|---|---|---|
| Toronto<br><br>4 Community Councils | Councillors of the grouping of wards that the Community Council represents. | Responsibilities include making recommendations and decisions on local planning and development, as well as neighbourhood matters including traffic plans and parking regulations. Community Councils report to City Council but they also have final decision-making power on certain items, such as traffic and parking, fence bylaw exemptions and appointments to local boards and Business Improvement Areas. (City of Toronto's Governance System, 2019)<br><br>Specifically, duties, responsibilities include:<br>• Holding public hearing required under *The Planning Ac*t for proposed official plans and zoning by-laws and amendments, applications for approval of subdivision plans.<br>• Hearing public presentations and providing recommendations on neighbourhood matters, construction, street cleaning encroachments, grass-cutting and tree removals<br>• Involving citizens in neighbourhood issues such as recreational and safety needs, monitoring these issues, and reporting to Council<br>• Nominating citizens for local board and panels<br>• Making recommendations to Council or Planning and Housing Committee as appropriate planning and zoning matters.<br>• Convening community meetings on matters of city-wide interest<br>• Making recommendations to Council on buying or selling property less than $500,000<br>• Hearing and making recommendations to Council on Ward Councillor appeals of Sign Variance Committee decisions<br><br>The Community Committee has final authority on decisions for:<br>• Exemptions to fence, natural garden, and noise by-laws<br>• Vending zones<br>• Parking, taxicab stands<br>• Street traffic regulations<br>• Neighbourhood signs |

| Municipality | Composition | Duties/Responsibilities |
|---|---|---|
| | | • Traffic calming<br>• Citizen appointments to boards of community centres<br>• Acceptance of donations of art ($ limits apply)<br>• Encroachment agreements re: city property<br>• Demolition of residential property (less than six units) unless designated as heritage or in heritage district<br>• Naming of city properties<br>• Establishment of business improvement zone boards (after designation by Council by-law) |
| Halifax<br><br>4 Community Committees | Councillors of the grouping of districts that the Community Council represents | Duties of the Community Councils include:<br>• Monitoring the provision of services to the area for which the committee is responsible and recommending the appropriate level of services, areas where additional services are required and ways in which the provision of services can be improved;<br>• The establishment of one or more advisory sub-committees;<br>• Making recommendations to the Council respecting any matter intended to improve conditions in their area, including but not limited to, recommendations respecting:<br>(i) services, including the manner in which the costs of funding these services might be raised,<br>(ii) by-laws or regulations, including those regarding planning,<br>(iii) the adoption of policies that would allow the people of the area to participate more effectively in the governance of the area.<br>• Providing opportunities for public input at the end of each community Council meetings. (Communicating with Halifax Regional Council, 2019)<br>• Convening public hearings on certain re-zoning and variance matters. |

Flynn's research on Community Committees found that there are positive and negative aspects of Community Committees outlined in the table below (Flynn, 2017):

***Table 8 – Positive and Negative Aspects of Community Committees***

| Positives | Negatives |
|---|---|
| Improve oversight of local government | Lack of information and a lack of support has led to apathy by members and low levels of participation. |
| Empower citizens | Could rival City Council for authority over certain issues |
| Improve citizen life by aligning community needs with policy action | Promote NIMBYism |
| Improve the legislative efficiency of City Council by removing items that are entirely local in nature from its agenda | Lead to an uneven patchwork of policy implementation across a City |

## 5.3.4 Appeal Committee

### 5.3.4.1 Formal Structures

*The Charter* allows for Council to establish bodies to hear appeals. The minimum size of a hearing body is to be three persons.

The City Organization By-law establishes the Appeal Committee. Each of the Standing Committees acts as the Appeal Committee on a rotational basis to hear appeals of conditional use or variance orders made by the Director of PP&D, Community Committees, or the Board of Adjustment. The decision of the Appeal Committee is final.

To avoid conflicts of interest the Procedure By-law states in s. 52(2) and s. 52(5) that no member of a Community Committee may be in the room in which an appeal from a decision of that Committee is being heard by a Committee of Council. The same rule applies to a Council Member who has spoken to an application at the Board of Adjustment that is now before the Appeal Committee.

The Development Procedures By-law describes the duty of the Appeal Committee as *"hear any person who may be affected by the result of the hearing and who wishes to make submissions, ask questions, or register objections".* It describes the appeal as a 'new public hearing':

> *Development Procedures By-law Part 4 1. A. x. – The decision of the committee including one or more conditions attached to the decision may be appealed to the Appeal Committee for a new public hearing, should the type of development application be appealable.*

Pending legislation under Bill 37 establishes a new mechanism for appeals to the Municipal Board that are currently handled by (and would replace) the Appeal Committee.

### 5.3.4.2 Current Practices

Appeals take the form of a new hearing which examines all the information again versus an appeal of application of policy. There are not well-established grounds of appeal. The annual schedule of Community Committee meetings posted on the City website includes a schedule of the Standing Committee assigned to hear appeals for each two-month period.

In practice, appeals must be registered within 14 days of the receipt of the hearing decision, therefore the ability to committee shop is limited. Once registered, it is possible in some cases to request an adjournment of the appeal which may result in a different SPC hearing the appeal, according to the schedule.

### 5.3.4.3 Insights from Internal Engagement

Several Members of Council indicated they do not feel qualified to rule on appeals of development matters, and that these decisions should come from technical experts.

### 5.3.4.4 Insights from Public Engagement

Only 12% of respondents to the public survey agreed current appeal processes ensure City decisions are fair and consistent with policies. 49% disagreed or strongly disagreed. Some feedback referenced limited

appeal opportunities for development applications, and a process that just seems to shift matters from one committee to another. Concerns related to inconsistencies in decision-making and the extent that public representations are considered in decision-making extend to the Appeal process.

### 5.3.4.5 Insights from Other Jurisdictions

The involvement of City Council in other Canadian cities in the appeal of decisions made by City Staff or Council is limited. Seven out of eight jurisdictions have delegated the adjudication authority of appeals to independent, quasi-judicial boards. The only other jurisdiction with an Appeals Committee of Council is Halifax. Overall, the majority of appeals that are filed with a municipality are for development and planning applications. While the others all use an independent quasi-juridical board to rule on development and planning application appeals in some capacity, there are a limited number of appeals adjudicated by Councillors.

Halifax has a six-member Appeals Committee, appointed by Council. The Appeals Committee is established by the Halifax Regional Municipality By-law Number A-102. The matters which the Appeals Committee have jurisdiction over may be directed or delegated by *The Charter*, a by-law or Council policy. The Appeals Committee has been delegated the responsibility to hear appeals for demolition orders of dangerous or unsightly property under *The Charter*, and decisions under numerous by-laws. Appeals of certain development application decisions made by the Design Review Committee are heard by Council.

The table below outlines the appeal bodies in other Canadian cities reviewed. Any body that includes Council members is shaded.

***Table 9 – Appeal Bodies, Other Jurisdictions***

| City | Appeal Body | |
|---|---|---|
| | Development Applications | Other |
| Winnipeg | Appeal Committee (of Council)<br>Standing Policy Committee on Property and Development, Heritage and Downtown Development<br>Executive Policy Committee | Standing Policy Committee on Finance<br>Standing Policy Committee on Protection, Community Services and Parks<br>Standing Policy Committee on Water and Waste, Riverbank Management, and the Environment:<br>Board of Appeal<br>Board of Adjustment<br>Board of Revision<br>Vehicle for Hire Appeal Board |
| Vancouver | Board of Variance | Parking Variance Board<br>Building Board of Appeal |
| Calgary | Subdivision and Development Appeal Board | Calgary Assessment Review Board<br>Licence and Community Standards Appeal Board |

| City | Appeal Body | |
|---|---|---|
| | Development Applications | Other |
| Edmonton | Subdivision and Development Appeal Board | Assessment Review Board<br>Community Standards and Licence Appeal Committee |
| Regina | Development Appeals Board | Regina Appeal Board |
| Hamilton, Ottawa | Local Planning and Appeal Tribunal (ON) | Local Planning Appeal Tribunal |
| Toronto | Toronto Local Appeal Body<br>Local Planning Appeal Tribunal (ON) | Social Benefits Tribunal<br>Toronto Licensing Tribunal<br>General Government & Licencing Committee<br>Community Council |
| Halifax | Halifax Regional Council | Appeals Standing Committee (of Council) |

Further detail on appeal bodies in general is included in Appendix E. Further detail on appeal processes for planning and development applications is included in section 5.4.4 Planning and Development Applications and Appeals – Insights from Other Jurisdictions.

## 5.3.5 Governance Committee

### 5.3.5.1 Formal Structures

The City Organization By-law establishes the Governance Committee of Council (formerly named the Secretariat Committee), chaired by the Speaker, and comprised of four other Members of Council. The five members of the Governance Committee are chosen annually at the Organizational Meeting of Council and must represent each of the Community Committees.

The City Organization By-law sets out the duties of the Governance Committee as:

- To provide a forum for Councillors to resolve issues for Interns, Secretaries, Volunteers, etc.
- To be responsible for operation of the Councillor's office including developing and administering a policy for Councillors' assistants, expense allowances, and advising on the preparation of the Council's operating budget.
- To resolve non-political issues between Councillors and difficulties between Councillors and Administration
- To act as a liaison to EPC on all matters relating to the operation of the City Clerk's Department.
- To receive reports from the Integrity Commissioner (except reports of Code of Conduct complaints) and provide to Council through the EPC.
    - The City Organization By-law sets out that any reports of the Integrity Commissioner

that deal with complaints against Members of Council shall not be considered by EPC, rather they are presented directly to Council.

The Governance Committee is also responsible for considering amendments to rules of procedure or the Procedure By-law for a report to Council. After civic elections, the committee receives election expense and advertising reports.

#### 5.3.5.2 Current Practice

The Governance Committee has a fairly light workload. To the fall of 2019, the Governance Committee held nine meetings. It re-appointed the Integrity Commissioner, received her annual report, and considered changes to the Councillors Ward Allowance Fund Policy in February, considered campaign expenses in April, and received the Auditors report on Ward Fund Allowances in June. Most meetings have one item on the agenda and are related to policies specific to Council Member activity.

#### 5.3.5.3 Insights from Other Jurisdictions

Some cities have a Council Services committee, others assign responsibility for governance to the Executive Committee. In Toronto the Special Committee on Governance is established by City Council to consider the impacts on the City's governance structure and processes arising from the reduction in the size of Council, and to make recommendations to City Council on any further changes to its governance structure. Meetings of the Special Committee on Governance are called by the Chair.

Edmonton has a Council Service Committee with a mandate of “oversight of all Councillors’ offices, excluding the office of the Mayor, and other matters referred to it by Council”.

Calgary’s Coordinating Committee of the Councillors' Office has a mandate to supervise the general operations of the Councillors Office and to act as approving authority in respect for the Ward Community Event Fund.

### 5.3.6 Indigenous Advisory

#### 5.3.6.1 Current Practice

In July 2018, Council referred the establishment of an Advisory Council of Elders to provide advice to all Members of Council to the Governance Review process. In the same Council meeting, Council Members who had been members of the Mayor’s Indigenous Advisory Circle spoke of the value of the direct interactions with Circle members.

The Mayor’s Indigenous Advisory Circle (MIAC) was established in 2015. As of December 2019, the MIAC consisted of 16 members, including two City Councillors. Appointments of Councillors to the Circle were included with the set of mayoral appointments as part of the annual process in November 2019. Since 2015, five different Councillors have been members of the Circle. The Circle has met four times a year for the past three years.

At its December 2019 meeting the MIAC discussed its mandate and where it should focus for the next three years. As recorded in the meeting notes, the MIAC was never meant to operate like a traditional “Committee”. Since its inception, the Circle has engaged on a significant breadth of issues.

#### 5.3.6.2 Insights from Other Jurisdictions

None of the examples found were established as an advisory committee to the Mayor (not a common structure in general). Six of the other jurisdictions reviewed have some form of Indigenous advisory committee. In Vancouver and Toronto these committees provide advice directly to Council. In Calgary and Hamilton, the Indigenous advisory committee is a sub-committee of a Standing Policy Committee – Community and Protective Services in Calgary and Audit, Finance and Administration in Hamilton. In Ottawa, the Aboriginal Working Committee tends to work directly with City staff.

In Halifax the Committee is made up of five members of the Assembly of Nova Scotia Mi'kmaq Chiefs (Assembly) and five Halifax Regional Municipality (HRM) staff. Originally established as a Special Advisory Committee to Regional Council, the governance structure was changed to better reflect the equal partnership between the HRM and Assembly, and the committee now has the ability to set its own processes and procedures. The committee is funded equally by both parties, and administrative support is equally shared. Further detail is included in Appendix J.

## 5.3.7 Recommendations

1. **Streamline the flow of information and recommendations to Council and ensure all direction by Members of Council to the Administration is recorded as a resolution.**

   Where a matter is considered within the mandate of an SPC, reports from the Administration should proceed directly to the SPC.

   The practice of advance, informal discussions by EPC, the Deputy Mayor and Acting Deputy Mayor of reports intended for and prior to consideration by an SPC should be discontinued. Should any such meetings occur, where there is direction from Members of Council to the Administration it should be properly convened as a meeting and clearly documented as a resolution. There should not be an opportunity to direct changes to information prepared by the Administration as advice to a Committee or Council without a public record.

   Further, an SPC should have the ability to make recommendations directly to Council without the intervening step of consideration by EPC.

   *Rationale:* The practice of informal discussions with EPC, the Deputy Mayor and Acting Deputy Mayor of matters to come before Council before they are presented to Council or the delegated committee creates unnecessary delay and the potential for filtering of information to an SPC. Multi-committee reviews of recommendations to Council create duplication, additional workload for both Members of Council and the Administration, and inhibit timely decision making. Any direction to the Administration arising from the informal advance discussions that is not documented impedes transparency.

   Such meetings are also a means of establishing a shared majority position on a topic before it hits the Council floor. As noted previously, it is an important democratic principle that matters be openly debated and decided at Council, and not before. Having these discussions prior to formal consideration by an SPC or at Council can limit the perceived need for similar discussion in the formal processes, such that other Members of Council do not have the benefit of these discussions to fully understand an issue and may be unable to achieve a supporting vote to request more information.

Once a recommendation is made by an SPC, it generally flows fairly quickly through EPC to Council. While not significantly impacting timeliness, it does add to the volume of information to be considered by EPC members, diluting the ability of EPC members to focus on matters that are exclusively addressed by EPC.

All cities reviewed except Vancouver had a similar structure of Standing Committees. In all cases, Standing Committee recommendations are made directly to Council without the intervening step through an executive committee.

*Implementation Considerations:* The Organization By-law currently states EPC is to receive all reports from the CAO, *unless dealing with matters delegated to a Standing Committee.* The informal review of material by EPC of matters delegated to an SPC prior to consideration by the SPC is a practice not defined in the by-laws and would therefore not require a change.

The City Organization By-law [s.16] identifies a duty of the Mayor's Office to "include issues management and the scheduling and approval of the agendas for SPC and EPC agendas." Approval of the agenda does not require review and approval of the decision-support materials. While no change would be required to implement this recommendation, it may be beneficial to clarify this point in the By-law.

An amendment to *The Charter* would be required to eliminate the review by EPC of all reports from committees prior to presentation to Council.

Once the process for matters coming before Council is streamlined, workloads of SPCs may be re-evaluated.

2. Incorporate a mechanism to ensure all wards are reasonably represented on EPC over time

However the appointment process is determined (per section 5.2.6], a mechanism should be included so that there is a fair representation of all parts of the city on EPC.

*Rationale:* EPC has a significant role and authority under *The Charter*. It is also made up of the Standing Committee Chairs, who also have a significant role in influencing the Standing Committees. An important role of EPC is to consider matters that impact the whole city. The absence of multiple wards from this forum for an extended period of time reduces the overall balance of perspectives in an important aspect of City decision-making.

*Implementation Considerations:* While ensuring representation of all wards on EPC may be done by practice, lasting effect will require an amendment to *The Charter.*

3. Discontinue Community Committee role in the Development Application Process

The Community Committee role to conduct public hearings and make recommendations on development applications in their respective wards should be discontinued, to be replaced by a neutral body that has the technical expertise necessary to effectively and objectively evaluate the application and it's fit with approved development plans and by-laws.

*Rationale:* Community Committees are tasked with holding public hearings on many development applications in their own wards. This can create challenges for Councillors in navigating conflicting interests that may arise from their own constituents and makes it difficult to maintain a 'whole city' view in decision-making. Councillors have also indicated that the applications often involve

information that requires technical expertise to properly consider. Public engagement identified concerns with the consistency of development decisions through Community Committees and adherence to the existing planning framework.

In response to direction from the SPC on Property and Development, the Administration submitted a report in January 2020 on the establishment of a Planning Commission. This report documents a number of benefits that could be achieved through a Planning Commission, and notes that it would require changes to the governance structure, particularly the role of Community Committees. MNP concurs with the relative benefits of establishing a Planning Commission in resolving the inherent challenges of the current Community Committee role in the process.

Concerns were also expressed through public engagement with the relative consideration of neighbourhood interests in the hearing process. The intent of this recommendation is not to limit resident participation in public hearings, and efforts should be made to ensure public notice and opportunity to participate provides the necessary access. Individual Councillors would not be prohibited from listening to constituent concerns and helping to bring them forward. Their role in the ultimate decision would continue as a Member of Council as a whole where a balanced political lens may be applied to the application.

*Implementation Considerations:* This recommendation would require a change to the City's Development Procedures By-law. Once the development application process is streamlined, the workload of SPCs may be re-evaluated.

Any change to the forum or method for public input to a development application will require thorough notice and active public communication. The role of a neutral body in place of Community Committees should not increase the number of required reviews of an application, and preferably would enable further streamlining of the current process such that Planning Commission recommendations proceed directly to Council.

Bill 37 – *The Planning Amendment and City of Winnipeg Charter Amendment Act* is currently under consideration by the Government of Manitoba. It includes a number of provisions that will impact municipal development applications. Other than establishing time limits, it does not limit (or prescribe) the process of review prior to Council approval. Relevant to this recommendation is the prospect of appeal to a provincially appointed body. Ensuring that public hearings and recommendations on development applications are performed by a neutral body with related technical expertise and a mandate to make recommendations consistent with the City's approved planning framework should reduce the frequency of successful appeal.

4. Orient Indigenous Advisory Council to provide advice to Council as a whole

*Rationale:* The Council has become an important means of learning and engaging on Indigenous issues. It would have a more sustainable mandate and broader impact towards reconciliation if linked to the whole of Council, versus as an individual initiative of the Mayor.

*Implementation Considerations:* Formalizing the structure in the Organization By-law would ensure it has lasting effect.

# 5.4 Council Processes

## 5.4.1 Council and Committee Meetings

### 5.4.1.1 Formal Structures

#### Presiding Officer

*The Charter* mandates that at the first meeting of Council after a general election, and in November of each non-election year, Council must appoint a presiding officer and a deputy presiding officer. The Councillors appointed to these positions must not be members of EPC. The presiding officer is responsible to chair each meeting of Council, maintain order and decide questions of order. If the presiding officer wishes to participate in a debate of Council, they must leave the chair and the deputy presiding officer must chair the meeting until the presiding officer returns.

#### Meetings Open to Public

*The Charter* mandates that all meetings of Council, committees and sub-committees of Council are open to the public, subject to in camera rules, and that minutes of all meetings must be kept. (More detail on in camera rules later in this section.)

#### Quorum and Voting

A majority of the Members of Council or a committee is needed to constitute quorum. All decisions required by Council or a committee require a majority of Council or committee members present at the meeting, unless a larger percentage is directed by *The Charter* or a by-law. *The Charter* mandates that all Members present at a Council meeting must vote on a matter presented, unless they are in a conflict of interest or excused from voting by a majority of the Members present. According to *The Charter*, all voting must be open.

The Procedure By-law [s. 15] mandates that when EPC has made an alternative recommendation to that presented by an SPC, the EPC recommendation shall be voted upon first.

Council has established detailed rules, procedures and conduct for Council and committee meetings under the Procedure By-law. The Procedure By-law provides for the suspension of any of its rules by a vote of 2/3 of the Members present unless *The Charter* or the Procedure By-law requires otherwise. The Procedure By-law states that Committee business shall be conducted, in so far as is possible, in accordance with the Procedure By-law.

#### Meeting Agendas and Minutes

Per the City Organization By-law [s. 16] the Mayor's Office is responsible for scheduling and approval of the agendas of Executive Policy Committee and Standing Committees of Council. The agenda for regular Council and committee meetings, including all reports, recommendations, summary of communications and other supporting materials must be provided to the Members of Council by the Clerk at least four business days in advance of the meeting. The Procedure By-law [s. 10.3] states that no other matters

shall be considered at the Council or committee meeting. Supplementary materials provided by the clerk after this deadline may be considered at the Council or committee meeting only if approved by the majority of Members present at the Council or committee meeting.

*The Charter* specifies that the City Clerk must make reports, agendas and minutes of any Council or committee meeting available to a Member of Council upon request. *The Charter* is silent on any requirement to make these materials available to the public.

The Procedure By-law also establishes timelines for automatic referral of SPC recommendations to Council agendas after a set period. For example, a recommendation that has been submitted from an SPC to EPC that hasn't been dealt with within 30 days is automatically deemed to have been accepted by EPC and the City Clerk shall put it on the Council agenda for a decision.

The sequence of events on the Council meeting agenda is specified in the Procedure By-law.

## Question period

Question period procedures apply to the reports of SPC and EPC at regular Council meetings. As per the Procedure By-law, Councillors are permitted to ask one main question and up to two supplementary questions during the question period. A second set of questions may be allowed by a Councillor after all Councillors have asked their first set. Replies to *any reasonable* question may be given immediately or at the next meeting of Council. EPC question period is maximum 30 minutes, each SPC question period is maximum 15 minutes.

## Proposed By-laws

For Council to enact a by-law *The Charter* mandates that a by-law must have three separate readings, each of which are put to a vote by Council. Not more than two readings may be given at any one Council meeting unless 2/3 of Council vote to allow all three readings at one meeting. A by-law may be amended at any of the readings. According to *The Charter s. 55 (3) and s. 55(4)*, the full text of a proposed by-law must be given to each Councillor present at the meeting, or they must have been given an opportunity to review the full text, including any amendments, before it receives its first and third readings. *The Charter* provides that the Mayor may suspend the implementation of a by-law that has been passed by Council under two specific circumstances. The first is where Council suspended the rules to give both second and third reading at the same meeting, the second is where the Mayor deems that the by-law contains an error or omission. In each case, the Mayor must provide written notice to the Clerk within 48 hours. The by-law would have no force or effect unless a majority of Council vote at a later meeting to overrule the suspension.

The Procedure By-law further provides that all by-laws to be submitted to Council must be approved by the City Solicitor as to form and legal validity. In addition, any by-law that is defeated at any of the readings may only be reconsidered if Council directs the City Solicitor to prepare a new by-law, and it must be submitted to Council for first reading. If a public hearing is required prior to the by-law proceeding to Council, the public hearing must be held again.

## Suspension of Rules

According to the Procedure By-law, any rule in the Procedure By-law may be suspended with the agreement of 2/3 of the Council or Committee members present, unless *The Charter* or the Procedure By-

law requires otherwise.

## In Camera Meetings

As per *The Charter*, Council may determine by by-law which specific categories of matters may be heard in camera by Council and/or committees. It stipulates that where a matter is in a permitted category in the In Camera By-law, 2/3 of the Members present at the meeting must vote to have the matter heard in camera, and the reasons for considering the matter in camera must be recorded in the minutes.

The In Camera By-law allows that certain categories of matters, with agreement of 2/3 of the Members, may be considered at in camera meetings of the following committees:

- Executive Policy Committee
- Standing Committees
- Audit Committee
- Alternative Service Committee[2]
- Emergency Control Committee
- Historical Building and Resources Committee

The categories of information that may be considered in camera include:

- Personnel-related
- Information that could compromise:
    - contractual negotiations including collective bargaining
    - existing or anticipated claims or legal proceedings
    - solicitor-client privilege
- Personal or business information deemed to be protected under section 17 or 18 of *The Freedom of Information and Protection of Privacy Act (FIPPA)*
- Information provided in confidence by another government, protected by section 20 of *FIPPA*
- Regarding actual or pending emergencies

According to the In Camera By-law the only matters that may be considered in camera at a Council meeting are the internal performance review reports of the City Auditor.

## Council Seminars

The division of *The Charter* regarding Meetings of Council and its Committees (s. 68-77), including requirements for meetings to be open to the public, records of decisions, and in-camera considerations, does not apply "to seminars convened by some or all Members of Council or a committee of Council for the purpose of receiving information or discussing policies and other matters that affect the city" (s. 78(1)).

## Leave of Absence

Currently, *The Charter* s. 47(1)(c) states that a Member of Council will forfeit the Member's seat on Council if the Member fails to attend three consecutive regular meetings of Council, unless the absences are authorized by a resolution of Council at or before one of those meetings. Section 18(1) of the Procedure By-law provides that requirements of previous notice shall not apply to a motion to authorize the absence of a Member from a meeting of Council.

[2] Recently removed by by-law amendment 16/2020

There is currently no further guidance in *The Charter,* the Procedural By-law or other By-laws regarding acceptable reasons for such an absence.

At its meeting on July 19, 2018, Council referred a motion to amend Procedure By-Law 50/2007 to the governance review. The motion was to amend By-law 50/2007 to state:

A. A Leave of Absence Motion may be moved for a Member of Council only if the Member:

i. Is occupied with other official City Business;

ii. Is ill or injured;

iii. Is tending to a private personal or family matter; or

iv. Has encountered an extraordinary circumstance that precludes the Member from attending the meeting.

B. If a Member is absent from a Committee or Council meeting due to official City Business or extraordinary circumstances, the nature of said City Business or extraordinary circumstances shall be clearly stated in a Leave of Absence Motion for the Member.

C. The City Clerk shall document in the official minutes of the Committee and Council meetings the reason(s) for a Member's absence and in cases where a leave of absence motion has not been granted for a Member, such absences shall be noted in the official minutes as an unauthorized absence.

#### 5.4.1.2 Current Practice

In general, current practice regarding formal Council and Committee meetings is consistent with the formal structures.

##### Meetings Open to the Public

Council and committee meetings are live-streamed. All agendas, reports, minutes and dispositions are publicly available on the City of Winnipeg's website.

##### In Camera Meetings

The In Camera By-law is not considered to apply to informal meetings or 'report briefings', which are viewed as more similar to a council seminar.

#### 5.4.1.3 Insights from Internal Engagement

Interviews indicated the openness of committee and Council meetings is positive, as the public can follow discussions easily. Walk-on motions can limit transparency to the public as notice and materials are not included with the publicly posted agendas and are presented after the point on the agenda where public delegations may speak to a matter (see section 5.4.2).

Concerns have been expressed formally by some Members of Council in Council meetings, as well as through this review that the availability of information four business days prior to a meeting provides insufficient time for review, understanding, analysis and where necessary additional research.

Interviews indicated most Council and committee meetings were reasonably well managed. Some concern was identified regarding use of Community Committee meetings as a vehicle to address Council

Member concerns outside of the Community Committee mandate, attributed to frustration regarding getting matters placed on Council agenda.

#### 5.4.1.4 Insights from Public Engagement

##### Efficiency of Council

62% of survey respondents disagreed that matters to be considered by Council are dealt with efficiently, 59% disagreed that matters are dealt with in a timely way.

##### Decision-making

27% of respondents to the survey agreed they believe Council overall makes decisions based on what they believe is in the best interests of the City. 48% disagreed. Ward centric versus whole of city decision-making was a concern.

A common theme from engagement was a concern that Councillors don't have enough time to absorb lengthy reports if they are only receiving them four days ahead of when they are expected to make a decision, particularly if there is a heavy agenda (e.g., when budgets are added to regular agendas). Concern was also expressed regarding a lack of clear criteria for decisions, consistency of decisions generally, and with reference to policies and plans.

Decision-making is seen to be slow, including too many layers to get through various committees and delays for information to come forward from the Administration to a committee. By the time the matter appears before the committee new developments may have arisen or quotes for a related expenditure may have expired.

#### 5.4.1.5 Insights from Other Jurisdictions

##### In Camera Meetings

All other cities included in our review include similar items that may be discussed in camera sessions at meetings of Council and its committees, including:

- Labour negotiations
- Discussions involving personal information of an identifiable person
- Litigation or pending litigation
- Legal advice eligible for solicitor-client privilege
- Disclosure of information that would adversely impact the business interests of the city or a third party
- Security of the property of the city

London, Hamilton, Toronto, and Ottawa also include education or training of members, as long as no decisions are made at the meeting.

Like Winnipeg, all jurisdictions require that members present pass a motion or resolution to have a qualifying matter heard in camera, and the reasons for considering the matter in camera must be recorded in the minutes.

Edmonton, Calgary, and Regina allow that all or certain bodies established for the purpose of hearing appeals may deliberate and make their decisions in camera

Some jurisdictions consulted indicated that as a rule, when more than 50% of a committee or Council attend a meeting the content of the meeting should be made public by means of meeting minutes or a list of topics discussed.

Further detail on the specific matters and other rules related to in camera meetings of Council of other cities are included in Appendix D

## Leave of Absence

Other jurisdictions' provincial municipal legislation or city charters have similar provisions as *The Charter,* with forfeiture of the Councillor's seat unless an extended absence is authorized by resolution of Council, with some variation in the duration of absence (e.g., 60 consecutive days, 3 consecutive months, 4 meetings of Council].

The compared legislation and municipal By-laws similarly do not restrict Council discretion regarding acceptable reasons for granting a leave of absence. There are recorded Council resolutions granting a leave of absence for a specific meeting or period of time in several jurisdictions, without indication of a reason. Examples of where some limited detail is offered are as follows:

- The Vancouver City Charter s 143(6) indicates disqualification of a Councillor for absence will not apply if the absence is because of illness or injury. The Vancouver Procedure By-Law 12577c s. 15.8-15.10 states that an advisory committee member must not be absent for more than two consecutive Advisory Committee meetings without a leave of absence or is deemed to have resigned. The Advisory Committee may grant a leave of absence by simple majority if the member's request is considered to be reasonable. *Advisory Committees are established by Council and may include a Member of Council as a liaison but are not made up of Members of Council.*
- The Calgary Procedure By Law s. 76(1) indicates a motion to excuse the absence of a Member of Council is discretionary. A Member of Council who is absent by reason of other Council business at the direction of Council is not considered to be absent [s. 76(2)].
- The Edmonton Council Procedures By Law s. 14.1(1) requires a Councillor to notify the City Manager and Chair at least 24 hours in advance of an absence or late arrival to a Council meeting, including the general reason for and expected duration of the absence. The Councillor may request the reason to be announced at the meeting. If 24 hours notice is not possible, notice must be provided as soon as possible. This provision does not apply if the absence is authorized by a motion of Council or the City's Parental Leave for Councillors Bylaw. The City Manager must record in the minutes of the meeting the names of all Councillors absent, the reason if announced, and whether notification of the absence was provided.

Regina, Ottawa, Toronto, Hamilton, and Halifax do not specify further detail.

### 5.4.1.6 Recommendation

1. Adjust proposed By-law amendment for Council Leaves of Absence

   Recommended adjustments:

   a) Either remove the requirement for a resolution regarding approval of an absence from a Committee meeting or add language in the By-law regarding the obligation to attend to maintain a position on the Committee.

   b) Remove the requirement for an absence to be documented as 'unauthorized' if not approved by Council.

   c) Include a provision for approval for an 'other reason as may be approved by Council' to enable recognition of appropriate circumstances that may not be anticipated by the stated list.

   d) Include a provision that would, by resolution approving the amendment, approve all absences for other official City Business.

   e) Include an obligation for a Member of Council to notify the City Clerk of an absence and to provide reasons for the absence that may be recorded in the public record.

*Rationale:* *The Charter* requires only that a Councillor not fail to attend three consecutive regular meetings of Council unless authorized by a resolution of Council. No such authorization is required for lesser absences or absence from a committee meeting. Requiring a leave of absence motion for a Committee meeting serves no official purpose, creating a need for unnecessary resolutions, unless the By-law also establishes an obligation for attendance to maintain membership on the Committee (which is at Council discretion).

To similarly avoid unnecessary resolutions, the proposed amendments could recognize that a leave of absence for other official City Business is approved by the resolution approving the By-law without need for a specific resolution at the meeting.

Requiring an absence to be officially noted as an 'unauthorized absence' where not specifically approved by resolution is redundant and would primarily serve to embarrass the Member of Council.

Advantages of providing the proposed detail include establishing clear expectations for Members of Council and the public regarding attendance at meetings, and increased transparency and accountability for Council attendance. Disadvantages of limiting the discretion of Council in such decisions includes the necessary inclusion of all acceptable circumstances, all of which may not be fully foreseen. The requirement to clearly state the circumstances for the leave may also create privacy concerns, unless the reasons stated are sufficiently general, in which case the increased accountability and transparency is limited. Required notice to the City Clerk by a Member of Council regarding the reason for an absence, to be included in the record of the meeting, may reasonably accomplish the desired transparency.

## 5.4.2 Citizen Participation in Decision-Making

### Council and Committee Meetings, Public Hearings and Appeals

#### 5.4.2.1 Formal Structure

### Delegations at Council and Committee Meetings

By section 66 of *The Charter,* committees of Council may establish processes to facilitate public consultation in the matters referred to it.

According to the Procedure By-law No. 50/2007 delegations of one or more individuals may speak to a matter on the agenda of a meeting of Council or a Committee by informing the Clerk by 4:30 pm the day prior to the meeting. If the matter is NOT on the agenda, the Clerk will refer the delegation to the appropriate Committee.

The By-law states in section 51(5) that there may only be two delegations in favour and two in opposition on any one subject before Council. It does not appear to include this restriction on delegations before committees of Council. The first on each side may speak for ten minutes and the second may speak for five minutes. A majority vote of Council may permit a delegate to speak for two more minutes. Unless a time extension is approved, a total of ten minutes is allowed per position for Council questions and delegate responses. Additional delegations may be heard subject to suspension of the rules by a vote of 2/3 of the members present.

Delegations at Council and committee meeting are heard at the beginning of the meeting, prior to consideration of committee reports.

A person or body may not appear before Council [or a Standing Committee] again on the same subject for at least 60 days.

### Representation at Public Hearings and Appeals

Section 122(1) of *The Charter* establishes Council's authority to develop procedures for hearing bodies. It establishes in s. 122(3) the right of any person who may be affected by the result of a hearing to make a submission, ask questions, or register an objection on the matter. Rules for public hearings under the Procedure By-law allow any hearing body to establish reasonable time limits for presentations, questions, or objections. They may decide that a matter has been adequately addressed at the hearing and discontinue hearing presentations, questions or objections or determine which of several presentations that are the same or similar it will hear. If a hearing is adjourned, the hearing body must announce the new time and date before adjourning, otherwise it must provide notice of the continuation as if it were a new hearing.

### Other Public Engagement

As noted previously, per *The Charter*, a committee of Council may establish its own processes to facilitate public consultation in the matters referred to it.

The Engage Winnipeg Policy, adopted by Council in September 2019, provides guidance on City engagement processes to enable consistent and meaningful engagement opportunities which support better informed decision making. According to the policy, public engagement will be undertaken when:

1. There is a legislated requirement for public engagement;
2. Public engagement has been specified in the approved capital budget;
3. Public engagement has been initiated by a Council directive; or
4. Public engagement has been directed by the Director of Customer Service & Communications.

The policy recognizes that decisions are improved by engaging the public. The stated vision of the City's public engagement is "A city where meaningful engagement and recognition of diverse perspectives and knowledge contributes to better decision-making". The policy outlines principles of engagement and references the International Association of Public Participation (IAP2) spectrum of participation.

The Office of Public Engagement (OPE) is responsible for developing the Engage Winnipeg Framework and supports City departments to implement public engagement for their projects.

The policy requires that a record of engagement processes and outcomes are publicly posted.

### 5.4.2.2 Current Practice

#### Delegations at Council and Committee Meetings

Information on how to register to speak to a matter before Council, a Standing Policy Committee or Executive Policy Committee or to provide a written submission for the public record is published on the City website under the City Clerk. Submissions for the public record are permitted only for matters before a Committee, not Council. While delegations are allowed at Community Committees, information on speaking at a Community Committee is not included in the posted information.

According to the City Clerk's website, the number of delegations speaking on a matter at a Standing Policy Committee Meeting or Executive Policy Committee is not limited. Delegation registrations and submissions must be received by the City Clerk by 4:30 pm on the day prior to the committee meeting. All submissions become part of the public record and are published in the Committee minutes available on the Decision-Making Information System (DMIS).

Persons wishing to speak to a matter on the Council agenda must also register with the City Clerk by 4:30 pm the day prior to the meeting. They must indicate whether they are in support or in opposition of the matter. Registration to speak to a matter at Council is limited to two delegations in support and two in opposition.

#### Representation at Public Hearings and Appeals

The vast majority of Public Hearings are on planning and development matters. Information on the Public hearing Process and how to participate is published on the City website under the City Clerk. It states that the Public hearing process is designed to provide the public with an opportunity to convey their views on development applications or other matter under a City by-law. Public hearings are open to all members

of the public. Historically, hearings have been held after 5 pm to facilitate public attendance (re-scheduled to mornings during the pandemic.)

*The Charter* requires a Notice of Public Hearing to be made at least 14 days before the date of the hearing. Notice is made through a combination of signs posted at the subject property, newspaper ads and or mail notices. An overview of the application and Administration's recommendation is posted on the DMIS and available at the City Clerk's office. Persons wishing to make a representation at a public hearing may register at the hearing, indicating whether they are registering in support, in opposition or there for information only. Representations may include supporting documents such as petitions, letter, photographs etc. Those not able to attend the hearing may submit written comments to the public hearing body through the Clerk's Office, which will become part of the public record. Persons registered in support will speak immediately following the applicant, followed by those in opposition and those registered for information. The applicant may speak in rebuttal.

After hearing all representations, the hearing body may render their decision/recommendation or adjourn the matter. Depending on the matter, the hearing body may not have the final decision-making authority. Once public representations have been closed, no new information may be considered.

All registered participants will receive notice of the hearing body's decision/recommendation on the matter and information on how to appeal (if applicable). Appeals are heard at a new public hearing by a different hearing body.

## Public Engagement

The Office of Public Engagement (OPE) has increased its capacity in the last few years and staff are active members of IAP2. In 2020, the OPE initiative "Welcoming Winnipeg: Reconciling Our History" won the IAP2 Core Values Award for Indigenous Engagement.

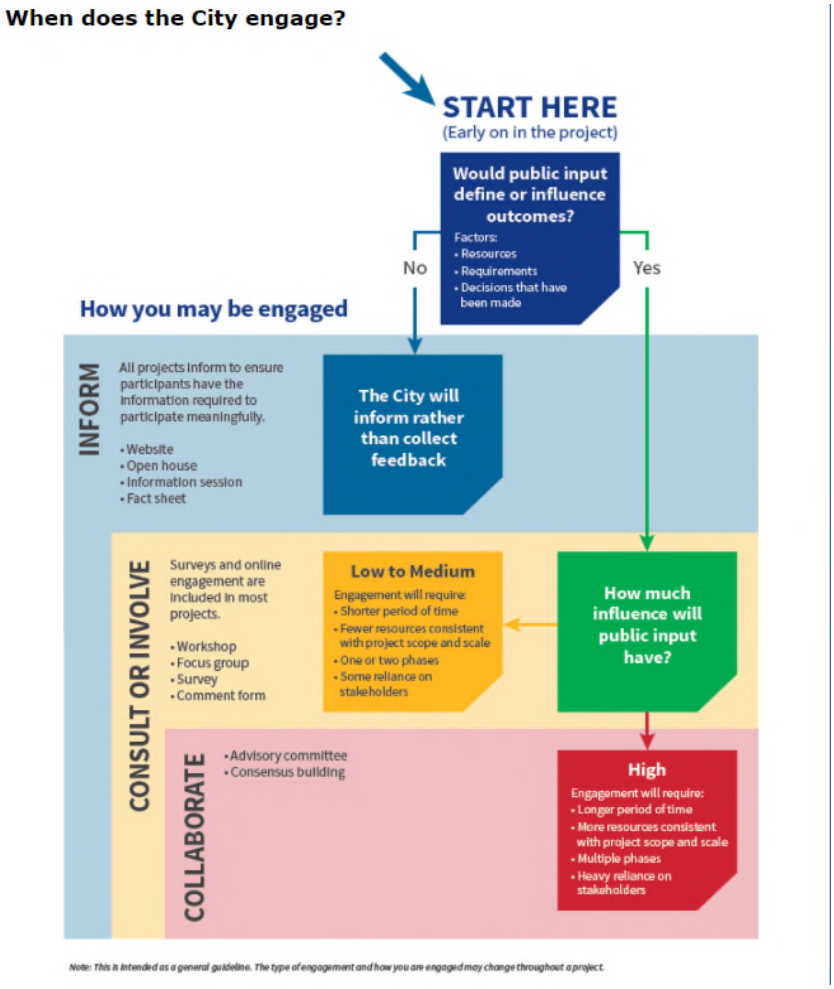
The City of Winnipeg has developed guidelines for City public engagement initiatives, including guidance on promotion, accessibility and transparency of processes, implementation, and reporting. Guidelines require that public engagement reports include a summary of the input received and how it influenced the project and/or recommendations. There is also a requirement that all city-wide projects or projects located in the Riel District include materials translated into French.

Early in 2020 the OPE upgraded the Engage Winnipeg website *(*https://engage.winnipeg.ca/). The site includes links to current and past public engagement opportunities, registration for public engagement e-news and related City social media and general information on public engagement at the City of Winnipeg. The site uses the Bang the Table Engagement HQ platform to host public engagement project information and tools. The platform includes a variety of public-facing tools for public information and input, including videos, surveys, forums, mapping tools, reports and other information documents, by-laws, and links to register for public events.

Pop-up events have been a successful tool to engage the public "where they are at". The OPE, along with many Canadian jurisdictions, is interested in increasing engagement with hard-to-reach populations.

Typically, advance notice of engagement opportunities is not published (date / time) until they are open for input. In the case of projects that include multiple phases of engagement, estimated timing and a brief description of subsequent phases of engagement will be published on the project webpage

*Figure 5 - City of Winnipeg Public Engagement Framework*




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### 5.4.2.3 Insights from Internal Engagement

#### Delegations at Council and Committee Meetings

Some Members of Council expressed an interest in broader citizen participation in matters on Council and Committee agendas. They also acknowledged that it may be difficult for the public to anticipate when an item will be appearing on a Community Committee agenda.

As noted previously, some concern was expressed that walk-on motions or additional verbal information can limit the ability of a delegation to speak to a matter as the information is presented after the point on the agenda where public delegations may appear.

### Public Engagement

Interviews indicated Council members are interested in ensuring public engagement processes enable input from the diversity of Winnipeg residents, and where possible, are representative of the City as a whole. Some concern was indicated with the public's ability to provide meaningful feedback on more complex matters before Council and the extent to which public input is used in decision-making.

## 5.4.2.4 Insights from Public Engagement

### Appearing as a Delegation Before Council or a Committee

62% of respondents to the public survey agreed they were treated respectfully in an appearance before Council or a Committee.

39% of respondents to the public survey agreed their experience in appearing before Council or a committee was constructive and worth their time, and that their interests and concerns were heard and given consideration. Among those that disagreed, a theme in the feedback was a feeling that decisions had been made (informally) in advance of submissions from citizens or citizen input is disregarded, rendering the time spent preparing and presenting information meaningless. People attending meetings also expressed frustration that there are not scheduled times to appear, and the need to spend an undetermined amount of time waiting (and away from work) can be a barrier to participate.

There was low agreement that information on issues being considered by Council is easy to find (13%), useful, and easy to understand (15%). The decision-making information system was noted as difficult to navigate, links to reports cannot be created (to share it), and more plain language materials are needed.

A common concern was that public notice of an item on an agenda four business days in advance of the meeting is not sufficient time for organizations to engage their members and prepare. There is also no opportunity to consider new information that may be presented at the meeting, particularly since delegations appear before any new information is presented from the City.

Representatives of business and community organizations that regularly make appearances before Council or a Committee and are familiar with processes were more likely to report a positive experience. While professional advocates tend to understand and can work within the system, respondents indicated it does not feel accessible for the average citizen.

### Representations at Public Hearings

Survey comments and stakeholder group feedback made few clear distinctions between appearing in delegation before Council and committees or making a representation before a public hearing body. Concerns noted above regarding ease of use of the decision-making information system apply to information on applications to be heard, as do perceptions that citizen input is disregarded in decision-making.

### Public Engagement

26% of survey respondents feel the information available for public engagement is sufficient to support meaningful participation in public engagement initiatives. Comments indicated a need for more plain language resources and greater opportunity to fully understand the information before being asked for feedback.

There was strong agreement among community-based stakeholder groups that the duration of public feedback periods and lack of prior notice does not provide adequate time for them to engage their members and provide collective feedback. Many of these groups expressed interest in assuming a more collaborative role in designing and implementing City engagement tools and processes.

Several survey respondents and community groups commented that current practices are not sufficient to engage marginalized groups, who are often the most impacted by initiatives and decisions. They are interested in seeing accessibility and social equity become regular features of public engagement initiatives.

Another frequent theme among survey comments and stakeholder feedback was concern with the extent to which public and stakeholder input is used in decision-making, noting that while public engagement may be required on certain matters, there is no corresponding obligation for Council to consider the input in decision-making. Some feedback indicated a desire for public engagement results to be included in Administrative Reports and referenced in recommendations.

#### 5.4.2.5 Insights from Other Jurisdictions

##### Delegations

All cities reviewed, including Winnipeg, accept written submission and/or comments to Council and committees, typically through the Clerk. Six cities (Calgary, Edmonton, Toronto, Hamilton, Ottawa, and Halifax) allow the public to appear in delegation on matters on Standing Committee or other committee agendas only. Winnipeg, Regina, and Vancouver allow the public to speak to matters on Council and /or committee agendas. Other city by-laws do not impose limits on the number of speakers, whether permitted before a Committee or Council.

In most cities agendas and materials are posted between three to five days prior to meetings (some specify business days, some do not). Edmonton posts agendas 10 clear days before the meeting.

Unlike Winnipeg, in all cities reviewed delegations are heard at the meeting as the agenda item is dealt with. Reports from Administration are heard first, and Council members may ask questions of Administration. Presentations from delegations are heard after Council has concluded its questions for Administration.

Except as noted for Halifax below, all cities allow each speaker at committee or council meetings five minutes each to make their presentation, followed by questions from Council members. All cities but Ottawa allow only one individual from an organization to speak. Ottawa appears to allow multiple speakers per organization, though advises for efficiency's sake that each speaker from an organization should speak to different aspects of their position.

Halifax is unique, in that it invites the public to make presentations to Standing Committees on any matter within the committee's jurisdiction. A maximum of two presentations of ten minutes in length will be heard per meeting. In addition, Halifax has an open period at the end of each Community Council and Standing Committee meeting for the public to provide comments to Councillors. Comments may be on any topic within the committee's jurisdiction, as long as the matter is not scheduled to be heard at an upcoming public hearing or Appeal hearing. Comments during this open "public participation" are

included in the public record. Council members will determine if they will take any follow up action in response to the public comments.

## Public Hearings

In most other cities reviewed the procedures followed for citizen input at public hearings differ only slightly from those for appearing in delegation to a matter on a Council or committee agenda. In all cities that have public hearings, including Winnipeg, speakers are heard as the subject of the public hearing comes up on the agenda. In Winnipeg, Calgary, and Edmonton, those in favour of an application are heard first, followed by those in opposition.

Winnipeg appears to be the only city reviewed that allows the hearing body to discontinue hearing submissions from the public if it deems the matter has been adequately addressed. In all other cities, procedural by-laws state the hearing body must hear any person or group that is affected by the proposed by-law or resolution and has complied with the procedures. In Vancouver, Edmonton and Halifax individuals who have not registered to speak, either in advance or at the hearing, may speak after all who have registered.

In Edmonton, if new information is presented during the hearing, anyone, including the public, may speak again to the new information before the public hearing is closed.

In Vancouver and Halifax public hearings are held after 5pm to facilitate public attendance.

Further detail on other cities' citizen participation in Council Meetings and public hearings is included in Appendix F.

## Other Public Engagement

Like Winnipeg, most cities reviewed reference the IAP2 core values for public engagement and a spectrum of public engagement outlining public participation goals and corresponding levels of public involvement in decision-making.

All cities but Montreal appear to have public engagement departments. An independent organization carries out Montreal's public engagement as directed by Montreal City Council or Executive Committee.

In Alberta, the *Municipal Government Act* mandates that municipalities must have a public participation policy. Edmonton, Calgary, Montreal, and Ottawa have developed public engagement frameworks.

All cities have an online public engagement webpage where the public can access information on ongoing and past public engagement opportunities, online tools, and reports. Many use the same Bang the Table platform that Winnipeg does and employ similar online and in-person methods to engage citizens such as surveys, forums, open-houses, and pop-up events. Vancouver, Edmonton, and Toronto also have ongoing citizen panels that participate in surveys and discussions on various topics. The Toronto panel is representative of the diverse Toronto population, with members chosen through a lottery process.

Further detail on public engagement in other cities is included in Appendix G.

### 5.4.2.6 Recommendations

1. **Increase accessibility of Council meeting information to the public**

   Improve systems and information to increase ease of access to Committee and Council agenda materials for the average citizen. User-friendly information about how to participate and as much advance notice possible of upcoming topics is important for meaningful input. Improved search functions and enabling links within the decision information system (including from and to the general City website) will allow users to find related information more easily. For key issues, plain language explanations of the issue and related background will help enable public understanding.

   *Rationale:* Citizens responding to the survey identified low agreement that background information to participate in public engagement is helpful, and decision-making information is easy to find, useful and easy to understand. While significant information is available through the decision-making information system and open data portal, it is more suited to experienced users. The average citizen may find it complicated, hard to navigate and understand, limiting its effectiveness in creating transparency. The inability to include links within the decision-making information system makes it more difficult for the public (and all users of the council information system) to navigate among related information.

   Citizens also expressed concern regarding sufficient advance notice to prepare information.

   *Implementation Considerations:* As the primary means to address all of Council, user-friendly information related to Committee and Council agendas, materials and how to participate should be a priority. Further priorities for citizen-friendly information should align with the City's strategic plan and process (see section 5.4.4) -- to help citizens understand how to participate in the process of developing the plan, accessible information on key issues to be addressed in the plan, related budget decision processes, and for monitoring progress against the plan. Posting the strategic plan also enables more advance notice of issues Council plans to address in a year. The City's website has evolved during the period of this review, with some improvements in how information is presented. Testing and enabling regular feedback from citizens on use of the City's website will enable ongoing, focused improvement.

2. **Enable delegations to present to the Committee or Council after the Administration report on an item.**

   A delegation's presentation on a topic should be heard by Council after the Administration's recommendation is presented.

   *Rationale:* While scheduling delegations at the beginning of the meeting reduces delegation wait time, it also is disconnected from the item, reduces the ability for the delegation to address any verbal or new information that may be presented by the Administration, and the ability of Council to ask the delegation questions in the context of the Administration's report.

   Concerns were expressed in public engagement that there is no opportunity to consider new information that may be presented at the meeting, particularly since delegations appear before any new information is presented from the City.

All other cities reviewed have delegations heard as the agenda item is dealt with. Reports from Administration are heard first and Council members may ask questions of Administration. Presentations from delegations are heard after Council has concluded its questions for Administration.

3. Increase accessibility of Council decision-making and public engagement processes to marginalized groups.

Consistent with the Engage Winnipeg Policy, protocols are needed to further enable a diversity of perspectives and knowledge from the public, including those most impacted by a decision, and seldom heard populations, to inform council decision making. Designing protocols should be done in collaboration with stakeholders.

*Rationale:* Effective public engagement, including both citizen participation in Committee or Council meetings and formal public engagement, a) seeks out and facilitates the involvement of those potentially affected by or interested in a decision, and b) seeks input from participants in designing how they participate. The City's Engage Winnipeg Policy echoes these principles.

Some members of Council expressed an interest in broader citizen participation in matters on Council and Committee agendas. They also indicated an interest in ensuring public engagement processes enable input from the diversity of Winnipeg residents. Public and stakeholder feedback indicated individuals from marginalized groups are challenged to participate meaningfully in Council decision-making and public engagement processes.

*Implementation Considerations:* Established committees of the City, including the Human Rights Committee of Council and Indigenous Advisory Circle provide opportunities to both inform the process and to reach out to target stakeholder groups. Establishing a Council and Committee meeting liaison to facilitate participation by marginalized groups and individuals on key issues may further enable this input. Any resulting changes to public engagement guidelines should be incorporated in the Engage Winnipeg Framework.

4. Ensure the results of public input on a matter before Council are readily accessible to Council.

Feedback from the public, whether collected via delegation to a committee or formal public engagement processes, should be readily evident in Council agenda packages. The decision making-history in recommendations to Council should include, at a minimum, direct reference to public input, and where possible links to written submissions and video of oral presentations made by those appearing in delegation at a previous (committee) level. The results of formal public engagement processes (Public Engagement Reports) should be a mandatory inclusion in the corresponding committee/Council agenda as applicable, until the matter is ultimately considered by Council.

*Rationale:* Resident and stakeholder feedback indicated a concern with the extent to which their feedback is considered in Council decision-making. Some members of Council expressed concern that not all voices are being heard.

Public Engagement reports include how public feedback was considered in developing recommendations. The City's Engage Winnipeg Policy states that it is elected officials' responsibility

to "aim to understand the public's views and perspectives and consider those views when making decisions." The policy also requires that a record of engagement processes and outcomes is publicly posted. It does not however, require that the results of engagement processes be provided to members of Council or be attached to committee/council agendas. In the majority of cases, the Public Engagement Report *is* included in committee and Council agenda as an attachment to the Administrative Report on the matter, however this is not a policy requirement and occasionally the public engagement results are not included along with the Administrative Report. Transparency and accountability to the public could be increased by formalizing this practice in the Engage Winnipeg Policy.

Input received through delegations at the committee level is included in committee minutes but not in the Council agenda package, meaning Council members must look up these minutes to determine whether and what information has been provided, rather than receive it as part of the agenda package.

For Council to be accountable to the public, ideally Council decisions should reflect on how public input influenced the decision. Ensuring Council has ready access to the collection of views presented by the public when rendering their decisions would represent a step towards greater accountability to residents.

*Implementation Considerations:* An update to the Engage Winnipeg Policy and amendment to Council and administrative guidelines and practices with regard to agenda packages would support this recommendation.

## 5.4.3 Planning and Priorities

### 5.4.3.1 Formal Structures

The City Organization By-law states that EPC has the duty to identify annual and longer-range priorities for the growth and development of the City.

*OurWinnipeg* is the City's municipal development plan. It sets a 25-year vision for the City, supported by four direction strategies:

- Complete Communities
- Sustainable Transportation
- Sustainable Water and Waste
- Sustainable Winnipeg.

*OurWinnipeg* is currently undergoing its scheduled review.

### 5.4.3.2 Current Practice

Council has not established a strategic plan to support implementation of the longer-term development plan or other aspects of municipal activity. In 2019 Council established a set of priorities to support a multi-year budget process. The CAO reported the recent hire of a corporate strategic planner. This is expected to be a significant boost in the development and integration of departmental plans.

*OurWinnipeg 2045* states that a *Strategic Priorities Action Plan* will set out a detailed list of priority actions necessary to deliver on *OurWinnipeg 2045*'s policy commitments and provide guidance to City departments as they develop budget proposals, service and partnership plans. The by law to approve *OurWinnipeg 2045* was given second reading July 22, 2021.

#### 5.4.3.3 Insights from Internal Engagement

The absence of a strategic plan was noted by most Members of Council and senior staff as a significant gap in the ability to clarify priorities and enable focus and accountability for the City. It was also seen to be important to provide continuity and sustained progress between elections, as well as a means of evaluating the CAO.

The priority setting exercise to support the multi-year budget was seen as a step forward by most interviewed.

#### 5.4.3.4 Insights from Public Engagement

68% of respondents disagreed that Council ensures the City is focused on the right things or addresses citizen priorities.

Only 11% of respondents to the public survey agreed that the City provides effective oversight of City performance. 13% agreed Council is effective in ensuring the City uses resources as approved in the budget.

A strong theme arising from public engagement was concern with the lack of a strategic plan. They commented that while there seem to be many recommendations and reports, the relative priority of issues and policy decisions is unclear and are not necessarily represented in the budget.

Public feedback also referred to the budget as a tool to implement the strategic plan, not the plan itself. There is a need to understand what the strategic priorities are, what the investments are intended to achieve. There is an interest in an overall high-level dashboard of performance indicators to help understand value for money in the context of service levels, outcomes, etc.

#### 5.4.3.5 Insight from Other Jurisdictions

##### Strategic Plans

All municipalities reviewed publish some form of a strategic plan. Vancouver and Edmonton also have a further corporate plan. Generally, strategic plans for the city are in addition to various specific strategies (transportation, recreation, etc.). Most strategic plans are developed by Council or an SPC. Only the City of Calgary and London have aligned the term lengths of the strategic plan with the municipal budget. The City of Ottawa utilizes a Term of Council Priorities document that provides a scorecard to measure the performance of Council to achieve the goals established within the strategic plan.

***Table 10 – Strategic Plans, Other Jurisdictions***

| | Winnipeg | Vancouver | Edmonton | Calgary | Regina | London | Hamilton | Toronto | Ottawa | Montreal | Halifax |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Term Length for Strategic Plan | Not applicable | 1 | 10 (3-year priorities) | 4 | 4 | 4 | 10 | 6 | 4 | Borough strategic plans 7 | 5 |
| Linked to Multi-Year Budget | No | No | No | Yes | No | Yes | No | No | No | No | No |

## 5.4.3.6 Recommendation

1. **Establish a Council approved strategic plan, including a framework to annually monitor progress, review priorities and objectives and a process for renewal at least with each term of Council.**

An important role of Council is to articulate a vision, future direction, and priorities for the City. While the City has a number of long-term plans, as of the date of this review it did not yet have an overarching strategic plan to provide citizens with an understanding of the City's overall vision and priorities for policy development and allocation of resources. A strategic plan is recommended to identify Council's overall policy goals, service expectations, resource priorities and performance objectives for the City. *OurWinnipeg 2045* states that a *Strategic Priorities Action Plan* will set out a detailed list of priority actions necessary to deliver on *OurWinnipeg 2045*'s policy commitments and provide guidance to City departments as they develop budget proposals, service and partnership plans. The by law to approve *OurWinnipeg 2045* was given second reading July 22, 2021.

*Rationale:* A Council-approved strategic plan enables clear direction for the City, representing Council priorities and a prioritized policy agenda for matters to be considered by Council. It provides a means of open debate regarding desired City performance overall, balancing desired service levels and efficiencies across all areas of City operations, and a clear understanding of the intended results. It also provides a means for Council to monitor ongoing performance of the City in a cohesive way, a basis for communicating to citizens the results the City is expected to achieve, and overall transparency and accountability for performance. Similarly, it provides citizens with a means of understanding the City's strategic direction and intended results, and accountability for these results.

The City's Community Trends and Performance Report identifies Financial Plan goals, and individual department goals, service level statistics, performance measures and some benchmarks. It does not at this time identify specific targets for the service levels, an understanding of the overall balance across departments, or high-level key performance indicators that help to demonstrate performance of the City as a whole. It is a means to describe City activity and comparison to others, but not clear accountability for any particular result.

The City currently identifies its process for resource allocation and prioritization through the multi year budget process, first established for 2020 – 2023 and updated for 2021. Narrative accompanying the budget describes specific investments or changes that the budget is intended to support, which may be considered objectives. Individual departmental budgets presentations

include departmental priorities and objectives. There is not currently a high-level direction provided to align these departmental priorities. The multi-year budget should reflect the City's strategic plan, not a means to infer the plan based on allocation of the budget. Citizens also noted that policies and by-laws appearing on Council's agendas don't seem to be connected with priorities identified in the budget.

Respondents to the public engagement process indicated concern that a meaningful opportunity to provide input to Council on decisions is hampered by limited notice. Publishing Council's priorities in a strategic plan will provide advance notice to interested stakeholders and a more meaningful way to participate.

Ten of ten cities reviewed post a multi-year strategic plan or annual corporate plan that includes longer term goals approved by Council, as well as their long-term development plans and a series of long-term strategies. *Section 5.4.3.3*

*Implementation Considerations*: No regulatory change is required. The development of the *Our Winnipeg 2045 Strategic Priorities Action Plan* should include an overall framework and process to support a consistent, timely planning cycle, a refresh at a minimum with each election cycle, and alignment with the budget process.

## 5.4.4 Budget Development

### 5.4.4.1 Formal Structures

EPC is responsible for overall budget development. Under the City Organization By-law, each SPC's mandate includes making recommendations on the operating and capital budgets formulated by EPC that are covered by the administrative units having responsibility for the areas within the SPC's jurisdiction. Each year, the CFO issues the Budget Call Letter to departments, launching the annual budget process. Committee reviews begin in the fall. Council approval is generally in March. The City of Winnipeg develops a service-based budget for the approval process. It also prepares a department-based budget for internal purposes.

In 2019, for the second year in a row, the City of Winnipeg budget received the Distinguished Budget Presentation Award from the Government Finance Officers Association. Based in Chicago, Illinois, the Government Finance Officers Association represents public finance officials throughout Canada and the US. The guidelines for the award consider how well the budget serves as a policy document, financial plan and operations guide as well as a communication device. (City of Winnipeg, 2019)

### 5.4.4.2 In Practice

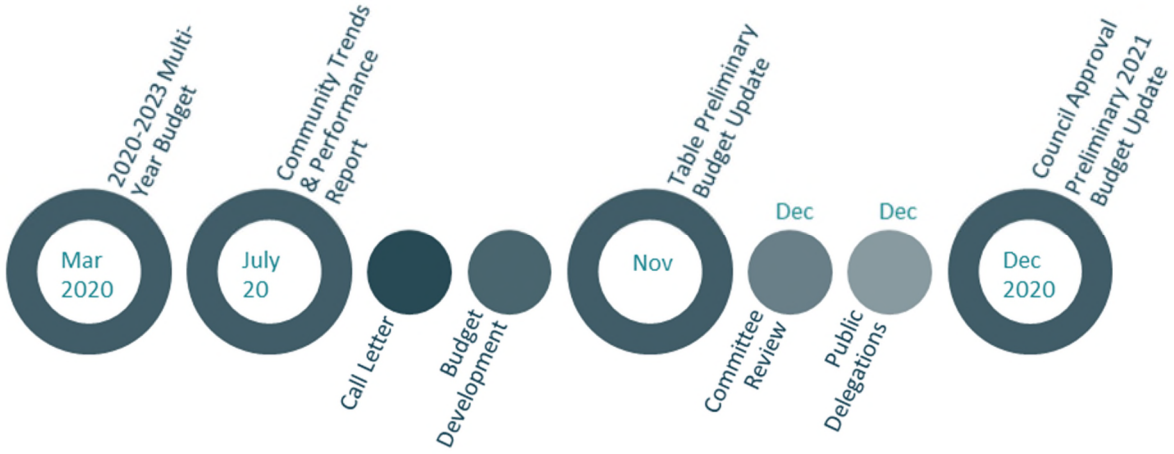
In 2019 Council established a new multi-year budget process. This was the first time the organization has been asked to bring forward plans to ensure a balanced budget within targeted caps on property taxes for multiple years. Departments were asked to prepare their annual operating budgets and capital investment programs using recommended targets for annual adjustments and present to their respective Standing Policy Committee with suggested options to meet their targets. Members of the public were invited to appear in delegation after the departments have made their presentations. The Standing Policy Committees then provided multi-year budget recommendations to EPC on how the City departments can

work within identified expenditure targets. EPC was then responsible to make recommendations to Council on the draft operating and capital budgets. The 2020-2023 multi year budget was approved by Council in March 2020.

The process to update the budget for 2021 included public engagement in May and October 2020, and individual meetings between the Chair of Finance and each Council member. Throughout December 2020 the Standing Policy Committees provided their recommendations to EPC, EPC provided their recommendations to Council and Council adopted the preliminary 2021 update to the multi-year budget at a Special Meeting of Council in December 2020.

A graphical overview of the timeline is shown below.

***Figure 6 - Budget Process and Timeline***




### 5.4.4.3 Insights from Internal Engagement

The multi-year budget process that began in 2019 is seen as a step toward having longer term goals and a strategic plan. The 2020 budget process was noted as allowing the City to be more strategic, however it is not necessarily inclusive, with a desire for all members of an SPC to be involved earlier in the process.

### 5.4.4.4 Insights from Public Engagement

Respondents to public engagement indicated that the budget documents are lacking the context of a strategic plan and do not make it easy for citizens to understand it or related decisions. There was some support expressed for the multi-year budget process.

### 5.4.4.5 Insights from Other Jurisdictions

Most cities reviewed have an annual budget, and obligations to balance their budget. Seven of nine cities reviewed have one-year budgets, Calgary and Edmonton have four-year budgets, similar to Winnipeg's new process. The City of London has established a Council-term linked process.

City budgets are presented to the public in two distinct formats. The first is service based, where the city presents revenues and expenses for each service line e.g., emergency services, roads. The second format is a department-based approach which presents revenues and expenses based on a municipality's organization structure that specifies various departments. Although both formats provide a detailed financial picture service-based budgets are purported to:

- Improve public understanding of municipal expenditures: It is easier to show what level of funding different services are receiving from the municipality, as opposed to departments, that may not have a clear function to the public.
- Enhance Councillor's, administrator's, and citizen's ability to assess and value the services being provided by the city.
- Improve efficiency through department collaboration in developing the budget. Collaboration enhances the ability to identify any gaps or overlapping line items that may help identify areas of opportunity for cost savings in the delivery of a service.

To establish a budget, most municipalities use a department-based approach. Each department develops a budget that is reviewed by the finance department and finance committee and then submitted to Council for final approval. By contrast, feedback received from other jurisdictions indicated a service-based approach to budgeting as a more effective way to develop a budget.

Across the country the level of detail presented publicly varies greatly, regardless of budgeting approach. Two examples of department-based budgets, from Hamilton and Vancouver are included in Appendix H. Vancouver also was received the Distinguished Budget Presentation Award from the Government Finance Officers Association in 2018.

The most common approach across Canadian cities is to list the departments with 3-4 high-level accounts below. These accounts generally represent major components of the department. Hamilton and Regina follow this approach. A more detailed approach is conducted by the City of Vancouver, Toronto, Halifax, Ottawa, and Edmonton which list the departments and a more complete list of accounts. Edmonton's budget presents the most detail. There do not appear to be standardized formats for city budgets, leaving it to the discretion of the City Administration to determine the level of detail provided.

The City of Calgary shifted to a service-based view of it's multi-year plans and budgets for 2019-2022. Calgary promotes the benefits of multi-year budgets, especially if they are linked to multi-year strategic plans. The perceived benefits of a multi-year budget being linked to a multi-year strategic plan include:

- Improved accountability and transparency.
- Greater certainty for Councillors, administrators, and the public for the direction of the municipality including municipal taxes.
- The ability to make longer term plans to achieve objectives identified by Council.

The only other municipality with a multi-year budget linked to a multi-year strategic plan included in this review is the City of London. In London, every new Council first develops a 4-year strategic plan, to match the 4-year term of Council, and subsequently uses the 4-year strategic plan to develop a 4-year budget.

***Table 11 – Budget Horizon, Other Jurisdictions***

| | Winnipeg | Vancouver | Edmonton | Calgary | Regina | London | Hamilton | Toronto | Ottawa | Montreal | Halifax |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Budget Period (years) | 4 | 1 | 4 | 4 | 1 | 4 | 1 | 1 | 1 | 1 | 1 |
| Budget Approach | Service-Based | Dept-Based | Dept-Based | Service-Based | Dept-Based | Service-based | Dept-Based | Service-Based | Dept-Based | Service-Based | Dept-Based |

## 5.4.5 Planning and Development Applications and Appeals

In this section we focus on the decision-making process for planning and development applications involving Committees and Council.

### 5.4.5.1 Formal Structure

The Development Procedures By-law No. 104/2020 identifies approval and appeal authorities for development applications and related matters. As part of the approval process, a public hearing is typically required to be facilitated by the EPC, the SPC on Property and Development, Heritage and Downtown Development, one of the five community committees, or the Board of Adjustment. In some instances, the Director of Planning, Property and Development (PP&D) may decide with respect to the merits of certain development applications.

All 16 types of development application are identified in the table below along with the application process, public hearing body, and if applicable, the appeal body. Community members may make submissions or register in favour of or in opposition of an application being considered at a public hearing by a committee.

Where the hearing is by the Community Committee, it generally makes its recommendation to the SPC on Property and Development, Heritage and Downtown Development (except for demolition permits or conditional use and variance decisions decided by Community Committee). The SPC may forward its report and recommendations to EPC or refer the application back to the original hearing body (Community Committee) to consider new information by re-opening the public hearing. When EPC receives the SPC report and recommendation, it may forward its report and recommendations to Council, or refer the application back to the original hearing body (Community Committee or SPC) to consider new information by re-opening the public hearing.

A Community Committee may forward its report and recommendations directly to EPC when the Committee concurs in all respects with the Director's recommendation and no person registers in opposition or submits an objection.

No new information or representations can be presented to the SPC, EPC or Council after conclusion of the hearing. Council may consider additional recommendations from any committee of Council in relation to the application.

Of the 16 application types, nine may be appealed. The appellant may be the applicant, or another interested party. For variances and conditional use, a decision by a designated employee, Board of Adjustment, Community Committee, SPC or EPC may be appealed to the Appeal Committee. If a decision is appealed, the notice of the appeal is provided to all parties and a note of the decision made must be provided to all applicants and those who made submissions at the hearing. As noted earlier in section 5.3.4, a Councillor who has made representations at a public hearing for an application or sat on a body which conducted a public hearing for an application shall not be or remain in the appeal hearing room during an appeal hearing for that development application.

One specific planning application; a change to a Secondary Plan By-law dealing with an airport vicinity protection area, may be appealed to the Municipal Board of the Province of Manitoba.

At the time the preliminary report was prepared, the Development Procedures By-law was under review. By-law 104/2020 was approved by Council October 29, 2020. Changes are reflected in the table below.

## New Legislation

In March 2020 Bill 48– *The Planning Amendment and City of Winnipeg Charter Amendment Act* was introduced in the Manitoba legislature. The Bill introduced a number of changes related to planning and permitting, including the introduction of regional planning, addition of new avenues for appeal, new time limits for planning processes, and general changes to help speed up processes (Manitoba Municipal Relations, 2021). Re-introduced as Bill 37 in November 2020, *The Planning Amendment & City of Winnipeg Charter Amendment Act* received royal assent on May 20, 2021.

This legislation establishes a new appeal function for matters that have not been subject to appeal following a decision by Council, as indicated in the chart below.

***Table 12 – Development Applications Requiring a Public Hearing***

*All references to SPC are the SPC on Property and Development, Heritage and Downtown Development, unless otherwise specified*

| Application Type | Public Hearing Process | Public Hearing Body | Appeal Body |
|---|---|---|---|
| *OurWinnipeg* Plan By-law Amendments | After the first reading and before the second reading a proposed amendment will be referred for a public hearing. The contents of the public hearing are incorporated into a report to Council.<br>After a second reading by Council the proposed amending by-law is forwarded to the Minister of the Provincial Government. Once approved Council may give the by-law a third and final reading. | Requires public hearing at EPC, recommendation to and approval by Council | No appeal body for Council decision<br>EPC for designated employee refusal of application prior to hearing |
| Complete Communities Direction Strategy By-law | After the first reading and before the second reading, the proposed amendment will be referred for conduct of a public hearing. The contents of the public hearing are incorporated into a report to Council. | Requires public hearing at EPC and Council approval. | Appealable to Municipal Board under new legislation |

| Application Type | Public Hearing Process | Public Hearing Body | Appeal Body |
|---|---|---|---|
| Secondary Plan By-law | After the first reading and before the second reading, the proposed amendment will be referred for a public hearing.<br>If SPC conducts the public hearing, it forwards its report to EPC then to Council for a vote.<br>If a community committee conducts a public hearing it forwards its report to the SPC for recommendation to EPC and finally to Council for a vote. | Requires public hearing at Community Committee or SPC and Council approval. | |
| Rezoning (DAZ)<br>Zoning Agreement Amendment (ZAA)<br>Subdivision (DAS)<br>Subdivision and Rezoning (DASZ) | Community committees hold a public hearing, except when the land is question is in the Downtown or is not within the community geographic boundaries, in which case SPC conducts the public hearing.<br>The community committee sends its report and recommendation to SPC, which makes recommendation to EPC then to Council. Alternatively, the SPC may send its report and recommendation to EPC and then Council without a recommendation of the Community Committee. | Requires public hearing at Community Committee or SPC, Council approval. | No appeal body of Council decision<br>Appealable to Municipal Board under new legislation<br>First Level Decision: SPC |
| Subdivision, Short Form (DASSF) | Authority of the Director of Property, Planning and Development when no public street or land is being created and a zoning change is not required.<br>Council approval if an agreement is required | Not required | Director decision: SPC |
| Demolition Permits (DEMO) | Community Committees will serve as the public hearing body except for when the demolition permit is in combination with an application to amend the *OurWinnipeg*, Complete Communities, or another secondary plan; in which case EPC will conduct the public hearing. Matters that extend beyond the boundary of the community are heard by SPC | Requires public hearing and decision at Community Committee (or EPC/SPC as noted) | SPC for CC decisions; EPC for SPC decisions |
| Variance (DAV) 'A' | Granted by the Director of Property, Planning, and Development (may refer to Community Committee) | Not required | SPC Appeal Committee<br>Appealable to Municipal Board under new legislation |
| Variance (DAV) 'B' | Granted by the Director of Property, Planning, and Development (may refer to Community Committee) | Not required | |
| Variance (DAV) 'C' | Granted by the Board of Adjustments | Board of Adjustment | |

| Application Type | Public Hearing Process | Public Hearing Body | Appeal Body |
|---|---|---|---|
| Variance (DAV) 'D' | Granted by Community Committee | Community Committee. | |
| Conditional Use 'B' | Granted by the Director of Property, Planning, and Development (may refer to Community Committee) | Not required | SPC Appeal Committee<br><br>Appealable to Municipal Board under new legislation |
| Conditional Use 'C' | Granted by the Board of Adjustments | Board of Adjustment | |
| Conditional Use 'D' | Granted by Community Committee | Community Committee | |

*Combination hearings will be held by EPC

**Public notification of public hearing information including the date, time, location, and nature of the development application is required by *The City of Winnipeg Charter*.

### Proposed Planning Commission

In April 2019 the SPC on Property and Development, Heritage and Downtown Development passed a motion for the public service to provide a report on the potential for a planning commission to deal with all planning or development matters referred by Council. The motion acknowledged that *The Charter* provided Council the authority to establish a planning commission, and creation of a planning commission comprised of skilled experts would ensure consistent planning standards, practices, and approvals across the City, thereby removing politics from the approval process. On September 4, the SPC directed the public service to engage stakeholders on recommendations for the role, responsibilities, and membership structure of a planning commission. A report was prepared in January 2020 and referred to Community Committees for comment. In December 2020, on recommendation from the Community Committees, the SPC directed the Administration to report back after resolution or passage of the pending provincial legislation (Bill 37).

## 5.4.5.2 Current Practice

While encouraged as supporting information, consultation with immediate neighbours or the broader community is not a requirement of most development applications. The vast majority of planning and development application forms on the City's website list "written support from adjacent neighbours" and "public consultation program" as "may be required". "Written support from adjacent neighbours" is listed as mandatory on the following applications only:

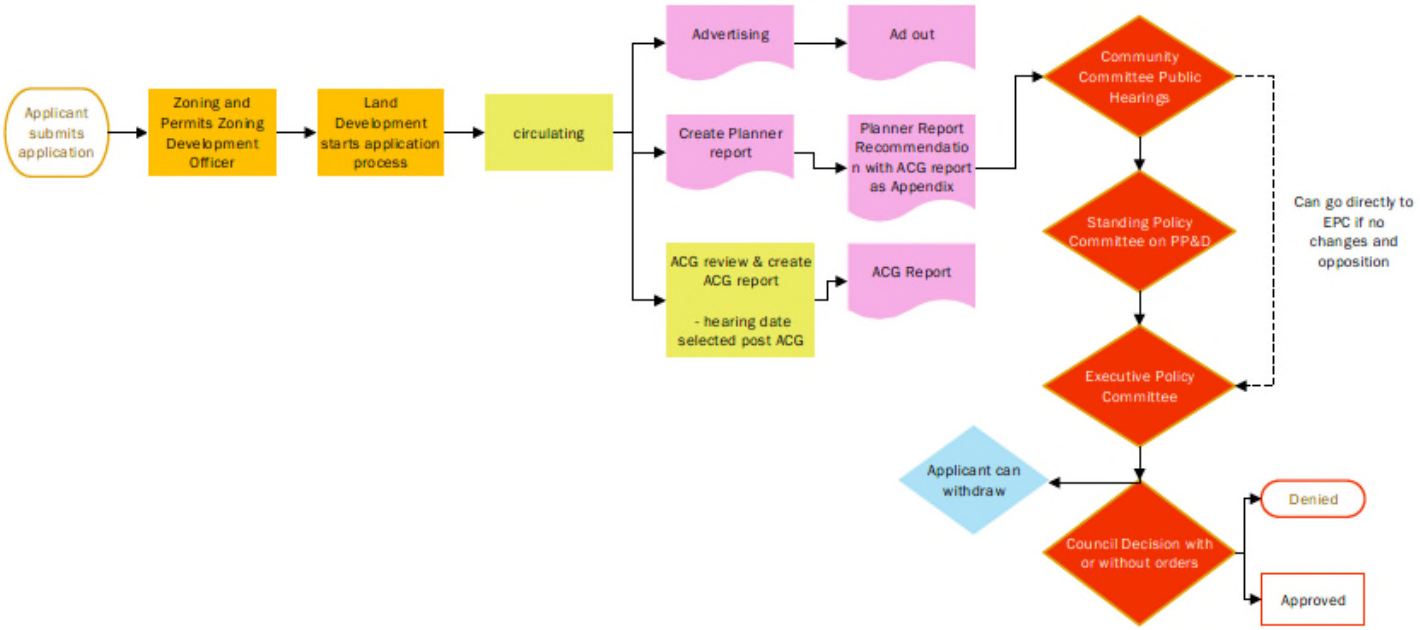
- Attached Secondary Suite (DCU "B") Conditional Use Application
- Home-Based Business (Major) Conditional Use (DCU "B") Application
- Residential and Commercial Tolerance (DAV "A") Application
- Residential Zoning Variance (DAV "B") Application Single Family Dwelling or Two-Family Dwelling

The City may request the applicant chair a public consultation program in cases where there is expected to be significant public interest in the proposed development. The type of public engagement to be conducted (e.g., door to door canvassing, open house, or town hall format) is determined by the

applicant, considering the nature of the proposal as well as the scope of the impact on other properties. The City has guiding documents on public consultation processes for PP&D applications available for applicants.

PP&D staff provide a comprehensive report to the committee or Council in support of their recommendation on all planning and development applications for which the PP&D department does not have decision-making authority. The report and recommendations are based on subject matter expertise, legislation, and by-laws/plans.

***Figure 7:Public Hearing Process for Rezoning or Subdivision (City of Winnipeg, 2018)***




### 5.4.5.3 Insights from Internal Engagement

Some Council Members expressed a desire for more documented community input in the reports provided by PP&D. Several Members of Council noted that PP&D reports are often very technical, making it difficult for those without subject-matter expertise to make an informed decision on applications.

The multiple levels of committee review for development applications were noted as a concern. Concern was also expressed with changes that may be made to the recommendation to Council by subsequent reviews after the public hearing without further ability for the public to respond to such changes.

### 5.4.5.4 Insights from Public Engagement

A strong theme from public engagement was a concern that decisions on development applications are not seen to be consistent, nor are they consistent with development policies and By-laws (*OurWinnipeg*,

secondary plans, etc.). The local area Councillor is seen to have significant influence at Community Committee, and is strongly influenced by constituents, making it difficult to think on a city-wide level.

Citizens expressed significant concern regarding the relative weight given to input from industry versus community members in a public hearing process.

### 5.4.5.5 Insight from Other Jurisdictions

Our review of decision-making procedures for planning and development applications revealed a variety of practices and that there is no one "gold standard" for Canadian cities.

Once an application is submitted, all jurisdictions will first review the application to ensure that it is complete i.e., includes all relevant supporting documents and is filled in correctly, then provide the application to the City representative, committee, or board/commission for approval, depending on the type of application. Generally, a City representative will act as a file or application manager and ensure that all required information is gathered. Upon collecting all required information for an application, the File Manager will develop a report inclusive of rationale and recommendation to approve, approve with conditions, or deny the application to the Director of the relevant department or to a committee/board/commission.

The decision-making authority in the cities reviewed varies along a spectrum, with Edmonton and Vancouver having significant approval authority delegated to staff, and who make direct recommendations to Council for re-zoning, development plan or area plan approvals. Public hearings are held by Council in Vancouver, Edmonton, and Calgary. Provincial legislation in Ontario requires at least one public meeting, but not a hearing. These meetings are typically held by staff prior to Committee review. Ottawa and Hamilton have a Planning Committee that makes recommendations to Council. Calgary and Regina employ Planning Commissions for this purpose. In Regina, the public meeting is held prior to review by the Planning Commission. In Toronto and Halifax, more delegated powers have been provided to Community Committees to hear and make decisions on development applications.

All jurisdictions included in this report have some form of an independent, quasi-judicial board composed of members of the public or representatives from the public sector trained in relevant by-laws and city plans to rule on appeals for rejected development applications. Generally, these independent, quasi-judicial boards are provided with the authority to act as an appeal body from the respective Land Development by-laws or City Charters. For example, in Regina appeals for decisions made by City staff are sent to the Development Appeals Board; while appeals for decisions made by Council are sent to the Saskatchewan Municipal Board.

Detail on planning and development processes and decision-making in each city considered for this review is included in Appendix I.

### 5.4.5.6 Recommendation

1. Streamline the Development Application Process

   To the extent possible, development applications should only have one stage of review between the Administration and Council. As a neutral body with technical expertise, the proposed Planning

Commission could fulfill this role. The City should also consider whether more decision-making authority could be held by the planning department.

*Rationale:* The multi-committee review process extends the time frame for consideration of development applications. Challenges with decisions on development applications by Community Committees were discussed in section 5.3.3.

Proposed legislation under Bill 37 includes specific timeframes from application to Council decision. If an application is not considered in this time frame it may be appealed to the Municipal Board. Streamlining the application process would reduce the probability of development decisions being diverted from City of Winnipeg authority.

Five of seven cities reviewed in detail have significantly more authority delegated to planning department staff, and a dedicated appeal board for property matters (may be appointed by but not a committee of Council). All have more streamlined review.

*Implementation Considerations:* The Development Procedures By-law *and the City of Winnipeg Charter Act* would need to be amended. Bill 37 includes specific amendments to *The Charter*. Any change to the forum or method for public input to a development application will require thorough notice and active public communication.

# 6 Summary Findings & Recommendations

Overall, the governance practices of the City of Winnipeg are consistent with the formal framework established through *The City of Winnipeg Charter Ac*t and the City's By-laws. The summary analysis below highlights areas of the City's governance framework and practices that are consistent with contemporary practices in other municipalities and support principles of effective governance. It also highlights areas of opportunity to further strengthen the governance practices of the City of Winnipeg.

## 6.1 Consistent with Contemporary Practice

The following aspects of the City of Winnipeg's governance framework (formal structures and practices) appear to be consistent with or leading the practices of the other jurisdictions reviewed, and support principles of effective municipal governance.

- By-laws to establish Council procedures and committee structures
- Processes and transparency regarding Council and Committee meetings and decisions: Council and committee agendas, materials and minutes are posted on the web site. Council and committee meetings are live-streamed and open to the public. Decision-Making Information System is searchable. Information is posted on how to appear in delegation/public hearing
- New multi-year balanced budget process established, including budget priorities.
- Establishment of the Office of Integrity Commissioner, updated Code of Conduct for Members of Council

- Establishment of the Office of Public Engagement, new Public Engagement Policy
- Participation in the Bloomberg Harvard City Leadership Initiative

## 6.2 Recommendations and Required Amendments

✓ Required amendment to enable recommendation ✦ Beneficial amendment for clarity and continued application

| Recommendation | Required Amendment | | | | |
|---|---|---|---|---|---|
| | Charter | Organization By-law | Procedure By-law | Development Procedures By-law | Other |
| Section 5.1 Council | | | | | |
| Develop a formal orientation process that includes documented Roles and Responsibilities for Members of Council. | | ✦ (Role & responsibilities) | | | |
| Formalize process for requests for information and reports from Administration | | | ✦ | | |
| Increase Council access to resources, and improve public accessibility of Council budget information | | | | | Ward Allowance Fund Policy |
| Section 5.2 Mayor | | | | | |
| Establish maximum number of appointments by Mayor to ensure these appointments plus the Mayor, do not exceed 50% of Council. | ✓ | ✓ | | | |
| Section 5.3 Committees | | | | | |
| Streamline the flow of information and recommendations to Council and ensure all direction by Members of Council to the Administration is recorded as a resolution. | ✦ | ✓ | | | |
| Incorporate a mechanism to ensure all wards are reasonably represented on EPC over time | ✦ | | | | |
| Discontinue Community Committee role in the Development Application Process | | ✓ | | ✓ | |

| Recommendation | Required Amendment | | | | |
|---|---|---|---|---|---|
| | Charter | Organization By-law | Procedure By-law | Development Procedures By-law | Other |
| Orient Indigenous Advisory Council to provide advice to Council as a whole | | ✦ | | | |
| Section 5.4 Council Processes | | | | | |
| Adjust proposed By-law amendment for Council Leaves of Absence | | | ✓ | | |
| Increase accessibility of Council meeting information to the public | | | | | |
| Enable delegations to present to the Committee or Council after the Administration report on an item. | | | ✓ | | |
| Increase accessibility of Council decision-making and public engagement processes | | | | | ✦ Engage Winnipeg Policy |
| Ensure the results of public input on a matter before Council are readily accessible to Council. | | | | | ✦ Engage Winnipeg Policy |
| Establish a Council approved Strategic Plan and framework to monitor progress, review priorities and renewal with each term of Council. | | | | | No regulatory or policy change required |
| Streamline the Development Application Process | | | | ✓ | |

# APPENDIX A – REFERENCES

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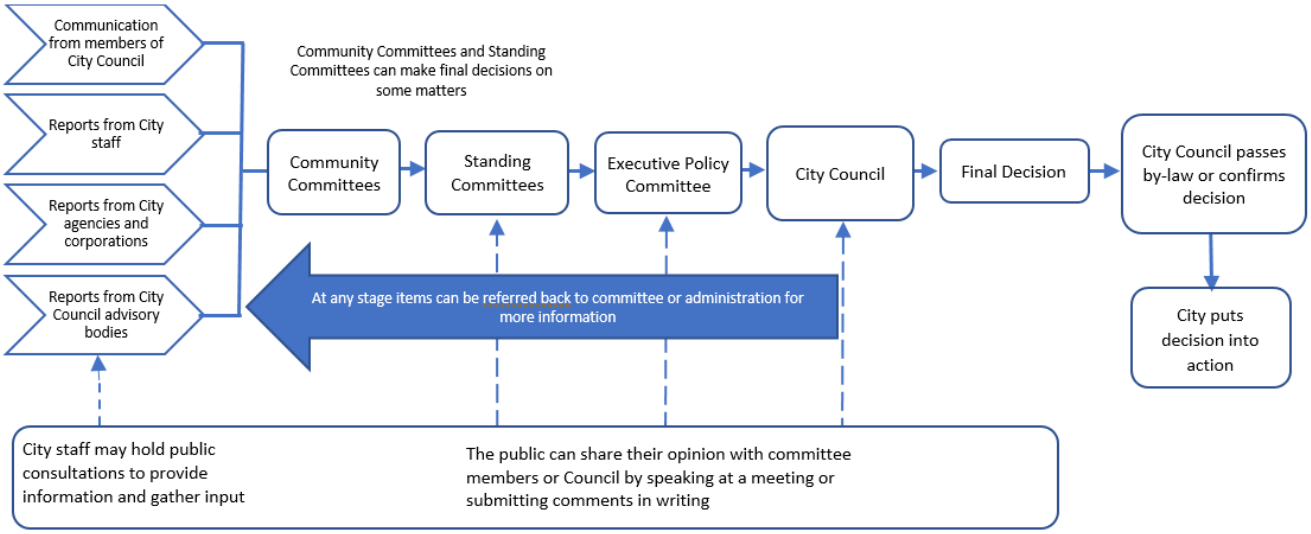
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# APPENDIX B – FLOW OF INFORMATION, WINNIPEG & OTHER CITIES

## Winnipeg

*The Charter,* City Organization By-law and Procedures By-Law provide the powers and duties of Standing Policy Committees in addition to the procedures for establishing agendas, conducting meetings and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Winnipeg.

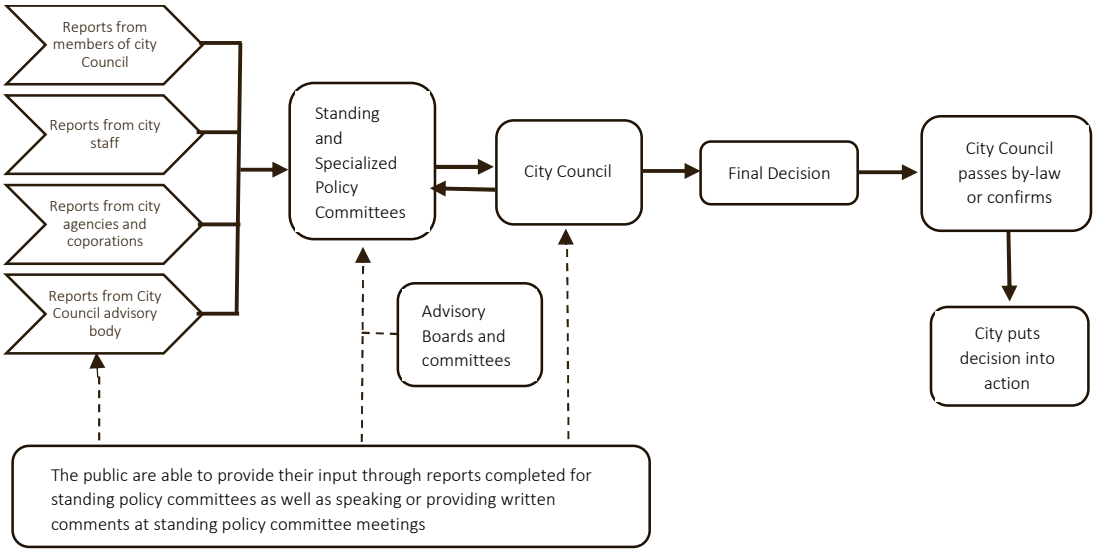



*The Charter* states that EPC will receive all reports from committees and Administration prior to presentation to Council. As per the Organization By-law (s. 16] the Office of the Mayor schedules and approves the agendas of the Executive Policy Committee and the Standing Committees of Council.

### Vancouver

The Procedures by-law establishes the guidelines for establishing agendas, conducting meetings, and reporting authorities. *The two Standing Committees of Council are committees of the whole.* Guidelines for Advisory Bodies establishes the mandates and duties for each subtype of board and/or committee.

The infographic below outlines the process for the flow of information between committees and Council for the City of Vancouver:

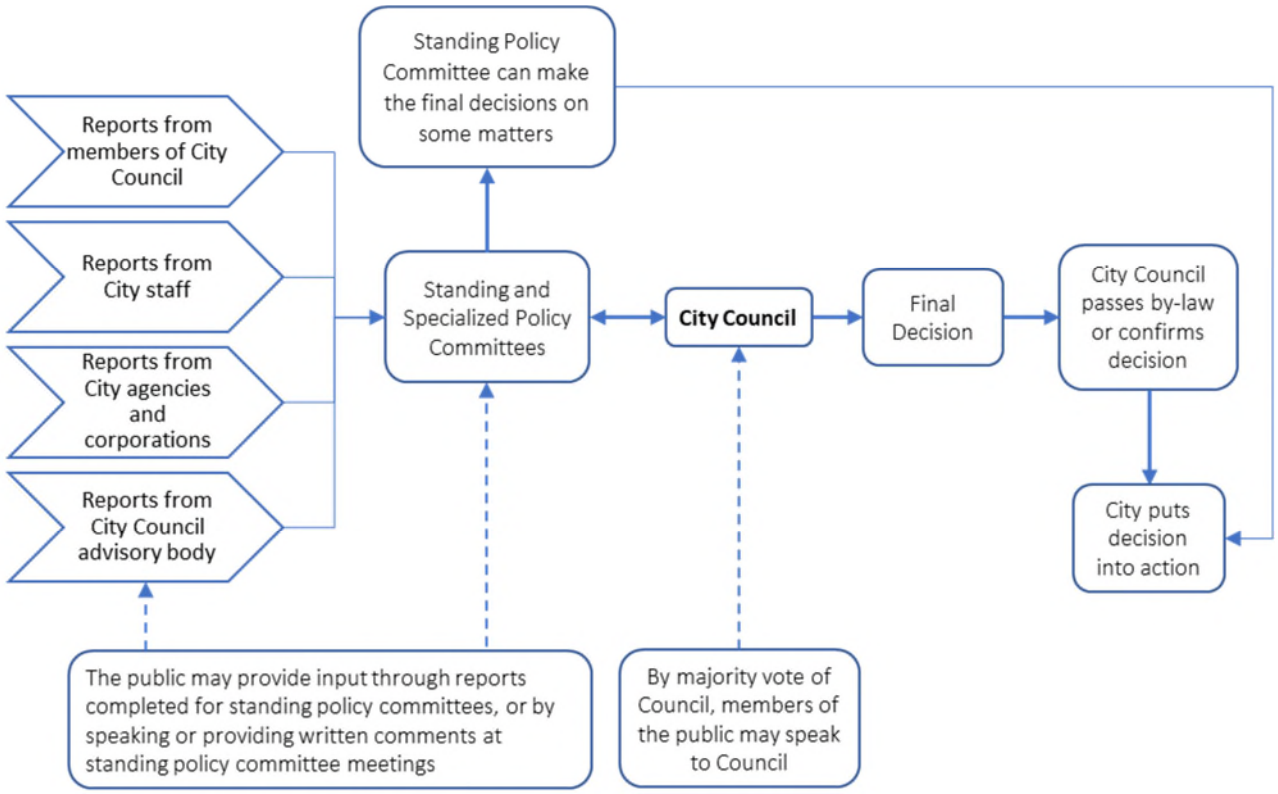


### Calgary

The Procedures by-law provides the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Specifically, part 3 section 19 specifies the duties of all Standing Policy Committees:

a) To make final decisions at the Committee level within their mandate where City of Calgary policy exists;
b) To receive any periodic reporting directed by Council for information;
c) To create and be responsible for SPC sub-committees and approve their Terms of Reference; and
d) To incorporate the community sustainability strategy into its deliberations

The infographic below outlines the process for the flow of information between committees and Council for the City of Calgary:



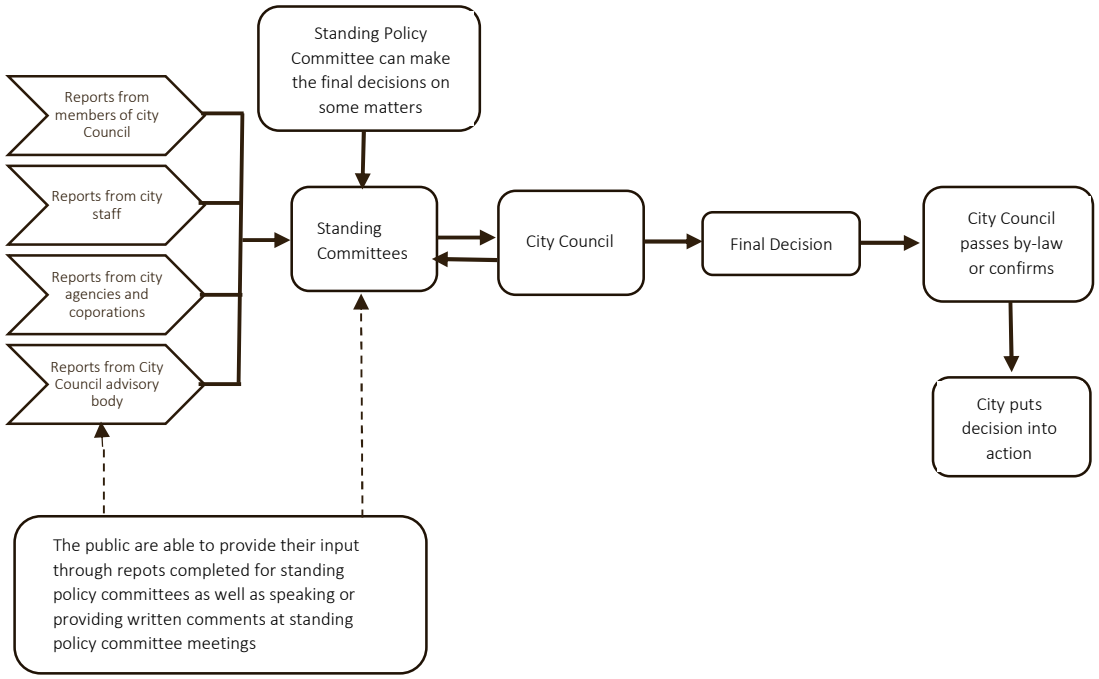

All committees in the City of Calgary have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

### Edmonton

The Council Committee by-law and the Procedures by-law provide the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Specifically, part 3 section 19 specifies the duties of all Standing Policy Committees:

e) Make recommendations to Council.
f) Approve agreements that exceed the delegated authority of the City Manager as prescribed by the City Administration by-law or that are referred to the Standing Policy Committee by the City Manager; or
g) Deal with any matter referred to it by Council.

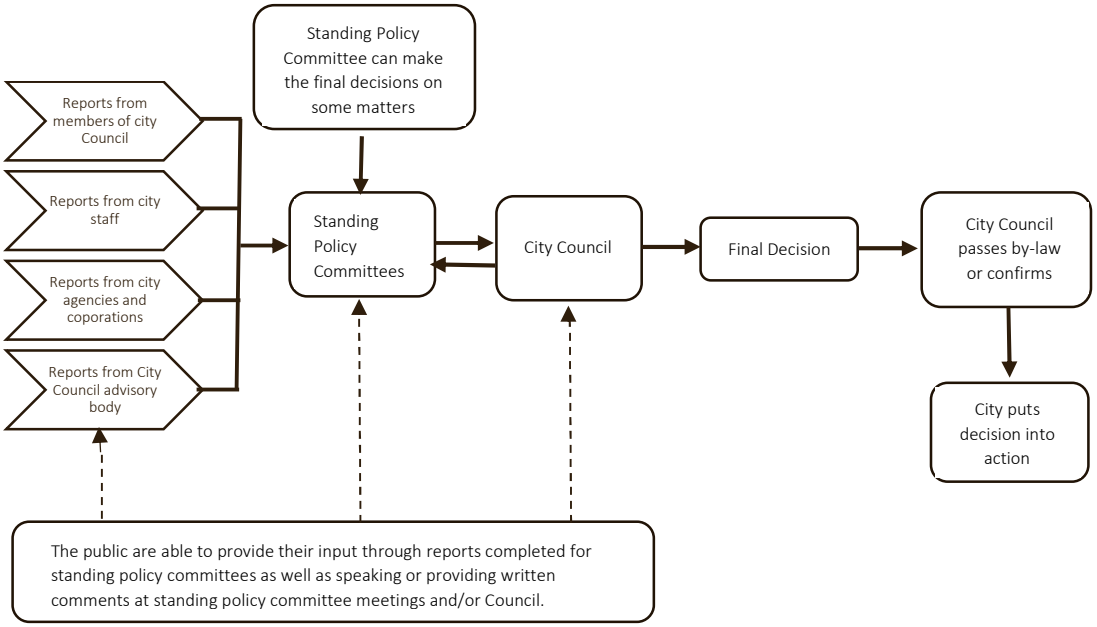
The infographic below outlines the process for the flow of information between committees and Council for the City of Edmonton:




In Edmonton, City Council is able to reroute items to different committees by majority vote regardless of the committee's mandate. Also, Standing Committees are able to request through a majority vote of Council that City staff complete a report for another committee. However, once a report is under the authority of a Standing Committee then no other committee is able to review or request changes to the completed report prior to submission to Council.

### Regina

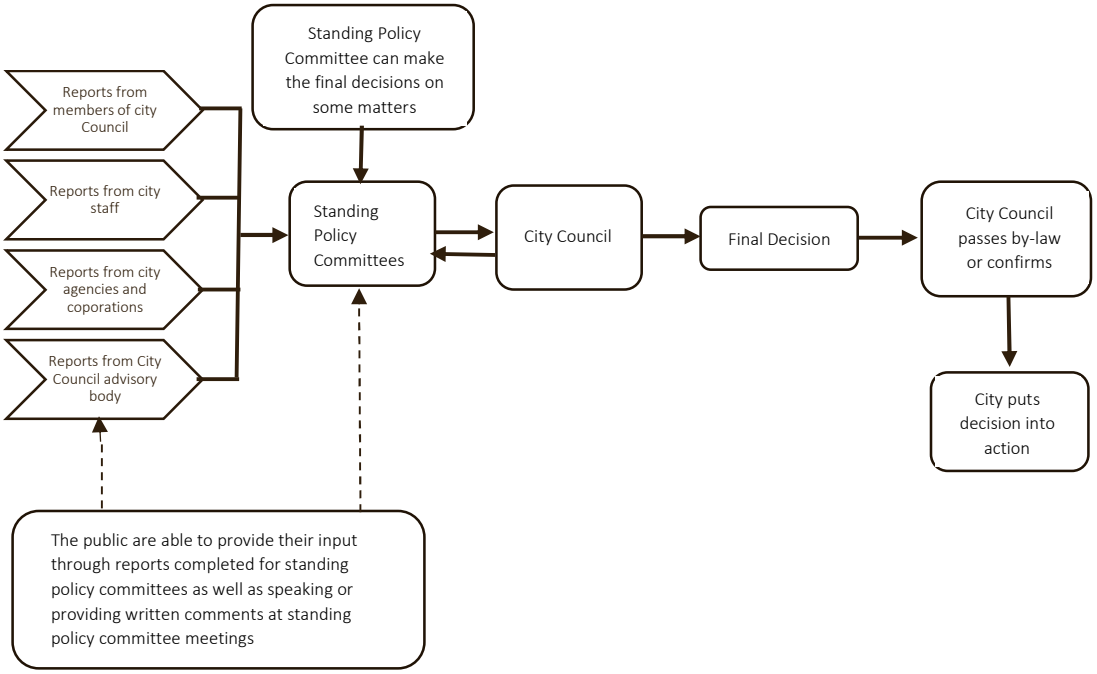
The Committee by-law and the Procedures by-law provide the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, delegated authorities, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Regina:




All committees in the City of Regina have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review or request changes of reports completed by other committees prior to being submitted to Council.

### Hamilton

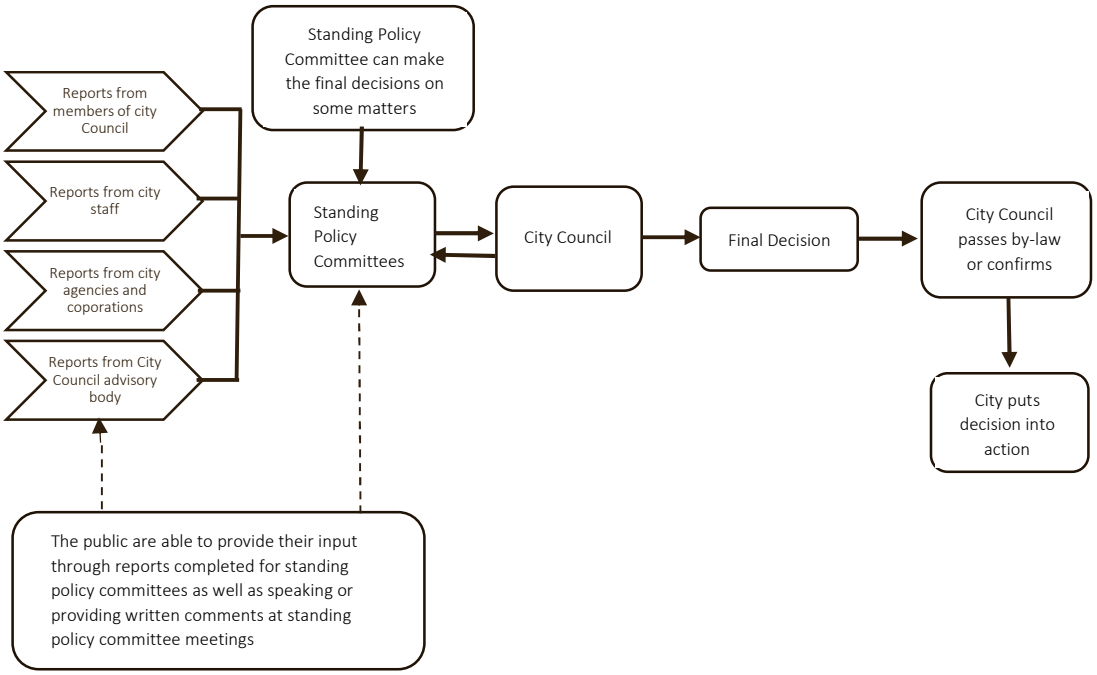
The Procedures by-law provides the mandates for all committees separately in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Hamilton:




All committees in the City of Hamilton have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

### Ottawa

The Procedures by-law provides the procedures to establish agendas, conducting meetings, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Ottawa:

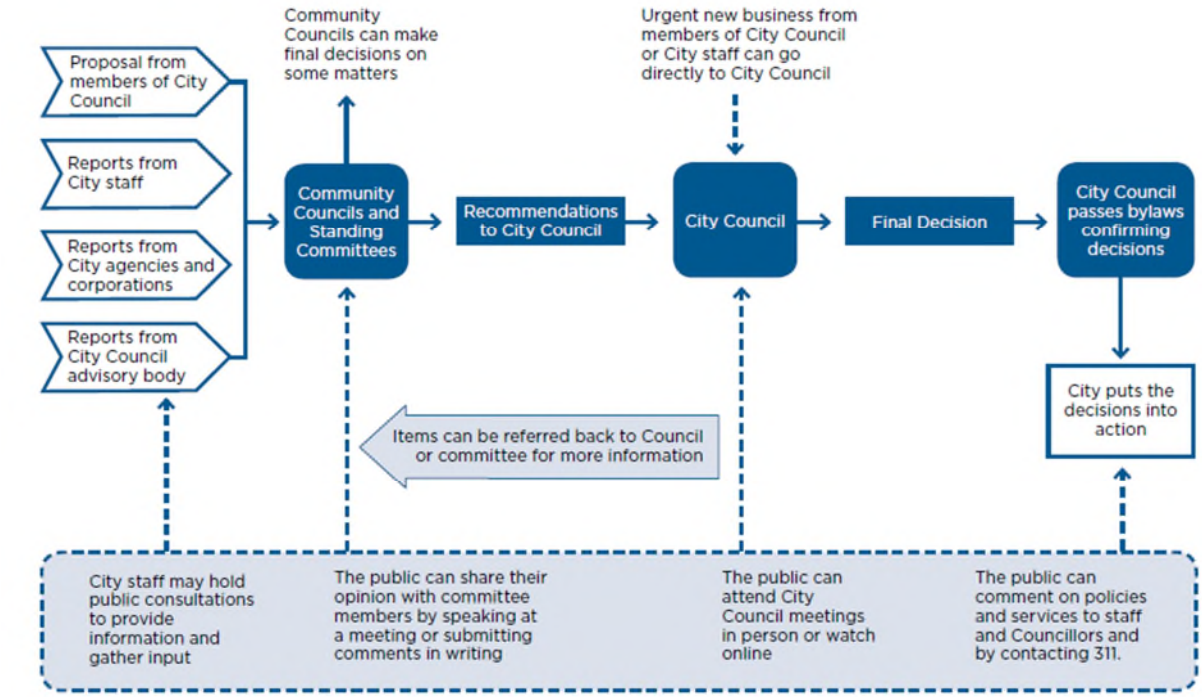



All committees in the City of Ottawa have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

### Toronto

Chapter 27, Council Procedures of the Toronto Municipal Code, provides the mandate for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Specifically, section 27-16.2 A specifies that the duty of all Standing Committees is, "making policy recommendations to Council and recommending priorities within the committee's budget".

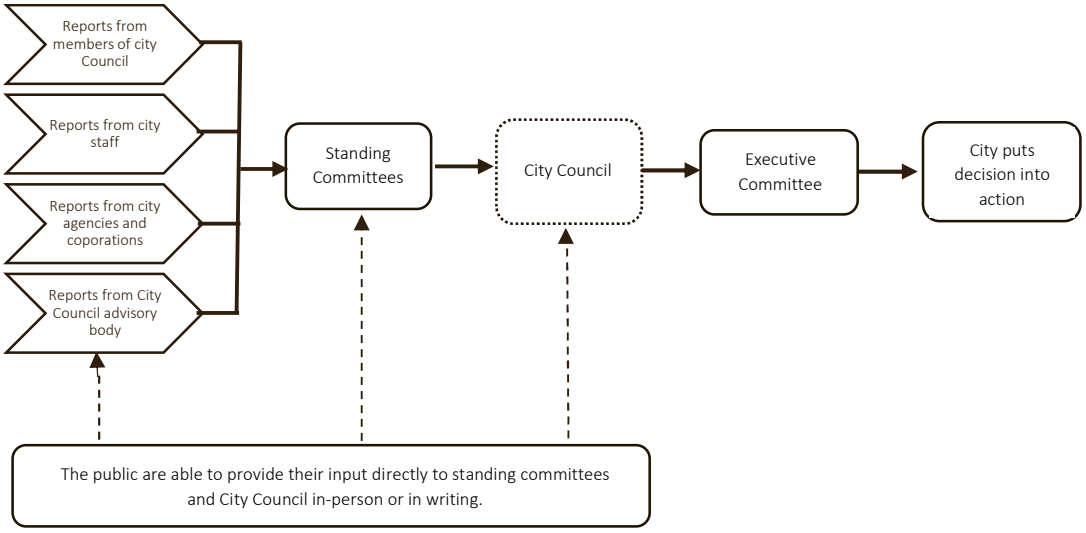
The infographic below outlines the process for the flow of information between committees and Council for the City of Toronto:




All committees in the City of Toronto have exclusive mandates in that they all report directly to Council with the exception of the Community Council and the Budget Committee. With regards to Community Councils, Appendix B-1 of Chapter 27, Council Procedures specifies that "considering and making recommendations to the Planning and Housing Committee on reports of the Chief Planner about planning applications of City-wide interest". For the Budget Committee, Section 2.2.A of Chapter, 27 Council Procedures specifies that "reviewing other matters that may have a significant impact on a future budget, upon request from the Executive Committee".

## Montreal

The *Montreal Charter* and Standing Committee by-law provides the guidelines for establishing agendas, conducting meetings, and reporting authorities. The infographic below outlines the process for the flow of information between committees and Council for the City of Montreal:




Since it is unique, in Montreal Standing Committees are able to complete reports that are in accordance with their mandate and either approved or mandated to the committee by City Council by means of a majority vote of the committee/Council. Once completed, the Standing Committee will provide recommendations to the Executive Committee to be reviewed via City Council to keep them informed. Upon receiving recommendations from the Standing Committee, the Executive Committee will provide responses or actions with input from applicable City Departments.

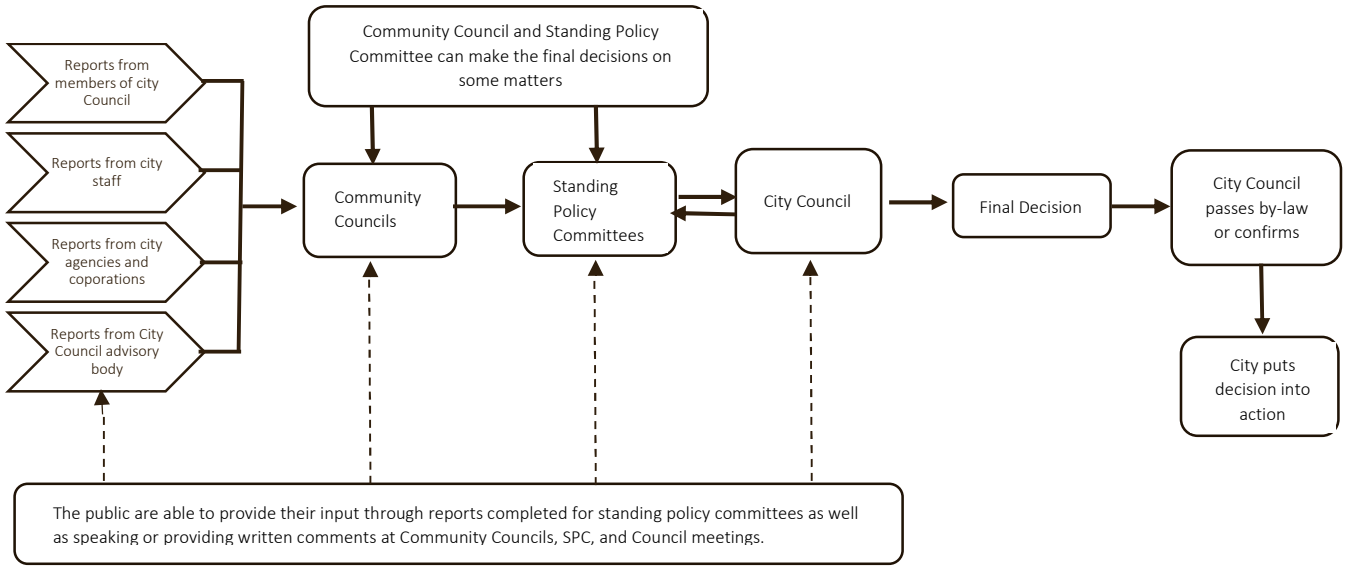
All committees in the City of Montreal have exclusive mandates in that they all submit their recommendations to the Executive Committee for responses/action. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

### Halifax

The *Halifax Regional Municipality Charter* as well as the Appeal Committee by-law, Executive Committee by-law, and the Procedure of Council Administrative Order, establishes the mandates for all committees in addition to the procedures for establishing agendas, conducting meetings, and reporting authorities. Section 118 of the Procedure of Council Administrative Order states the general duties of Standing Policy Committees include:

> a) to report to the Council, or the appropriate delegated body, from time to time whenever desired by the Council and as often as the interests of the Municipality may require on all matters connected with the duties imposed on it, and to recommend such action by the Council, in relation thereto, as may be deemed necessary;
> b) to consider and report on any and all matters referred to it by the Council;
> c) in the transaction of all business, to adhere to the administrative orders and by-laws of the Council; and
> d) to make its reports available to the Council prior to the same being given to the public

The infographic below outlines the process for the flow of information between committees and Council for the City of Halifax:




All committees in the City of Halifax have exclusive mandates in that they all report directly to Council. Consequently, no other standing policy committee is able to review, or request changes of reports completed by other committees prior to being submitted to Council.

# APPENDIX C – OTHER CITIES EXECUTIVE COMMITTEE DUTIES/RESPONSIBILITIES

| Municipality | Duties/Responsibilities |
|---|---|
| Winnipeg | As per *The Charter* and City Organization By-law the Executive Policy Committee (EPC) is responsible to:<br>• Formulate and present recommendations to Council respecting policies, plans, budgets, by-laws, and other matters that affect the city as a whole, including *Our Winnipe*g<br>• Annual and longer-range planning / priorities for the growth and development of the City and alignment of Department Strategic Plans<br>• Ensure the implementation of policies adopted by Council<br>• Co-ordinate the work of Standing Committees<br>• Receive the reports of other committees of Council and forward them to Council with its own recommendation<br>• Receive Integrity Commissioner reports (except for those related to complaints)<br>• Receive reports from the CEO, Governance Committee and City Clerk's Department<br>• Supervise the chief administrative officer<br>• Recommend to Council the appointment, suspension, or dismissal of statutory officers.<br>• Formulate human resource and materials management policies<br>• Make recommendations on street closing and openings<br>• Act as Intergovernmental Affairs Committee<br>• Report to Council on audit reports received from Audit Committee<br>• Approve legal settlements more than $100,000 to maximum of $250,000<br>• Make grants, except for cultural and artistic<br>• Act as Audit Committee and oversee the internal and external audit processes<br>• Receive reports and present recommendations to Council on street, lane and walkway closings and openings.<br>EPC also has jurisdiction on matters of:<br>• Capital region<br>• Financial Management<br>• Property Assessment<br>• Taxes<br>• Corporate communications<br>• Property assessment, taxes<br>• All fees, charges, rates, utility rate structures<br>• Labour contract negotiations |

| Municipality | Duties/Responsibilities |
|---|---|
| | • Legal services and matters under litigation |
| Calgary | • Oversees the City's property assessment and taxation processes;<br>• Oversees financial planning and reporting;<br>• Coordinates projects initiated by elected officials that require significant administrative resources;<br>• Directs notices of motion by elected official to Council or Council Committees for consideration'<br>• Coordinates cross-Departmental strategies, initiatives and projects;<br>• Oversees Council's community sustainability strategy;<br>• Receives communications from the Mayor and City Clerk that cannot be resolved through the administrative process;<br>• Coordinates the recruitment and appointment process for the City Manager for recommendation to Council, quarterly performance evaluations and ongoing monitoring of the City Manager<br>• Recommending the establishment, governance and disbandment of City Boards, Commissions and Committees and filling of interim vacancies<br>• Maintaining a process for regular review, reporting and amendments to Council's legislative governance practices;<br>• Overseeing Council's accessibility, transparency and accountability to the public |
| Edmonton | • Reviews and makes recommendations about corporate structure, corporate finance, corporate personnel issues, intergovernmental issues, corporate policy<br>• Approves collective bargaining agreements<br>• Settlement of actions/claims against the city<br>• Performance review of City Manager<br>• Audit matters<br>• Prepares the annual budget and monitors its implementation<br>• Acts as a policy coordinator between the City Manager and Council's Standing Committee<br>• Sets Council agenda<br>• Coordinates flow of information and business between Council, committees, and administration<br>• Direct responsibility for City Manager's Office, Corporate Service Department, and parts of the Planning and Development Department. |
| Toronto | The Executive Committee makes recommendations on Council's:<br>• Strategic policy and priorities<br>• Governance policy and structure<br>• Financial planning and budgeting<br>• Fiscal policy including revenue and tax policies<br>• Intergovernmental and international relations<br>• Council and its operations, and human resources and labour relations. |
| Ottawa | Provides guidance / direction on:<br>• financial and administrative practices<br>• identifying corporate goals |

| Municipality | Duties/Responsibilities |
|---|---|
| (Finance and Economic Development Committee) | • economic development issues.<br><br>Responsible for high-level fiscal and management policy issues including:<br>• development of the fiscal framework and corporate financial planning<br>• overseeing the Operating and Capital Budgets and establishing a budget reporting framework<br>• reviewing efficiency and investment reports<br>• providing guidance on corporate performance measurement policies<br>• ensuring the financial sustainability of the Corporation<br>• overseeing the City's audit functions<br>Also responsible for:<br>• communications, public engagement<br>• client service delivery channels<br>• accessibility<br>• human resources<br>• labour relations<br>• bilingualism policies and French Language Services<br>• purchasing<br>• information technology<br>• legal services<br>• the Clerk's Office<br>• real estate matters. |
| Montreal | The executive committee shall prepare and submit to the Council the following documents:<br>• The city's annual budget;<br>• Any request for the allocation of the proceeds of loans and for any other moneys required;<br>• Any request in relation to the adoption, amendment, or replacement of a planning program;<br>• Draft by-laws;<br>• Any request for the transfer of funds or moneys already voted;<br>• Any report on taxes, permits or licences to be imposed;<br>• Any report recommending the granting of franchises or privileges;<br>• Any report concerning exchanges or emphyteusis in respect of an immovable belonging to the city, and the leasing of the city's movable or immovable property where the term of the lease exceeds one year;<br>• Any report on any other subject submitted to it by the Council that falls within the Council's jurisdiction;<br>• In addition, the executive committee acts for the city in all cases in which a provision of the internal management by-laws assigns the power to perform the act to the executive committee. The executive committee may grant any contract involving an expenditure that does not exceed $100,000. The executive committee shall give the Council its opinion on any matter, where required to do |

| Municipality | Duties/Responsibilities |
|---|---|
| | so under a provision of the by-laws, at the request of the Council or on its own initiative. |
| Halifax | The purpose of the Executive Standing Committee is to fulfil the self-governance functions of the Council including:<br>• Emergency Management,<br>• Acting as nominating committee for Boards and committees,<br>• CAO liaison and Review, and<br>• Overseeing the Municipality's Volunteer Awards, By-law Rationalization, Corporate Performance Objectives, and the Council's priority areas |

# APPENDIX D – OTHER CITIES CLOSED MEETING (IN CAMERA) LEGISLATION

| Municipality | Closed Meeting Legislation |
|---|---|
| Winnipeg | *City of Winnipeg Charter*<br>Council may by by-law specify categories of matters that may be considered in camera where, in the opinion of not less than 2/3 of the total number of Members of Council or the committee or subcommittee of Council where the matter comes within a category named in the by-law and the matter should be considered in camera.<br><br>The reasons for considering the matter in camera must be recorded in the minutes of the meeting<br><br>In Camera By-Law 21/2011<br>The committees that may consider matters in camera are:<br>• Executive Policy Committee<br>• Standing Committees<br>• Audit Committee<br>• Alternative Service Delivery Committee<br>• Emergency Control Committee<br>• Historical Building and Resources Committee<br><br>The categories of matters that the committees may consider in camera are:<br>(a) reports or information concerning personnel-related matters;<br>(b) reports or information which, if disclosed, could prejudice contractual or other negotiations carried on by or on behalf of the City of Winnipeg, including collective bargaining;<br>(c) reports or information which, if disclosed, could be prejudicial or injurious to existing or anticipated claims or legal proceedings;<br>(d) reports or information which, if disclosed, would violate solicitor-client privilege;<br>(e) reports or information containing personal information which, if disclosed, would be deemed to be an unreasonable invasion of an individual's privacy under section 17 of *The Freedom of Information and Protection of Privacy Act;*<br>(f) reports or information containing information about a business, disclosure of which would be prohibited under section 18 of *The Freedom of Information and Protection of Privacy Act;*<br>(g) reports or information containing information provided explicitly or implicitly in confidence by another government or governmental body, disclosure of which is prohibited under section 20 of *The Freedom of Information and Protection of Privacy Act*;<br>(h) information concerning actual or pending emergencies<br><br>Council may consider the following matters in camera:<br>(a) The internal performance reviews of the City Auditor |

| Municipality | Closed Meeting Legislation |
|---|---|
| Vancouver | *City of Vancouver Charter* – 165.2 (1)A part of a Council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:<br>(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the city or another position appointed by the City;<br>(b) personal information about an identifiable individual who is being considered for an award or honour, or who has offered to provide a gift to the city on condition of anonymity;<br>(c) labour relations or other employee relations;<br>(d) the security of the property of the City;<br>(e) the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure could reasonably be expected to harm the interests of the city;<br>(f) law enforcement, if the Council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;<br>(g) litigation or potential litigation affecting the City;<br>(h) an administrative tribunal hearing or potential administrative tribunal hearing affecting the city, other than a hearing to be conducted by the Council or a delegate of Council;<br>(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;<br>(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 [disclosure harmful to business interests of a third party] of the *Freedom of Information and Protection of Privacy Act*;<br>(k) negotiations and related discussions respecting the proposed provision of an activity, work or facility that are at their preliminary stages and that, in the view of the Council, could reasonably be expected to harm the interests of the city if they were held in public;<br>(l) a matter that, under another enactment, is such that the public may be excluded from the meeting;<br>(m) the consideration of whether a Council meeting should be closed under a provision of this subsection or subsection (2);<br>(n) the consideration of whether the authority under section 165.21 [other persons attending closed meetings] should be exercised in relation to a Council meeting.<br><br>(2) A part of a Council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:<br>(a) a request under *the Freedom of Information and Protection of Privacy Act*, if the Council is designated as head of the local public body for the purposes of that *Act* in relation to the matter;<br>(b) the consideration of information received and held in confidence relating to negotiations between the city and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;<br>(c) a matter that is being investigated under *the Ombudsperson Act*, of which the city has been notified under section 14 [ombudsperson to notify authority] of that *Act*;<br>(d) a matter that, under another enactment, is such that the public must be excluded from the meeting; |

| Municipality | Closed Meeting Legislation |
|---|---|
| | (e) a review of a proposed final performance audit report for the purpose of providing comments to the auditor general on the proposed report under section 23 (2) of the *Auditor General for Local Government Act*.<br>(3) If the only subject matter being considered at a Council meeting is one or more matters referred to in subsection (1) or (2), the applicable subsection applies to the entire meeting. |
| Edmonton | *Municipal Government Act* – 197(1) Councils and Council committees must conduct their meetings in public unless subsection (2), (2.01) or (2.1) applies.<br>(2) Councils and Council committees may close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act.*<br>(2.01) Councils and Council committees may close all or part of their meetings to the public if a matter to be discussed is of a class prescribed or otherwise described in the regulations under subsection (7).<br>(2.1) A municipal planning commission, subdivision authority, development authority or subdivision and development appeal board established under Part 17 may deliberate and make its decisions in meetings closed to the public.<br>(3) When a meeting is closed to the public, no resolution or bylaw may be passed at the meeting, except a resolution to revert to a meeting of a Council or Council committee held in public.<br>(4) Before closing all or any part of a meeting to the public, a Council or Council committee must by resolution approve<br>(a) the part of the meeting that is to be closed, and<br>(b) the basis on which, under an exception to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy Act* or under the regulations under subsection (7), the part of the meeting is to be closed.<br>(5) After the closed meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.<br>(6) Where a Council or Council committee closes all or part of a meeting to the public, the Council or Council committee may allow one or more other persons to attend, as it considers appropriate, and the minutes of the meeting must record the names of those persons and the reasons for allowing them to attend.<br>(7) The Minister may make regulations prescribing or otherwise describing classes of matters for the purposes of subsection (2.01). |
| Calgary | Same legislation as Edmonton above. |
| Regina | *Cities Act* – 94(1) Subject to subsections (2), (3) and (4), Councils and Council committees are<br>required to conduct their meetings in public.<br>(2) Councils and Council committees may close all or part of their meetings to the public if the matter to be discussed is within one of the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.<br>(3) Any committee or other body that is established by Council solely for the purpose of hearing appeals may deliberate and make its decisions in meetings closed to the public. |

| Municipality | Closed Meeting Legislation |
|---|---|
| | (4) Every Council may meet in meetings closed to the public for the purpose of long range or strategic planning, but no business may be transacted at that meeting.<br>(5) When a meeting is closed to the public, no bylaws may be passed at the meeting. |
| London, Hamilton, Ottawa | *The Municipal Act*- 239 (1) Except as provided in this section, all meetings shall be open to the public. 2001, c. 25, s. 239 (1).<br><br>Exceptions<br>(2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,<br>(a) the security of the property of the municipality or local board;<br>(b) personal matters about an identifiable individual, including municipal or local board employees;<br>(c) a proposed or pending acquisition or disposition of land by the municipality or local board;<br>(d) labour relations or employee negotiations;<br>(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;<br>(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;<br>(g) a matter in respect of which a Council, board, committee or other body may hold a closed meeting under another *Act*;<br>(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;<br>(i) a trade secret or scientific, technical, commercial, financial, or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;<br>(j) a trade secret or scientific, technical, commercial, or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or<br>(k) a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26.<br><br>Other criteria<br>(3) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,<br>(a) a request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the Council, board, commission, or other body is the head of an institution for the purposes of that *Act*; or<br>(b) an ongoing investigation respecting the municipality, a local board or a municipally controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sched. 9, s. 22. |

| Municipality | Closed Meeting Legislation |
|---|---|
| | Educational or training sessions<br>(3.1) A meeting of a Council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:<br>1. The meeting is held for the purpose of educating or training the members.<br>2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or committee. 2006, c. 32, Sched. A, s. 103 (1).<br><br>Resolution<br>(4) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution,<br>(a) the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting; or<br>(b) in the case of a meeting under subsection (3.1), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sched. A, s. 103 (2). |
| Toronto | *City of Toronto Act* [s. 190] – a meeting can only be closed if the subject of debate falls under one of several exceptions to the open meeting rules.<br><br>The City must close a meeting to consider an access to information request. The City may close a meeting to consider any of the following:<br>• Receiving of advice that is subject to solicitor-client privilege<br>• Security of the property of the municipality (or local board)<br>• Acquisition or disposal of land<br>• Considering personal information about an identifiable individual<br>• Labour relations or employee negotiations<br>• Litigation or pending litigation, including matters before administrative tribunals<br>• Education or training of the members, so long as no decision-making is advanced<br>• Any other matter permitted or required by statute<br><br>No votes can be taken in closed session, except for votes on procedure and votes to give confidential instructions to staff, local boards, or agents.<br><br>Under the City's procedures, even if a closed session is required to consider a matter, the meeting must begin and end in public. Before closing a meeting, the committee or Council will adopt a motion to close the meeting setting out the nature of the subject to be discussed and the statutory reason for closing the session. |
| Montreal | Response not received |
| Halifax | 19 (1) Except as otherwise provided in this Section, Council meetings and meetings of committees appointed by the Council are open to the public.<br>(2) The Council or any committee appointed by the Council may meet in closed session to discuss matters relating to<br>(a) acquisition, sale, lease, and security of municipal property;<br>(b) setting a minimum price to be accepted by the Municipality at a tax sale;<br>(c) personnel matters; |

| Municipality | Closed Meeting Legislation |
|---|---|
| | (d) labour relations;<br>(e) contract negotiations;<br>(f) litigation or potential litigation;<br>(g) legal advice eligible for solicitor-client privilege;<br>(h) public security; (i) any subject, the discussion of which could, in the opinion of the Council or the committee, as the case may be, violate the confidentiality of information obtained from (i) the Government of Canada or the Government of the Province, (ii) an agency of the Government of Canada or the Government of the Province, or (iii) a public body.<br>(3) No decision may be made at a private Council meeting except a decision concerning procedural matters or to give direction to staff of, or solicitors for, the Municipality.<br>(4) A record that is open to the public shall be made, noting the fact that the Council met in private, the type of matter that was discussed, as set out in subsection (2) and the date, but no other information.<br>(5) Subsections (3) and (4) apply to committee meetings or parts of them that are not public.<br>(6) Any Councillor or employee of the Municipality who discloses any report submitted to, or details of matters discussed at, a private meeting of the Council or a committee, as a result of which the Municipality has lost financially or the Councillor or employee of the Municipality has gained financially, is liable in damages to the Municipality for the amount of the loss or gain.<br>(7) Subsection (6) does not apply to information disclosed pursuant to subsection (4) or subsection 473(2) of *the Municipal Government Act*. 2008, c. 39, s. 19; 2014, c. 16, s. 2. |

# APPENDIX E – OTHER CITIES COUNCIL INVOLVEMENT IN APPEALS

## Winnipeg

*The Charter* s83(2) establishes that Council may by by-law establish one or more hearing bodies for appeals. A hearing body must be composed of at least three persons appointed by Council and may consist

- entirely of Members of Council
- of a combination of Members of Council and other persons; or
- entirely of persons who are not Members of Council.

A hearing body may sit in panels of at least three members of the hearing body.

As per *The Charter* and City Organization By-law, the following bodies that hear appeals are composed entirely of Members of Council:

1. Appeal Committee: Each of the Standing Committees acts as the Appeal Committee on a rotational basis. The Appeal Committee hears appeals of conditional use or variance orders made by the Director of PP&D, Community Committees, or the Board of Adjustment.
2. Standing Policy Committee on Finance: hears appeal matters respecting business tax.
3. Standing Policy Committee on Protection, Community Services and Parks: hears appeals for orders, notices or decisions made under the Fire Prevention By-law, the Alarm By-law, the Neighbourhood Liveability By-law, and the Doing Business in Winnipeg By-law.
4. Standing Policy Committee on Property and Development, Heritage and Downtown Development: hears appeals from decisions of the Building Commission and from owners regarding City employee decisions on zoning by-laws and town planning schemes, including the Downtown Winnipeg Zoning By-law.
5. Standing Policy Committee on Water and Waste, Riverbank Management and the Environment: hears appeals from orders or decisions made by a City employee on waterways permits.
6. Executive Policy Committee: hears appeals of planning applications that have been refused by City employee prior to public hearing based on non-conformance with *OurWinnipeg* Plan By-law or Complete Communities Direction Strategy By-law.
7. Board of Appeal: Hears Local Improvement Assessment appeals.

City Council is indirectly involved in the following appeals by way of selecting the members of the hearing body:

1. Board of Adjustment (BOA): is comprised of five citizens appointed by Council responsible for hearing applications and issuing orders for conditional uses and variances.
2. Board of Revision**:** a quasi-Judicial body composed of five citizens that has the responsibility to hear assessment appeals with respect to the assessed value, classification, liability, or the refusal of the assessor to amend the assessment roll.
3. Vehicle for Hire Appeal Board: is comprised of five individuals appointed by Council that hears appeals with respect to orders and decisions regulated by the Vehicles for Hire By-law No. 129/2017.

## Vancouver

With no formal appeals committee, City Council in Vancouver is only directly involved in business licenses and chauffer's permit appeals specified in part 12 of the Procedures By-law and part 6 section 277 of *The Vancouver Charter.* City Council is indirectly involved in development application appeals as they select the members to the Board of Variance and Parking Variance Board and the Development Permit Board.

1. Board of Variance: Is a quasi-judicial board established under *The Vancouver Charter* and the Board of Variance by-law that hears appeals for development applications.
2. Parking Variance Board: Is a quasi-judicial board established under *The Vancouver Charter* and the Parking Variance Board by-law.
3. Building Board of Appeal: Is a quasi-judicial board established under *The Vancouver Charter* and the Building Board of Appeal by-law that hears appeals of any decision of the City Building Inspector in respect of interpretation of the Vancouver Building by-law.

### Calgary

The City of Calgary does not have an appeals committee, nor are there any bylaws or provincial legislation that appoints City Council as the adjudicator for an appeal process. Alternatively, all appeals are heard by the following three tribunals:

1. The Calgary Assessment Review Board (ARB): Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Assessment Review Board by-law. It is an impartial tribunal that hears formal complaints against the assessment of properties, businesses, local improvements, and brownfield property exemptions and deferrals, as determined by The City of Calgary. Community Standards and Licence Appeal Committee: Hears business license and contraventions of municipal bylaws about unsafe and unsightly properties.
2. The Licence and Community Standards Appeal Board (LCSAB): Is a quasi-judicial board established under the *Municipal Government Act* and the License and Community Standards Appeal Board by-law that hears appeals on a variety of decisions made by The City of Calgary's administration, including decisions on licences issued under the Livery Transport Bylaw, remedial orders issued under the Community Standards Bylaw, business licences, alarm permits and others.
3. Subdivision and Development Appeal Board (SDAB): Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Subdivision and Development Appeal Board by-law that hears appeals regarding decisions made by The City of Calgary subdivision and development authorities and renders decisions based on the evidence presented.

### Edmonton

In Edmonton, Councillors are no longer responsible for hearing appeals after a recent bylaw change in 2019 to the composition of the Community Standards and License Appeal Committee. Now, all appeals are heard by the following three tribunals as well as the Community Standards and License Appeal Committee:

1. Assessment Review Board: Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Assessment Review Board by-law that hears complaints about property and business-revitalization assessments and local-improvement taxes.
2. Community Standards and Licence Appeal Committee: Is a quasi-judicial board establish in accordance with the *Municipal Government Act* and the Community Standards and Licence Appeal Committee by-law that hears business license and contraventions of municipal bylaws about unsafe and unsightly properties.
3. Subdivision and Development Appeal Board: Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Subdivision and Development Appeal Board by-law that hears from people who have been affected by a decision of the Development Authority and the Subdivision Authority

4. Community Standards and Licence Appeal Committee: Is a quasi-judicial board established in accordance with the *Municipal Government Act* and the Community Standards and Licence Appeal by-law that is mandated to adjudicate appeals regarding:

    - The refusal, revocation, suspension, or imposition of conditions pursuant to Business Licence Bylaw 13138 and Vehicle for Hire Bylaw 14700
    - Orders issued pursuant to Sections 545 and 546 of the *Municipal Government Act*
    - Notices issued under the provincial *Weed Control Act*
    - Conditions imposed on a Nuisance Dog Licence pursuant to the Animal Licensing and Control Bylaw 13145

The tribunals and committee are all quasi-judicial bodies that adjudicate on concerns and complaints brought forward to them by concerned citizens.

Regina

The Development Appeals Board and the Regina Appeal Board are the only two bodies that are composed of Councillors that adjudicate appeals. First, the Regina Appeal Board Bylaw is designated as a local appeal board pursuant to section 329 of *The Cities Act*. The Board is established to hear appeals related to property nuisances, property standards, the revocation or suspension of business licenses and other orders made pursuant to sections 328 of *The Cities Act*. Second, The Development Appeals Board hears appeals of decisions made regarding sections 222 to 226 and section 58(1) of *The Planning and Development Act*, 2007.

London, Hamilton, Ottawa

London, Hamilton, and Ottawa do not have an appeal Standing Committee or Standing Committee with a duty to review appeals for decisions made by city staff or Councillors/Committee. The City Clerks office in each jurisdiction reported that there are no appeals that are adjudicated by Councillors or Committees. Alternatively, these three jurisdictions have delegated the authority to appeal to the Local Planning and Appeal Tribunal that is an adjudicative tribunal for hearing appeal cases in reference to:

- *The Planning Act* governs land use planning and development in the province of Ontario. LPAT may hear appeals based on the decisions of local authorities. *The Act* sets out who is eligible to make an appeal to LPAT, and the procedures that must be followed to do so.
- *The Municipal Act* sets out the broad areas of authority in which municipalities can act in order to respond to taxpayers' needs. *The Act* also details what municipalities can do and how they must do it.
- *The Aggregate Resources Act* provides for the standards and policies that aggregate and petroleum industries must comply with. *The Act* aims to ensure long-term management of resources and reduces negative impacts on the public.
- *The Development Charges Act*, 1997 grants municipalities the right to impose charges on developers to pay for new services and infrastructure needed for growth. *The Act* also provides for Education Development Charges.
- *The Expropriations Act* provides for a means for those expropriated to receive fair compensation when their lands are expropriated or affected by nearby expropriation. It also sets out the authority and process that must be followed in order to expropriate.
- *The Consolidated Hearings Act* provides a streamlined hearing process for municipal, private, and provincial projects or proposed activities that might otherwise require hearings by more than one tribunal.

- *The Environmental Assessment Act* is an example of legislation that LPAT deals with under the Consolidated Hearings Act (by way of a Joint Board with Members of the Environmental Review Tribunal).
- *The Statutory Powers Procedure Act* defines rules and procedures for various tribunal proceedings such as hearings and motions.
- *The Ontario Heritage Act* gives municipalities and the provincial government powers to preserve the heritage of Ontario. The primary focus of *The Act* is the protection of heritage buildings and archaeological sites. The legislation also mandates the Ontario Heritage Trust – a Crown agency – and the Conservation Review Board – a tribunal that hears objections to municipal and provincial decisions under the act.

LPAT is part of the Environment and Land Division (ELD) of Tribunals Ontario. Tribunals Ontario was established on January 1, 2019, bringing together three justice clusters that report to the Ministry of the Attorney General.

## Toronto

The City of Toronto does not have an Appeal Committee composed of City Councillors. However, the General Government and Licensing Committee as well as Community Councils do have the authority to hear appeals according to the *Municipal Act* and chapter 27 of the Toronto Municipal Code. Specifically, the General Government and Licensing Committee has been delegated the authority to hold a hearing by Chapter 760 (Municipal Land Transfer Tax), 765 (Personal Vehicle Tax), 771 (Third Party Sign Tax), and 758 (Municipal Accommodation Tax) in part 8 of the Toronto Municipal Code.
Section C and F(1) of Article 18 of the Toronto Municipal Code authorizes Community Councils to adjudicate appeals with regards to:

- Buskers and street entertainers and artists permit appeals.
- Residential front-yard parking permit appeals, including appeals related to boulevard parking permits, front yard parking permits, and driveway widening permits, except where regulated only by zoning by-law.
- Street vending permit appeals.
- Fire route designation on public routes

Appeals can be made to the Local Planning Appeal Tribunal of Ontario as outlined in the section in London, Hamilton, and Ottawa above.

## Halifax

The Appeals Committee is established in the Halifax Regional Municipality By-law Number A-102. Jurisdiction includes:

1) Hearing appeals that are directed to the Appeals Committee by *The Charter*, a by-law or Council policy.
2) Exercise the authority and discretion conferred or delegated to the Appeals Committee by *The Charter*, a by-law, or Council policy.
3) Delegated authority pursuant to demolition orders as brought forward by staff under "dangerous and unsightly premises" under *Halifax Regional Municipality Charter*.

Appeals of decisions made under the following bylaws fall under the jurisdiction of the Appeals Committee:

- By-law A-100 Respecting the Appeals Standing Committee
- By-law A-200 Respecting Automatic Machines [Section 10]
- By-law A-600 Respecting Advertisement on Provincial Highways [Section 10]

- By-law A-700 Respecting Animals and Responsible Pet Ownership [Section 9]
- By-law B-600 Respecting Blasting [Section 24]
- By-law C-501 Respecting Commerce and Vending on Municipal Lands [Section 7]
- By-law D-300 Respecting Derelict Buildings [Section 5]
- By-law E-200 Respecting Encroachments Upon, Under or Over a Street [Section 8]
- By-law L-200 Respecting Licensing of Construction and Demolition Materials Recycling and Disposal Operations [Section 7]
- By-law L-400 Respecting Lot Grading [Section 15]
- By-law M-200 Respecting Standards for Residential Occupancies [Section 31]
- By-law P-600 Respecting Municipal Parks [Section 16A]
- By-law S-300 Respecting Streets [Section 42]
- B-law S-801 Respecting Temporary Signs [Section 37]
- By-law S-900 Respecting the Establishment of Controlled Access Streets for Streets within the Halifax Regional Municipality [Section 12]
- By-law S-1000 Respecting the Regulation of Sidewalk Cafés [Section 44]
- By-law T-600 Respecting Trees on Public Lands [Section 4]
  By-law T-1000 Respecting the Regulation of Taxis, Accessible Taxis and Limousines [Section 48]

Under section 15 of the Downtown Halifax Land Use by-law, Halifax Regional Council will hear appeals for development applications that are decided upon by the Design Review Committee. The Design Review Committee is a 12-member committee composed of members of the public, planning and develop experts, and city staff that is appointed by the Halifax Regional Council.

# APPENDIX F – OTHER CITIES CITIZEN INVOLVEMENT IN COUNCIL PROCESSES

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| Winnipeg | Section 122(1) of *The Charter* establishes Council's authority to develop procedures for hearing bodies. Section 122(3) states that it is the right of any person who may be affected by the result of a hearing to make a submission, ask questions, or register an objection on the matter.<br><br>Procedure By-law 50/2007 - any hearing body may establish reasonable time limits for presentations, questions, or objections. They may decide that a matter has been adequately addressed at the hearing and discontinue hearing presentations, questions or objections or determine which of several presentations that are the same or similar it will hear.<br><br>According to *The Charter* 14 days notice for public hearings is required. Notice of Public Hearings is made through a combination of signs posted at the subject property, newspaper ads and or mail notices. An overview of the application and Administration's recommendation is posted on the DMIS and available at the City Clerk's office.<br><br>Persons wishing to make a representation at a public hearing may register at the hearing, indicating whether they are registering in support, in opposition or there for information only. Representations may include supporting documents such as petitions, letters, photographs etc. Written comments may be submitted through the Clerk's Office.<br><br>Persons registered in support will speak immediately following the applicant, followed by those in opposition and those registered for information. The applicant may speak in rebuttal. | Section 66 of *The Charter establishes that* committees of Council may establish processes to facilitate public consultation in the matters referred to it. Procedure By-law No. 50/2007 sets out further detail.<br><br>Council and committee meeting agendas are published four business days prior to the meeting.<br><br>Delegations may speak to matters on Council or Committee agendas – they must register with the Clerk by 4:30 pm the day prior to the meeting. If the matter is NOT on the agenda, the Clerk will refer the delegation to the appropriate Committee.<br><br>Delegations at Council and committee meetings are heard at the beginning of the meeting, prior to consideration of committee reports.<br><br>A person or body may not appear before Council [or a Standing Committee] again on the same subject for at least 60 days.<br><br><u>Council meetings</u><br><br>Written submissions for the public record are not accepted for matters before Council. Procedure By-law s. 51(5) – only two delegations in favour and two in opposition will be heard on a matter on Council agenda. Additional delegations may be heard subject to suspension of the rules by a vote of 2/3 of the members present.<br><br>The first delegation on each side may speak for ten minutes and the second may speak for five minutes. A majority vote of Council may permit a delegate to speak for two more minutes. A total of ten minutes is allowed per position for Council questions and delegate responses. If time permits, additional Councillors may ask additional questions.<br><br><u>Committee meetings</u> |

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| | Once public representations have been closed, no new information may be considered.<br>All registered participants will receive notice of the hearing body's decision/recommendation on the matter and information on how to appeal (if applicable).<br>Appeals are heard at a new public hearing by a different hearing body, following the rules for public hearings. | Written submissions are accepted. All submissions become part of the public record and are published in the Committee minutes.<br>There is no restriction on the number of delegations for matters on Committee agendas. |
| Vancouver | Rules for public hearings are established by Procedure By-law no. 12577<br>All persons who deem themselves to be affected by a proposed by-law which has been referred to public hearing may submit a request to speak or submit public comments to the City Clerk.<br>Public hearing agendas are posted two business days before the hearing. Materials posted will include public comments received by that time. Public hearings are typically held after 5:00pm.<br>Individuals who wish to speak at the public hearing must register at least one hour before the meeting and provide any supporting materials at that time. Council will hear all registered speakers.<br>Additional comments and petitions may be submitted by the public up to 15 minutes after close of the speakers list at the hearing. These comments will be shared with Council prior to their deliberations.<br>Public speakers are heard after the applicant makes their presentation. Individuals may speak for a maximum of five minutes or eight minutes if they represent a permitted organization. Each Council member has five minutes per speaker for questions.<br>Following the registered speakers, additional members of the public present at the hearing may also speak. | Rules for speakers at Council and committee meetings are established by Procedure by-law No. 12577<br>Members of the public may speak to or provide comments (written, video) on matters before Council or Standing Committees.<br>Agendas are published no later than five days before the meeting.<br>Registrations to speak are accepted up to one hour before the meeting. Numbers are assigned to speakers in the order in which they registered. Progress on agenda items is live tweeted on the City Clerks twitter account. Those participating online or by phone can connect when their turn is approaching.<br>Public presentations on an agenda items are heard immediately after the administrative report on the item. A maximum of 5 minutes is permitted per speaker, followed by questions from Council members. Speakers may also submit written material for the review of Councillors.<br>An instructional video is available at https://vancouver.ca/your-government/speak-at-city-council-meetings.aspx |

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| Calgary | The *Alberta Municipal Act M-26* allows Council to establish by-laws for public hearing procedures. It also establishes that<br>It also establishes in s. 230 (4) that Council must hear any person or group who claims to be affected by the proposed bylaw or resolution and who has complied with the procedures. They may also agree to hear any other person on the matter who wishes to speak to it.<br>The Procedure By-law 35M2017 sets out additional details.<br>Public hearings are held by Council. Agendas are published three to four days in advance of the hearing, inclusive of written submissions from the public received at least one week in advance of the hearing. Written submissions received after the deadline, including during the public hearing will NOT be distributed to Council, unless permission is received by the Chair.<br>Members of the public who wish to speak at a public hearing are not required to register in advance.<br>Public submissions on a matter are received after Administration and the applicant. Those in favour are heard first, followed by those in opposition. Council may ask questions of the public speakers.<br>Council may not ask questions of the Administration until after the public hearing has concluded. If critical new information has arisen after the conclusion of the public hearing, Council may resolve to re-open the public hearing. | Rules for Delegations at Committee meetings are established by the Procedure By-law 35M2017.<br>Members of the public are permitted to speak to Agenda items at Standing Policy Committees only. Permission to speak to a matter on a Council agenda is by a majority vote of Council only.<br>According to the by-law, the SPC must hear from members of the public who wish to speak to a recommendation, prior to debating the matter.<br>Agendas are published at least 12 hours after and not more than 24 hours after the agenda has been delivered to Council members. Agendas are provided to Council members as soon as possible after submissions close one week prior to the meeting.<br>Speakers are encouraged to register in advance. If speakers wish written materials to be included in the public record, such materials must be received at least one week in advance. Video or audio submissions are not permitted, nor are they permitted at the meeting. Written documentation may be provided at the meeting, with the approval of the Chair.<br>Presentations from the public are made as agenda items are dealt with on the agenda. Public speakers have five minutes each and are heard after Administration. Council members may ask questions of individual speakers.<br>The status of meeting agenda items is updated every five minutes at: https://www.calgary.ca/ca/city-clerks/legislative-services/agendas.html?redirect=/agenda |
| Edmonton | Provisions in the Alberta Municipal Government Act M-26 also apply to Edmonton, as referenced under Calgary above<br>Council Procedures By-law 18155 sets out additional details.<br>Public hearings are held by Council. Agendas are typically posted 2 weeks prior to the hearing. | Rules for delegations at Committee meetings are established in the Council Procedures By-law 18155<br>The public may speak to a matter on a Standing Committee agenda only.<br>Standing Committee agendas are posted ten days prior to the meeting. |

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| | To speak at a public hearing participant should register by 4:30pm on the business day before the meeting. Additional registrations may be accommodated up until the matter has been dealt with. Those wishing to speak at a Statutory public hearing (land matter) must register before the meeting begins.<br>Procedures for delegations at Committee meetings apply also to Council public hearings, except that speakers in support will be heard first, followed by those in opposition.<br>In addition, anyone wanting to speak to new information presented during the hearing may do so. Once the question period is complete, Council may close the public hearing and then vote on the matter. | Registration to speak at an SPC meeting must be received by 4:30pm the day before the meeting. A registration number will be provided. Requests to speak to matters on the agenda (remotely) may be made up until the matter has been dealt with.<br>Those registered to speak will be called upon to speak as the matter is dealt with on the agenda.<br>Speakers have five minutes to present, which may include a presentation, if it is provided to the City Clerks office two days prior to the meeting. Written submission may also be provided at the meeting. Members of Council may have 5 minutes each to ask questions. |
| Regina | There are no public hearings per se at Council or committee in Regina. The public may speak to land use matters (by-law amendments) on Council and committee agendas as a delegation.<br>Rules for appearing before Council or committees are established by the Procedure bylaw No. 9004 S. 10.<br>The bylaw states that a person or group of persons can bring any matter to the attention of Council, or have any matter considered by Council through a letter, petition or other communication to the City Clerk. The City Clerk, at their discretion may include the matter on the Council agenda, refer the matter to City Manager or the Mayor, or circulate the communication to Council members individually if the matter does not require further action. Matters referred to the City Manager or the Mayor are included on the Council agenda as a supplementary list.<br>Citizens may provide a written submission and/or appear as a delegation before City Council or a committee of Council regarding an item on the agenda. Requests must be submitted in writing by noon on the Monday prior to the meeting (1 to 2 days in advance of the meeting).<br>Those registered to speak will be called upon to speak as the matter is dealt with on the agenda. Delegations are subject to a five- minute time limit to present, followed by any questions from the Council members. | |
| Toronto | *The Ontario Planning Act* requires public meetings on certain land use matters. Statutory public meetings are held by Community Council, the Committee of Adjustment and the Planning and Growth Management Committee.<br>The procedures for public submissions at public hearings are the same as those for delegations at Standing Committees, with the exception that presentations must be allowed | The Toronto Municipal Code Chapter 27, Council Procedures s. 27-4.1 establishes that the public has a right to participate in the decision-making process by writing to Council or committee, by submitting a public petition, or by making a public presentation as described in the procedures by-law.<br>Members of the public may comment or speak to matters on Standing Committee or Community Council agendas. Comments and requests to speak at the meeting must be submitted to the Clerk's |

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| | from all who wish to speak to a matter, whether registered or not. | Office online by 4:30 pm the day before the meeting. Registrations to speak at the meeting are also accepted in-person at the meeting before it starts. All presentations, comments and written submission become part of the public record.<br>Individuals may speak for a maximum of five minutes each, followed by any questions from Council members.<br>After hearing from those registered to speak, the Chair may allow others in attendance to speak to the matter as well. |
| Hamilton | *The Ontario Planning Act* requires public meetings on certain land use matters. Procedures for appearing before Council and Committees are established in By-law No. 18-270 A By-law to Govern the Proceedings of Council and Committees of Council.<br>The public may be heard at Standing Committee meetings to speak to regular agenda items and items requiring a statutory public hearing. Written submissions only are accepted for items on Council agenda.<br>Persons wishing to speak to an item on the agenda must register their request to speak with the Clerk no later than 12:00 noon one business day before the meeting. Written submissions from delegations should be received at that time as well. All registered delegations will be included in the Standing Committee agenda.<br>If a person wishes to appear in delegation to address a matter not listed on a Standing Committee agenda, they may make a written request to the City Clerk and the Standing Committee will decide whether they will hear the delegation on a future agenda.<br>Registration is required by noon, one business day prior to the hearing, although delegations may be permitted from those in attendance at a meeting that did not pre-register.<br>Citizens may make written submissions to Council and committee for inclusion in the meeting agenda, or addendums to the agenda published the day of the meeting.<br>Delegations may appear in-person or virtually or provide a pre-recorded video submission at Standing Committee meetings.<br>All presentations, regardless of format, must be a maximum of 5 minutes in length, unless otherwise granted by a majority of the Committee members. Additional written information may be provided at the meeting.<br>Any delegations who have previously appeared before a particular Committee on a subject matter shall be limited to providing only new information in the second and subsequent appearances at that Committee. | |
| Ottawa | *See procedures under Toronto and Hamilton.*<br>For Official Plan Amendments, all persons who requested to be notified or who made oral or written submission at the Committee will be notified of the adoption of the Amendment | *The Ontario Planning Act* requires public meetings on certain land use matters. The Procedures By-law No. 2019-8 establishes that the public may make presentation to Committees and Commissions. |

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| | within 15 days of the Council passage of the by-law.<br>Any appeals must be submitted within 20 days to the Local Planning Tribunal. | As in Toronto and Hamilton the public may appear in delegation at Standing Committees to speak to public hearings, referred to as statutory public meetings and regular agenda items.<br>Notice of regular Standing Committee meetings are posted no later than the Friday immediately prior to the meeting.<br>Staff are heard first, then presentations from the public. There is no limit on the number of presentations that will be heard from the public on development applications, nor is there a strict limit on the number of people who may present on behalf of one organization. (per advice on the City of Ottawa development application process webpage) |
| Halifax | *Halifax Regional Municipality Charter*<br>Establishes a public participation program under Section 219 concerning the preparation of planning documents. The content of the program is at the discretion of the Council but it must identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents.<br>Public hearings are held at Regional Council and community Council meetings to discuss planning and development related matters, new by-laws or amendments to by-laws.<br>Public hearings are typically scheduled in the evening. Written submissions must be received by the clerk by 3pm the day of the public hearing. All submissions received by 3pm are distribute to Council.<br>Citizens can speak at or submit written comments at Regional Council or community councils.<br>Public hearings are typically advertised 2 weeks in advance.<br>Individuals speak as the matter comes up on the agenda. | Rules for participation in Council and Committee meetings are included in Administrative Order 1, The Procedure of the Council Administrative Order.<br>The public may request to present to a Standing Committee or Community Council on any matter within jurisdiction of that body. A maximum of two presentations of ten minutes each will be heard per meeting. Council members may ask questions following the presentation and will determine if they will take any follow up action in response to the presentations.<br>Time is set aside at the end of each Community Council and Standing Committee meeting for the public to provide comments to Councillors. – Topics that are scheduled for an upcoming Public hearing or appeal Hearing may not be addressed during public participation. Comments will become part of the public record. Council members will determine whether they will take any follow up action in response to public comments. |

| Municipality | Public Hearings | Delegations at Council and Committee Meetings |
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| | Individuals are able to sign in for a public hearing starting 30 minutes before the meeting. Although, individuals are able to speak even if they did not sign in once all the names of individuals who did sign in to speak have.<br>During the meeting, city staff will provide an overview of the application and respond to any questions of clarification from Council. Afterwards, the applicant will present their proposal for 10 minutes and then take any questions from Council. Finally, the Chair will call the names of all individuals named on the sign in sheet. Once called, each person is provided with 5 minutes to speak. Those not registered will also be provided with an opportunity to speak to the matter.<br>The applicant is given another 5 minutes to respond to the points raised by the speakers. The public hearing is then closed. Staff may then briefly respond to the points raised during the public hearing and Council may ask further questions of the staff. | |

# APPENDIX G – PUBLIC ENGAGEMENT IN OTHER CITIES

| Municipality | Public Engagement |
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| Winnipeg | *City of Winnipeg Charter*<br><br>Establishes that a committee of Council may establish its own processes to facilitate public consultation in the matters referred to it.<br><br>*Office of Public Engagement*<br><br>Winnipeg has a dedicated Office of Public Engagement (OPE) that develops an engagement framework and supports the public service to implement engagement activities in accordance with the Engage Winnipeg policy.<br><br>*Engage Winnipeg Policy – CO-013*<br><br>Provides guidance on when public engagement should be conducted to support City decision-making. According to the policy, public engagement will be undertaken when:<br><br>5. There is a legislated requirement for public engagement;<br>6. Public engagement has been specified in the approved capital budget;<br>7. Public engagement has been initiated by a Council directive; or<br>8. Public engagement has been directed by the Director of Customer Service & Communications.<br><br>The policy provides a set of guiding principles to support meaningful and inclusive engagement and references the IAP2 spectrum of engagement. A record of public engagement processes and outcomes is to be posted publicly.<br><br>*City of Winnipeg Public Engagement Guidelines*<br><br>Requires that public engagement reports include a summary of the input received and how it influenced the project. There is also a requirement that all city-wide projects or projects located in the Riel District include materials translated into French.<br><br>*Engage Winnipeg website (*https://engage.winnipeg.ca/)<br><br>OPE hosts its public engagement initiatives on the Engage Winnipeg online platform hosted by Bang the Table. It includes links to current and past public engagement opportunities, registration for public engagement e-news and related City social media. The platform includes a variety of tools for public information and input, including videos, surveys, forums, mapping tools, reports and other information documents, by-laws and links to register for public events. OPE combines online engagement with face-to-face engagement activities (virtual and in-person) such as pop-up events, open-houses etc. |
| Vancouver | The department of Civic Engagement and Communications manages Vancouver's public engagement initiatives.<br><br>Vancouver references the IAP2 values and states these values guide the design of all public engagement processes. |

| Municipality | Public Engagement |
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| | *Shape Your City online platform*<br><br>https://shapeyourcity.ca/<br><br>The City of Vancouver Shape your City online platform (hosted by Bang the Table) includes information on upcoming public engagement opportunities, registration for public engagement update e-news and social media, tools for providing online feedback and participating in discussions on open projects. It includes reporting on ongoing and past projects, including what final decisions were made on projects that had public involvement.<br><br>*Talk Vancouver Survey Panel*<br><br>Vancouver also encourages residents to join the Talk Vancouver survey panel to provide ongoing feedback on City topics of interest. Talk Vancouver |
| Edmonton | *The Municipal Government Act,* Public Participation Policy Regulation 193/2017<br><br>Alberta municipalities are required to develop a public participation policy and post it on their website. The policy must be reviewed every 4 years.<br><br>In November 2027 the City of Edmonton adopted a new Public Engagement Policy C513, Public Engagement Procedure, and Public Engagement Framework. The framework includes a Public Engagement Planning and Reporting Framework, the Public Engagement Learning and Training Framework and the Public Engagement Evaluation Framework. The policy applies to public engagement regarding all of the City's policies, programs, projects and services.<br><br>https://www.edmonton.ca/documents/PoliciesDirectives/C593.pdf<br><br>https://www.edmonton.ca/programs_services/documents/NewPublicEngagementPracticeandImplementationRoadmapFinalReport.pdf<br><br>Edmonton's public engagement spectrum is defined as:<br><br>Advise – the public is consulted to shared feedback and perspectives<br><br>Refine – the public is involved to adapt and adjust approaches<br><br>Create – the public collaborates with the City to develop and build solutions.<br><br>Decide – the public is empowered to make decisions directly on behalf of the City<br><br>*Website*<br><br>https://www.edmonton.ca/programs_services/public-engagement.aspx<br><br>Includes links to current public engagement opportunities. The site includes tools for public information and input, including online events and surveys.<br><br>*Edmonton Insight Community*<br><br>Online citizen panel that participates in surveys, participates in discussions at least twice a month. Members receive a monthly newsletter with survey results, updates on projects and upcoming surveys.<br><br>*Relationship Building City Coalition* |

| Municipality | Public Engagement |
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| | A group of City Administration and public members that monitors progress on the City's public engagement plan, provides advice, feedback and recommendations to City Administration on public engagement processes and activities. |
| Calgary | *The Municipal Government Act,* Public Participation Policy Regulation 193/2017<br><br>*(see also Edmonton)*<br><br>*Engage Policy CS009 Effective Date: 2013 May 27, last amended* January 7, 2016<br><br>The Public Engagement Policy includes the following spectrum of engagement strategies and associated promises to citizens and stakeholders:<br><br>Listen & Learn – stakeholder and the City listen to and learn about each other's views etc.<br><br>Consult – obtain stakeholder feedback and ensure their input is considered and incorporated to the maximum extent possible.<br><br>Collaborate – partner with stakeholders resulting in joint recommendations.<br><br>Empower – aspects of decision-making process are delegated to stakeholders<br><br>*The Calgary Engage Framework and Process*<br><br>The Framework provides administrative guidance and tools for City staff.<br><br>The Engagement Resource Unit (ERU) is responsible for developing and implementing engagement initiatives for the City of Calgary.<br><br>*Engage Calgary website*<br><br>https://engage.calgary.ca<br><br>Online platform using The HIVE from Harvest Digital Planning. The site includes links to current and past public engagement opportunities, registration for public engagement update e-news and social media. The platform includes a variety of tools for public information and input, including videos, surveys, forums, mapping tools, reports, information and links to register for public events. |
| Regina | *Public Engagement Guidelines*<br><br>The Be Heard Regina public engagement page references the IAP2 principles and states that its engagement approach is based on core value that those who are affected by a decision have a right to be involved in the decision-making process.<br><br>*Be Heard Regina website*<br><br>https://beheard.regina.ca/<br><br>New online public engagement platform launched in February 2020 hosted by Bang the Table. The site includes links to current and past public engagement opportunities, registration for public engagement update e-news and social media. Engagement tools include videos, surveys, forums, mapping tools, reports, information and links to register for public events. Face-to-face engagement activities (virtual and in-person) include open houses, public meetings or sending a letter to Council. |

| Municipality | Public Engagement |
|---|---|
| Toronto | https://www.toronto.ca/community-people/get-involved/public-consultations/<br><br>Toronto has a public consultation webpage that includes a calendar and listing of active public engagement activities, however various departments also have their own public engagement sections on the City of Toronto website. For example, Planning and Development has its own Outreach and Engagement page with navigation to various guidelines and projects. Some of their initiatives include:<br><br>• Planners in Public Spaces – pop-up consultations with City planners where citizens can learn about City planning, ask questions etc.<br><br>• TOcore Avatars – a toolkit that uses a series of fictional profiles to represent the diversity of people that live, work and interact (or not) with downtown Toronto. Individual citizens use the toolkit to tell their downtown story and their vision for Toronto's future.<br><br>• Toronto Planning Review Panel - a representative panel of citizens chosen through a lottery process to provide informed representative input on major city planning initiatives. |
| Ottawa | *City of Ottawa Public Engagement Strategy, Guidelines and Toolkit, 2015*<br><br>Developed through consultations from 2013 to 2015.<br><br>*Engage Ottawa website*<br><br>https://engage.ottawa.ca/<br><br>Online public engagement platform hosted by Bang the Table. Includes links to current and past public engagement opportunities, registration for public engagement update e-news and social media. . |
| Hamilton | In 2014 an Engagement Committee developed a Public Engagement Charter that recommended to Council that they develop a Public Engagement Policy. The City of Hamilton Public Engagement Policy was developed to align with and support the Public Engagement Charter.<br><br>*Engage Hamilton website*<br><br>https://engage.hamilton.ca/<br><br>New online public engagement platform hosted by Bang the Table. Includes links to current and past public engagement opportunities, registration for public engagement updates e-news and social media and a variety of tools for public information and input. |
| Montreal | *Montréal's Public Consultation and Participation Policy*<br><br>Provides guiding principles on information, consultation and participation aspects. An accompanying Procedures Guide has also been developed.<br><br>*Office de Consultation Publique de Montréal (OCPM)*<br><br>The Office de consultation publique de Montréal is an independent organization whose mission is to carry out public consultation mandates entrusted to it by the Ville de Montréal city Council or executive committee. The mandates primarily involve urban and land-use planning projects under municipal jurisdiction but may include any project submitted by the executive committee or city Council. The Office also has the mandate to propose rules to structure public consultation in |

| Municipality | Public Engagement |
|---|---|
| | Montréal to ensure implementation of credible, transparent and effective consultation mechanisms.<br><br>As required in the Charter de Ville de Montreal (R.S.Q. c, C-114) the OCPM publishes an annual report of the public engagement activities undertaken.<br><br>https://ocpm.qc.ca/sites/ocpm.qc.ca/files/pdf/publications/eng/Rapport%20annuel%202020-eng.pdf<br><br>*Making Montreal website*<br><br>https://www.makingmtl.ca/<br><br>Online public engagement platform hosted by Bang the Table. Includes links to upcoming, current and past public engagement opportunities, registration for public engagement updates, e-news and social media and a variety of tools for public information and input. |
| Halifax | *Halifax Regional Municipality Charter*<br><br>Establishes that the City must develop a public participation program under Section 219 concerning the preparation of planning documents. The content of the program is at the discretion of the Council, but it must identify opportunities and establish ways and means of seeking the opinions of the public concerning the proposed planning documents. The Halifax Municipal Planning Strategy provides more guidance in section 12. Citizen Participation<br><br>*Shape Your City website*<br><br>https://www.shapeyourcityhalifax.ca/<br><br>The City's public engagement website includes public participation projects for various city initiatives, including planning and development<br><br>Online public engagement platform hosted by Bang the Table. Includes links to current and past public engagement opportunities, registration for public engagement updates e-news and social media and a variety of tools for public information and input. |

# APPENDIX H – SAMPLE BUDGETS FROM OTHER CITIES

***Hamilton Department-Based Budget***

## CITY OF HAMILTON
## 2019 APPROVED
## NET TAX OPERATING BUDGET

| | 2018 | | 2019 | 2019 Approved vs. 2018 Restated | |
|---|---|---|---|---|---|
| | Restated Budget | Year-End Actual | Approved Budget | $ | % |
| **PLANNING & ECONOMIC DEVELOPMENT** | | | | | |
| General Manager | 1,074,800 | 1,046,610 | 965,570 | (109,230) | (10.2)% |
| Transportation, Planning and Parking | 1,992,060 | 896,210 | 2,181,440 | 189,380 | 9.5% |
| Building | 1,334,080 | 1,368,990 | 1,307,960 | (26,120) | (2.0)% |
| Economic Development | 5,478,590 | 5,240,520 | 5,424,280 | (54,310) | (1.0)% |
| Growth Management | 176,940 | (133,110) | 467,860 | 290,920 | 164.4% |
| Licensing & By-Law Services | 6,696,140 | 6,515,860 | 6,680,930 | (15,210) | (0.2)% |
| Planning | 3,747,150 | 3,617,840 | 3,392,010 | (355,140) | (9.5)% |
| Tourism & Culture | 8,886,320 | 9,071,410 | 9,251,720 | 365,400 | 4.1% |
| **TOTAL PLANNING & ECONOMIC DEVELOPMENT** | **29,386,080** | **27,624,330** | **29,671,770** | **285,690** | **1.0%** |
| **HEALTHY AND SAFE COMMUNITIES** | | | | | |
| HSC Administration | 2,568,720 | 2,755,990 | 2,760,720 | 192,000 | 7.5% |
| Children's Services and Neighbourhood Dev. | 8,441,390 | 8,727,600 | 8,675,010 | 233,620 | 2.8% |
| Ontario Works | 11,823,090 | 10,496,800 | 11,917,630 | 94,540 | 0.8% |
| Housing Services | 45,318,550 | 44,314,810 | 45,068,420 | (250,130) | (0.6)% |
| Long Term Care | 13,338,090 | 11,775,880 | 13,472,300 | 134,210 | 1.0% |
| Recreation | 32,156,490 | 32,747,430 | 33,851,890 | 1,695,400 | 5.3% |
| Hamilton Fire Department | 91,105,420 | 90,442,540 | 93,137,410 | 2,031,990 | 2.2% |
| Hamilton Paramedic Service | 22,361,980 | 24,258,480 | 23,794,770 | 1,432,790 | 6.4% |
| Public Health Services | 12,488,880 | 11,447,190 | 12,455,510 | (33,370) | (0.3)% |
| **TOTAL HEALTHY AND SAFE COMMUNITIES** | **239,602,610** | **236,966,720** | **245,133,660** | **5,531,050** | **2.3%** |

***Vancouver Department-Based Annual Budget***

City of Vancouver
Operating Budget (continued)

| Expenditures & Transfers ($000) | 2019 Restated Budget | 2020 Draft Budget | Net Change ($) | Net Change (%) | Notes |
|---|---|---|---|---|---|
| **Department** | | | | | |
| **Engineering** | | | | | |
| **Public Works** | | | | | |
| Street Maintenance | 26,561 | 26,129 | (432) | -1.6% | |
| Parking Operations | 18,312 | 18,758 | 446 | 2.4% | |
| Street Use | 14,121 | 16,432 | 2,311 | 16.4% | |
| Street Cleaning | 8,589 | 11,253 | 2,665 | 31.0% | |
| Street Lighting | 6,704 | 6,845 | 140 | 2.1% | |
| Transportation | 4,049 | 4,599 | 551 | 13.6% | |
| General Public Works | 5,594 | 5,918 | 324 | 5.8% | |
| Shared support services | 10,157 | 10,729 | 572 | 5.6% | |
| Transfers to / (from) reserves & other funds | (11,669) | (15,928) | (4,259) | 36.5% | |
| **Subtotal Public Works** | **82,418** | **84,736** | **2,318** | **2.8%** | 29 |
| **Department Services** | | | | | |
| Equipment Service Operations | (4,542) | (3,970) | 572 | -12.6% | |
| Equipment Management Group | 1,569 | 1,618 | 49 | 3.1% | |
| Construction Supplies & Services | (1,424) | (1,394) | 29 | -2.1% | |
| Operations Safety & Support | 1,630 | 1,953 | 323 | 19.8% | |
| Shared support services | 80 | 177 | 96 | 119.7% | |
| Transfers to / (from) reserves & other funds | 20,077 | 22,978 | 2,901 | 14.5% | |
| **Subtotal Department Services** | **17,391** | **21,363** | **3,972** | **22.8%** | 30 |
| **Total Engineering** | **99,808** | **106,098** | **6,290** | **6.3%** | |
| **Police Services** | | | | | |
| Patrol | 154,321 | 162,944 | 8,622 | 5.6% | |
| Investigations | 88,389 | 93,735 | 5,346 | 6.0% | |
| Operational Services | 41,777 | 43,057 | 1,279 | 3.1% | |
| Administration | 15,078 | 16,032 | 954 | 6.3% | |
| E-Comm allocation | 16,888 | 17,305 | 418 | 2.5% | |
| Shared support services | 7,200 | 7,087 | (113) | -1.6% | |
| Transfers to / (from) reserves & other funds | (112) | 282 | 394 | -351.6% | |
| **Total Police Services** | **323,542** | **340,442** | **16,900** | **5.2%** | 31 |
| **Fire & Rescue Services & Vancouver Emergency Management Agency** | | | | | |
| **Fire & Rescue Services** | | | | | |
| Fire Suppression & Medical | 112,439 | 118,683 | 6,244 | 5.6% | |
| Prevention | 3,952 | 4,191 | 238 | 6.0% | |
| Training & Administration | 5,402 | 5,936 | 534 | 9.9% | |
| E-Comm allocation | 4,601 | 4,720 | 119 | 2.6% | |
| Shared support services | 2,375 | 2,581 | 206 | 8.7% | |
| Transfers to / (from) reserves & other funds | 6,147 | 5,973 | (174) | -2.8% | |
| **Subtotal Fire & Rescue Services** | **134,915** | **142,083** | **7,168** | **5.3%** | |
| **Vancouver Emergency Management Agency** | | | | | |
| Emergency Management | 1,590 | 1,640 | 51 | 3.2% | |
| **Subtotal Vancouver Emergency Management Agency** | **1,590** | **1,640** | **51** | **3.2%** | |
| **Total Fire & Rescue Services & Vancouver Emergency Management Agency** | **136,505** | **143,724** | **7,218** | **5.3%** | 32 |

Note: Totals may not add due to rounding

***London Service-Based Multi-year Budget***

| SERVICE | 2016-2019 Approved Net Budget[1] | 2016 Approved Net Budget[1] | 2017 Approved Net Budget[1] | 2018 Approved Net Budget[1] | 2019 Approved Net Budget[1] | 2019 Revised Net Budget[1] | 2016-2019 Revised Net Budget | 2019 Net Budget Inc/(Dec) |
|---|---|---|---|---|---|---|---|---|
| **ENVIRONMENTAL SERVICES** | | | | | | | | |
| Kettle Creek Conservation Authority[2] | 1,995 | 436 | 467 | 516 | 576 | 551 | 1,970 | (25) |
| Lower Thames Valley Conservation Authority | 644 | 153 | 158 | 164 | 169 | 169 | 644 | - |
| Upper Thames River Conservation Authority | 13,354 | 2,926 | 3,240 | 3,467 | 3,720 | 3,720 | 13,354 | - |
| Environmental Action Programs & Reporting | 3,097 | 765 | 776 | 778 | 778 | 778 | 3,097 | - |
| Garbage Recycling & Composting[3] | 68,943 | 16,412 | 16,942 | 17,581 | 18,008 | 17,608 | 68,543 | (400) |
| **TOTAL ENVIRONMENTAL SERVICES** | **88,034** | **20,693** | **21,584** | **22,505** | **23,251** | **22,826** | **87,608** | **(425)** |
| **PARKS, RECREATION & NEIGHBOURHOOD SERVICES** | | | | | | | | |
| Neighbourhood & Recreation Services[2&4] | 83,682 | 19,445 | 20,277 | 21,652 | 22,309 | 21,952 | 83,326 | (356) |
| Parks & Urban Forestry | 53,033 | 12,535 | 13,096 | 13,618 | 13,785 | 13,785 | 53,033 | - |
| **TOTAL PARKS, RECREATION & NEIGHBOURHOOD SERVICES** | **136,715** | **31,979** | **33,372** | **35,270** | **36,093** | **35,737** | **136,358** | **(356)** |
| **PLANNING & DEVELOPMENT SERVICES** | | | | | | | | |
| Building Approvals | (2,834) | (725) | (910) | (605) | (594) | (594) | (2,834) | - |
| Planning Services | 14,560 | 3,421 | 3,517 | 3,622 | 4,000 | 4,000 | 14,560 | - |
| Development Services[3] | 17,809 | 4,189 | 4,267 | 4,706 | 4,647 | 4,535 | 17,697 | (112) |
| **TOTAL PLANNING & DEVELOPMENT SERVICES** | **29,536** | **6,886** | **6,874** | **7,723** | **8,053** | **7,941** | **29,424** | **(112)** |

***Edmonton Department-Based Multi-Year Budget***

| ($000) | 2017 Actual | 2018 Adjusted Budget | 2019 Budget | 2020 Budget | 2021 Budget | 2022 Budget |
|---|---|---|---|---|---|---|
| **Revenue & Transfers** | | | | | | |
| Boards & Commissions | | | | | | |
| Economic Development Corporation | 25,080 | 29,528 | 42,181 | 44,382 | 45,038 | 46,857 |
| Police Service | 94,971 | 93,805 | 95,445 | 93,805 | 93,805 | 93,805 |
| Public Library | 7,771 | 10,236 | 8,251 | 8,948 | 9,128 | 9,474 |
| Other Boards & Commissions | 3,674 | 3,426 | 3,554 | 3,316 | 3,316 | 3,316 |
| Total Boards & Commissions | $131,496 | $136,995 | $149,431 | $150,451 | $151,287 | $153,452 |
| Civic Departments | | | | | | |
| Citizen Services | 111,257 | 108,779 | 111,251 | 114,471 | 116,441 | 117,011 |
| City Operations | 193,512 | 207,361 | 209,812 | 216,045 | 241,635 | 246,340 |
| Communications & Engagement | 287 | 1,332 | 1,649 | 1,554 | 1,253 | 1,267 |
| Employee Services | 330 | - | - | - | - | - |
| Financial & Corporate Services | 19,891 | 16,453 | 13,455 | 14,668 | 14,255 | 12,027 |
| Integrated Infrastructure Services | 2,130 | 521 | 918 | 918 | 1,418 | 1,418 |
| Office of the City Manager | 2,538 | 732 | 732 | 732 | 2,375 | 732 |
| Urban Form & Corporate Strategic Development | 93,459 | 106,328 | 122,075 | 124,051 | 131,164 | 143,024 |
| Corporate Revenues | 611,406 | 650,846 | 722,461 | 726,009 | 709,675 | 708,616 |
| Total Taxation Revenue | 1,497,658 | 1,578,834 | 1,648,934 | 1,721,950 | 1,801,980 | 1,885,191 |
| One-time Items | - | 76,914 | - | - | - | - |
| **Total Revenue & Transfers** | **$2,663,964** | **$2,885,095** | **$2,980,718** | **$3,070,849** | **$3,171,483** | **$3,269,078** |
| **Net Expenditure & Transfers** | | | | | | |
| Boards & Commissions | | | | | | |
| Economic Development Corporation | 46,084 | 49,571 | 62,224 | 63,925 | 64,581 | 66,400 |
| Police Service | 417,117 | 430,822 | 451,725 | 466,311 | 482,615 | 500,061 |
| Public Library | 60,735 | 64,893 | 63,060 | 63,757 | 63,937 | 64,283 |
| Other Boards & Commissions | 37,196 | 37,988 | 40,558 | 42,675 | 44,602 | 46,640 |
| Total Boards & Commissions | $561,132 | $583,274 | $617,567 | $636,668 | $655,735 | $677,384 |
| Civic Departments | | | | | | |
| Citizen Services | 446,829 | 463,981 | 480,003 | 488,637 | 492,085 | 492,563 |
| City Operations | 652,782 | 697,937 | 716,730 | 725,079 | 750,531 | 753,494 |
| Communications & Engagement | 31,049 | 32,511 | 34,048 | 33,865 | 33,473 | 33,662 |
| Employee Services | 15,922 | 22,259 | 23,970 | 24,238 | 24,310 | 24,428 |
| Financial & Corporate Services | 159,026 | 160,085 | 158,039 | 158,438 | 155,550 | 152,974 |
| Integrated Infrastructure Services | 27,149 | 23,135 | 23,187 | 25,059 | 22,692 | 22,525 |
| Mayor & Councillor Offices | 5,640 | 6,812 | 6,892 | 6,980 | 7,054 | 7,118 |
| Office of the City Auditor | 2,402 | 2,605 | 2,644 | 2,679 | 2,706 | 2,731 |
| Office of the City Manager | 14,832 | 14,551 | 14,981 | 14,982 | 17,218 | 14,985 |
| Urban Form & Corporate Strategic Development | 133,453 | 155,254 | 178,243 | 184,541 | 192,750 | 207,190 |
| Corporate Expenditures | 448,102 | 486,321 | 568,468 | 606,977 | 649,293 | 706,638 |
| Neighbourhood Renewal | 134,442 | 156,332 | 155,946 | 162,706 | 168,086 | 173,386 |
| One-time Items | - | 80,038 | - | - | - | - |
| 2017 Surplus | 31,204 | - | - | - | - | - |
| **Total Net Expenditure & Transfers** | **$2,663,964** | **$2,885,095** | **$2,980,718** | **$3,070,849** | **$3,171,483** | **$3,269,078** |

# APPENDIX I – PLANNING AND DEVELOPMENT PROCESSES IN OTHER CITIES

**Winnipeg**

The Development Procedures By-law No. 160/2011 provides procedures for development applications and related matters. The by-law describes 16 types of development application types and the four phases each proceeds through:

1. Draft Applications: A process that provides a prospective applicant with an opportunity to obtain written input from appropriate City departments as well as the ward Councillor in advance of making a formal application.
2. Submitting a Development Application: Outlines the process that is followed when submitting a formal development application, and the process that is followed when a development application is refused without a hearing due to the application not conforming with the OurWinnipeg Plan By-law or a secondary plan.
3. Approval Process: Outlines the approval process for each type of development application.
4. Public Hearing Process, Notice, Appeals: Details the public notice and appeal process for development applications.

While encouraged as supporting information, consultation with immediate neighbours or the broader community is not a requirement of most development applications. The City may request the applicant chair a public consultation program in cases where there is expected to be significant public interest in the proposed development. The type of public engagement to be conducted (e.g. door to door canvassing, open house, or town hall format) is determined by the applicant.

PP&D staff provide a comprehensive report to the committee or Council in support of their recommendation on all planning and development applications for which the PP&D department does not have decision-making authority. The report and recommendations are based on subject matter expertise, legislation and by-laws/plans.

As part of the approval process, a public hearing is typically required to be facilitated by the EPC, the SPC on Property and Development, Heritage and Downtown Development, or one of the five community committees. In some instances, the Director of Planning, Property and Development (PP&D) may decide with respect to the merits of certain development applications. Community members may make submissions or register in favour of or in opposition of an application being considered at a public hearing by a committee.

Where the hearing is by the Community Committee, it generally makes its recommendation to the SPC on Property and Development, Heritage and Downtown Development. There are a small number of application types that the Community Committees have jurisdiction to decide on their own. The SPC may forward its report and recommendations to EPC or refer the application back to the original hearing body (Community Committee) to consider new information by re-opening the public hearing. When EPC receives the SPC report and recommendation, it may forward its report and recommendations to Council, or refer the application back to the original hearing body (Community Committee or SPC) to consider new information by re-opening the public hearing.

No new information or representations can be presented to the SPC, EPC or Council after conclusion of the hearing or any re-hearing by the original body. Council may consider additional recommendations from any committee of Council in relation to the application.

Of the 16 application types, nine may be appealed. The appellant may be the applicant or another interested party. One specific planning application; a change to a Secondary Plan by-law dealing with an airport vicinity protection area, may be appealed to the Municipal Board of the Province of Manitoba.

The following table outlines the public hearing and appeal bodies for the 16 Planning and Development application types.

***Table 13 – Development Applications Requiring a Public Hearing***

| Application Type | Public Hearing Process | Public Hearing Body | Appeal Body |
|---|---|---|---|
| *OurWinnipeg* Plan By-law Amendments | After the first reading and before the second reading a proposed amendment will be referred for a public hearing. The contents of the public hearing are incorporated into a report to Council.<br>After a second reading by Council the proposed amending by-law is forwarded to the Minister of the Provincial Government. Once approved Council may give the by-law a third and final reading. | Requires public hearing at EPC, recommendation to and approval by Council | No appeal body for Council decision<br><br>EPC for designated employee refusal based of application prior to hearing |
| Complete Communities Direction Strategy By-law | After the first reading and before the second reading, the proposed amendment will be referred for conduct of a public hearing. The contents of the public hearing are incorporated into a report to Council. | Requires public hearing at EPC (or designated SPC by EPC) and Council approval. | |
| Secondary Plan By-law | After the first reading and before the second reading, the proposed amendment will be referred for a public hearing.<br>If Council deems appropriate, then EPC can designate itself or an SPC to conduct the public hearing.<br>If an SPC conducts the public hearing, it forwards its report to EPC then to Council for a vote.<br>If a community committee conducts a public hearing it forwards its report to the SPC on Property and Development, Heritage and Downtown Development (PDHDD) for recommendation to EPC and finally to Council for a vote. | Requires public hearing at either Standing Committee (PDHDD or as designated by Council) or Community Committee, and Council approval. | |
| Rezoning (DAZ) | Community committees hold a public hearing, except when the land is question is in the Downtown, in which case the SPC on Property | Requires public hearing at Community | No appeal body of Council decision |

| Application Type | Public Hearing Process | Public Hearing Body | Appeal Body |
|---|---|---|---|
| Zoning Agreement Amendment (ZAA)<br>Subdivision (DAS)<br>Subdivision and Rezoning (DASZ) | and Development, Heritage and Downtown Development conducts the public hearing.<br>The community committee sends its report and recommendation to the SPC on Property and Development, Heritage and Downtown Development, which makes recommendation to EPC then to Council. Alternatively, the SPC on Property Development Heritage and Downtown Development may send its report and recommendation to EPC and then Council without a recommendation of the Community Committee. | Committee or SPC, Council approval. | First Level Decision: SPC on Property and Development, Heritage and Downtown Development |
| Subdivision, Short Form (DASSF) | Authority of the Director of Property, Planning and Development when no public street or land is being created and a zoning change is not required.<br>For land located in the Downtown area, the SPC on Property and Development, Heritage and Downtown Development will be the public hearing body. | Not required | Director decision: SPC on Property and Development, Heritage and Downtown Development |
| Demolition Permits (DEMO) | Community Committees will serve as the public hearing body except for when the demolition permit is in combination with an application to amend the *OurWinnipeg*, Complete Communities, or another secondary plan; in which case EPC or an SPC designated by EPC will conduct the public hearing. | Requires public hearing and decision at Community Committee | SPC on Property and Development, Heritage and Downtown Development |
| Variance (DAV) 'A' | Granted by the Zoning Administrator | Not required | SPC Appeal Committee |
| Variance (DAV) 'B' | Granted by Director of Property, Planning, and Development | Not required | SPC Appeal Committee |
| Variance (DAV) 'C' | Granted by the Board of Adjustments | Not required | SPC Appeal Committee |
| Variance (DAV) 'D' | Granted by Community Committee | Requires a public hearing at Community Committee. | SPC Appeal Committee |
| Conditional Use 'B' | Granted by the Director of Property, Planning, and Development | Not required | SPC Appeal Committee |
| Conditional Use 'C' | Granted by the Board of Adjustments | Not required | SPC Appeal Committee |
| Conditional Use 'D' | Granted by Community Committee | Not required | SPC Appeal Committee |

*Combination hearings will be held by EPC

**Public notification of public hearing information including the date, time, location, and nature of the development application is required by *The City of Winnipeg Charter*.

In April 2019 the SPC on Property and Development, Heritage and Downtown Development passed a motion for the public service to report back on the establishment of a planning commission comprised of skilled experts to deal with all planning or development matters referred by Council, to ensure consistent planning standards, practices and approvals across the City and thereby removing politics from the approval process. On September 4, the SPC directed the public service to engage stakeholders on recommendations for the role, responsibilities and membership structure of a planning commission. The Development Procedures By-law is under review by Legal Services. Recommendations to Council for amendments are expected in early 2020.

**Vancouver**

Part 27 of the *Vancouver Charter* provides the City of Vancouver with the authority to regulate land use within the jurisdiction of the municipality. Within the *Charter* under Division 2 section 560, "the Council may appoint a Director of Planning, who shall have such duties and powers as the Council may from time to time prescribe". The augmenting document to the *Charter* is the Zoning and Development By-law, that states under section 3.3.1 that:

> In dealing with applications for development permits the Director of Planning or the Development Permit Board may in every case and in accordance with the provisions of this By-law grant such permits either unconditionally or subject to conditions, including a limitation in time, or may refuse such applications.

The Director of Planning is the approval authority on subdivision and development applications, except those referred to the Development Permit Board.

The Development Permit Board hears and will approve or deny development permit applications that may have a significant impact on their surroundings, because of the scale and context of the project or because of community controversy about the project. The Board consists of four senior staff members – the Director of Development Services, the General Manager of Engineering Services, the Deputy City Manager and Director of Planning. The Board is limited in its authority by existing zoning and parking regulations, and by the Official Development Plan (ODP) provisions that City Council has enacted. These provisions generally outline acceptable uses and building forms in a given area. The Board cannot deny a development if it meets the zoning / ODP and guidelines or approve a development if it does not fall within the zoning / ODP. The Development Permit Board may approve, approve with certain conditions, or refuse an application.

Amendments to zoning and land use regulations, whether in the Zoning and Development By-law or in an official development plan, require Council approval by adoption of an amending by-law following a public hearing. Amendments to policies and guidelines are also approved by Council, but do not require a public hearing. For applications requiring Council approval, the City may direct an applicant to hold a pre-application public open house. The Planning Department also holds an open house in the early stages of reviewing the proposal. The Director makes a recommendation to City Council to approve, modify or refuse the application and summarizes the feedback heard.

Council appoints members of the following advisory boards that provide the Director with input into more complex development applications as well as conduct appeals of development applications as per the respective by-laws:

> Board of Variance and Parking Variance Board: Hear appeals to decisions made under the Zoning and Development, Sign, Protection of Trees, and Parking by-laws.

Chinatown Historic Area Planning Committee: Works to preserve and protect the heritage and character of the Chinatown area of Vancouver

Development Permit Board Advisory Panel: Supports the work of the Development Permit Board by advising the Board about the applications the Board is reviewing.

First Shaughnessy Advisory Design Panel: Offers feedback to City Council and staff on development and design issues in First Shaughnessy, focusing on preserving the area's special character.

Gastown Historic Area Planning Committee: Works to preserve and protect the heritage and character of the Gastown area (zone HA-2).

Urban Design Panel: Advises City Council and staff on development proposals and policies and reviews all civic building projects.

Vancouver City Planning Commission: Advises City Council on planning and development issues in Vancouver, including ideas and opinions about the future of the city, to consider and report to Council on any proposal likely to have a significant effect on the future of the City. The commission organizes conferences, consultations, competitions, presentations, and research on topics including housing, public realm, neighbourhoods, transportation, and public engagement.

**ALBERTA** (applies to all cities in Alberta, including Calgary and Edmonton)

*The Municipal Government Act* of Albert establishes authority, requirements and standards for property development. This includes requirements to:

- Establish a development authority and a subdivision authority. Both may be a designated officer, municipal planning commission or other person or organizations. Any or all members of Council also may be designated as the subdivision authority. [s. 623-624] The subdivision authority is not required to hold a hearing.
- Establish a Subdivision and Development Appeal Board, with authority to hear appeals of decisions of the development and subdivision authorities [s.627]. The composition of this appeal board cannot include any municipal employee, other person that carries out subdivision and development activity on behalf of the municipality, or member of a planning commission. Appeals may only be made if By-law provisions were relaxed, misinterpreted, etc.
    - Appeal of a decision of a subdivision authority is to the Municipal Government Board if the land is within certain areas classified in the public lands act or within a prescribed distance of a highway, body of water, sewage treatment, waste management, or historical site
    - Decisions of the SDAB or the Municipal Government Board (specific circumstances) may be made to the Court of Appeal
- Consider statutory plans or land use By-laws at Council. Statutory plans include an intermunicipal development plan, municipal development plan, area structure plan, and area redevelopment plan. Council must hold a public hearing before giving second reading of these matters. [s. 692].

- Conduct reviews within specified timelines. For example, confirm an application is complete [20 days from receipt], make a decision on a development application [40 days from complete application], schedule an appeal [30 days notice of appeal].

**Calgary**

The Land Use By-law specifies the powers and duties of the Development Authority and Subdivision Authority as required under *the Municipal Act*. The Subdivision and Development Appeal Board is established by separate by-law.

The City of Calgary Procedural By-law establishes and specifies the duties of a Standing Policy Committee on Planning and Urban Development. The mandate of this committee includes land use planning and policy, development and building approvals, urban strategy, and community planning. A review of committee agendas indicates matters considered include city planning and priorities, reviews of the municipal development plan and Calgary transportation plan, and policy recommendations for Council approval. The committee also made recommendations to Council for a hearing and decision on statutory plans (re-development plan, area structure plans).

The Planning Commission By-law 28P95 establishes the Calgary Planning Commission to consist of the Mayor or deputy mayor (if the Mayor is a member of the SDAB), two members of Council, six citizens, and two employees of the City (must be a General Manager or a Director). One of the two employees is to serve as Chairperson of the commission.

By-law 28P95 appoints the Calgary Planning Commission and employees so designated by the City Manager as a Subdivision Authority. A *person* appointed as a Subdivision Authority has the power to make decisions on approval of tentative plans which conform in all respects, or conform with variances which are in the opinion of the decision maker of a minor nature, with an Outline Plan approved by the Commission; Refusal of any subdivision matter which could not be approved by the Commission; review and approval of subdivisions by instrument; or Subdivision applications which comply in all respects to the applicable enactments.

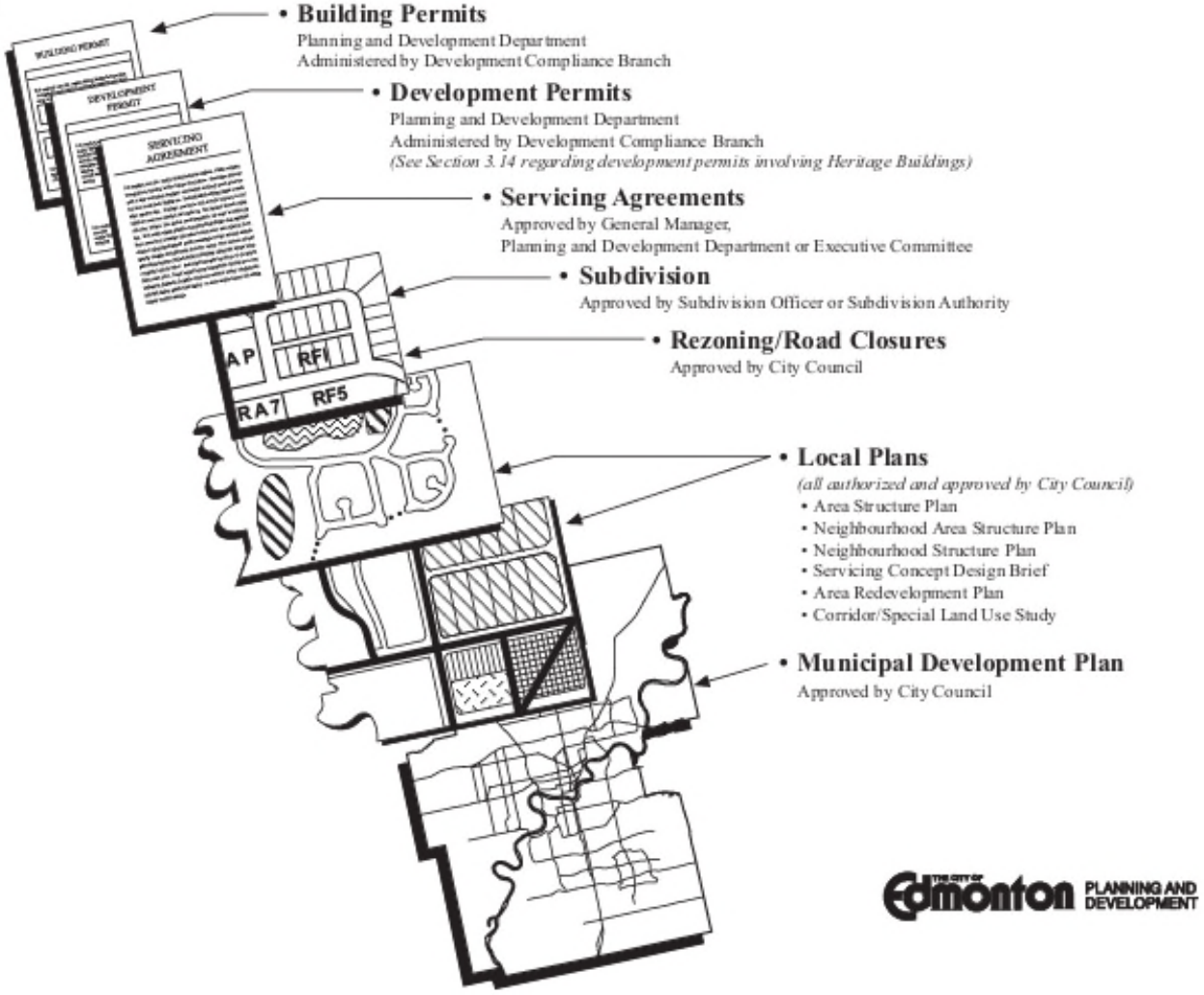
The Commission's role includes review and approval of Outline Plans; review and approval of Tentative Plans not within the scope of section 5(a) above; advising Council on land use matters; review and recommendations on municipal projects referred to it; and review and approval of development permit applications as a Development Authority pursuant to The Development Authority Bylaw. The CPC recommends Land Use Amendments to Council for a public hearing and approval.

For Land Use Amendments, an application is filed and reviewed for completeness by the Corporate Planning Applications Group (CPAG). The CPAG coordinates technical review and notifies adjacent landowners. The CPAG makes a recommendation to the Calgary Planning Commission (CPC). The CPC meeting is open for the public to attend but not participate. The CPC makes a further recommendation to City Council. A public hearing must be held at the City Council meeting, and the applicant may address Council regarding their application. After reviewing the information collected during the public hearing, Council will either approve, approve with conditions, or deny the application.

**Edmonton**

Development and Subdivision authority to exercise power on development and subdivision applications on behalf of the municipality is outlined in Part 1, Division 11 Zoning By-law. Edmonton also publishes a Planning and Development Handbook that explains all processes and approval authorities related to land development. Council maintains decision making responsibilities for those aspects of the planning and development system which establish policy. Council has delegated responsibility to the Executive Committee, Subdivision Authority, General Manager of Planning and Development Department, the Subdivision Officer and the Development Officer for those aspects of the system which implement established policy. (City of Edmonton) Edmonton also has established timelines for each aspect of the development application process. Approval responsibilities for the various activities within the planning and development approval process are shown below.

FIGURE 1 *Approval Responsibilities at Various Levels of the Planning and Development Process*



Edmonton City Council has a Standing Committee on Urban Planning, whose mandate is sustainable City planning, including:

- Growth, development and management of the urban form
- Urban transportation
- Infrastructure
- Parks
- Municipal reserve
- Environmental, housing and real estate planning, and
- Community engagement for urban planning matters.

A review of minutes of this committee indicates consideration of planning policy matters (versus development applications).

In Edmonton, employees from the Planning and Development Department make decisions on development and subdivision applications in accordance with the Zoning By-law.

Council has delegated its subdivision authority through a bylaw to the Subdivision Authority. The Subdivision Authority is a non-political body comprised of three staff members from the Planning and Development Department. Decisions on subdivisions (and matters of provincial concern or intermunicipal dispute) may be appealed to the Subdivision and Development Appeal Board (SDAB). The SDAB is established by Bylaw of Council with members appointed by Council. New legislation also provides for certain subdivision matters to be appealed to the Municipal Government Board, a provincially appointed body.

The approval process for a subdivision plan is shown below.

FIGURE 10 *Process for Approving and Registering a Plan of Subdivision*

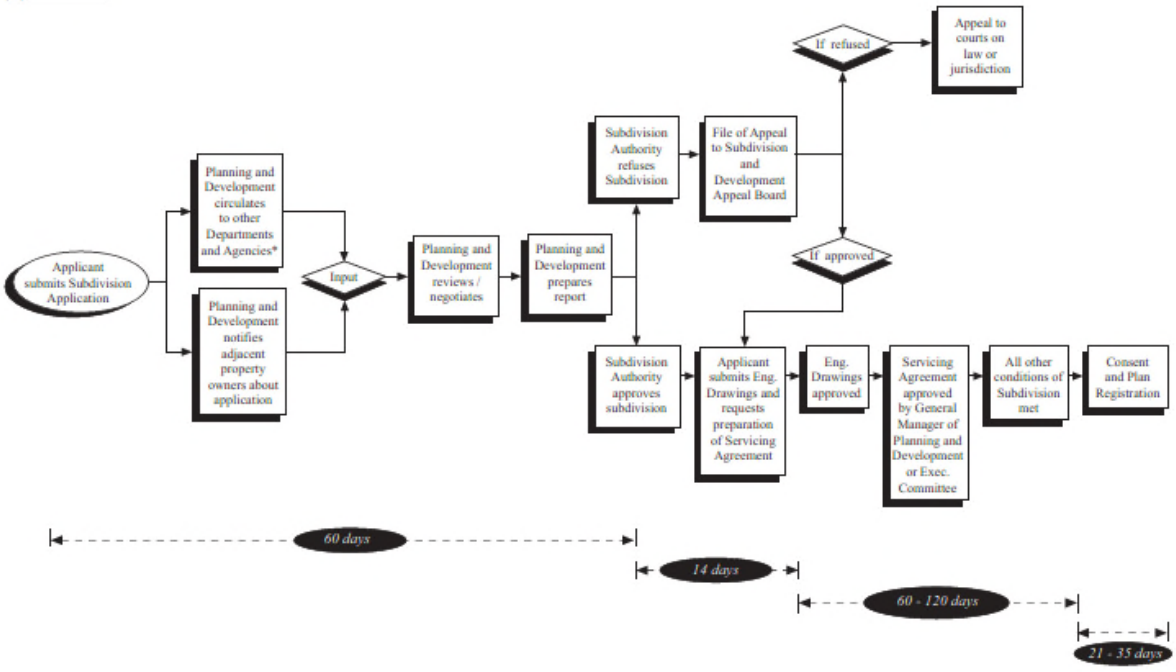



*Figure 8: City of Edmonton – Approval Process for a Subdivision Plan*

Re-zoning applications and reviewed by staff and submitted directly to Council for public hearing and approval.

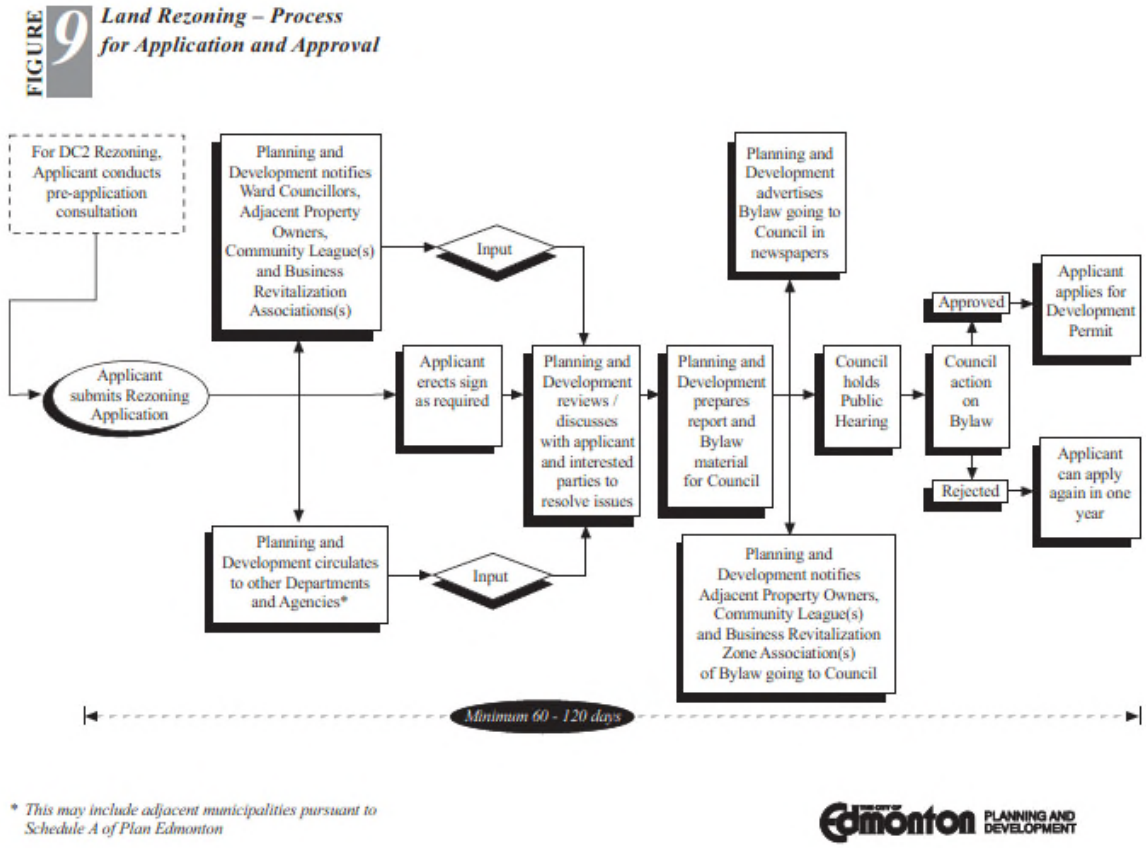



*Figure 9: City of Edmonton – Approval Process for Land Rezoning*

Area structure plans applications are subject to review by a technical review committee made up of representatives from various city departments prior to consideration by Council. These applications, once reviewed, are also referred directly by staff to Council for a public hearing and approval.

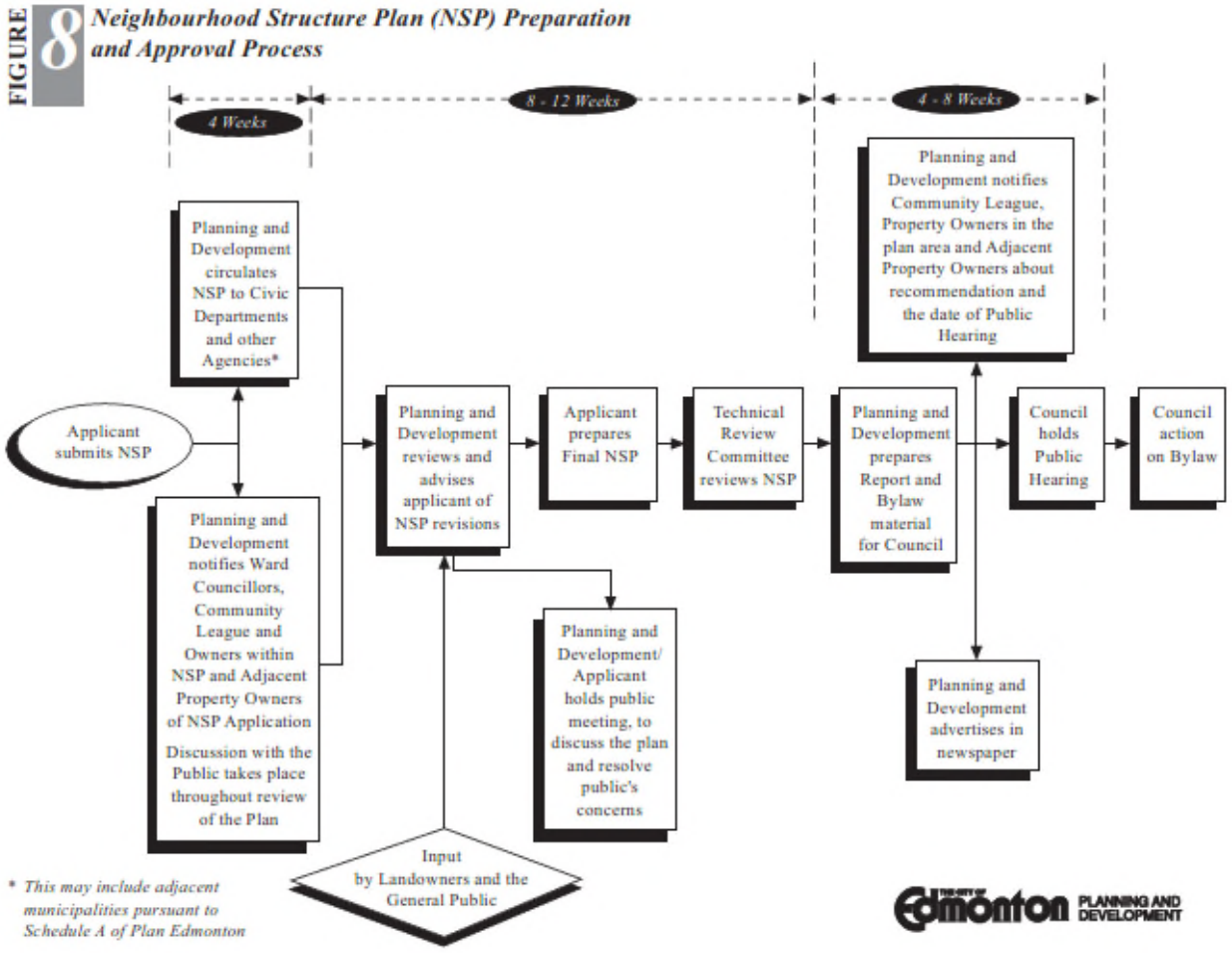



*Figure 10: City of Edmonton – Approval for Neighbourhood Structure Plan*

**Regina**

Part 3 of *The Planning Act* provides the City of Regina with the authority to regulate land use within the jurisdiction of the municipality. Within *The Planning Act*, under Division 1 section 13(1), "subject to subsection (3), the minister may, by order, declare that on or after the date specified in the order, a Council, district planning authority or regional planning authority is an approving authority within the area under its jurisdiction". Subsection 3 reads:

> To be eligible to be declared an approving authority pursuant to subsection (1), the Council, district planning authority or regional planning authority must: (a) employ or retain a registered professional planner; and (b) have adopted: (i) in the case of a Council, an official community plan; (ii) in the case of a district planning authority, a district plan; or (iii) in the case of a regional planning authority, a regional plan

In accordance with *The Planning Act*, City Council undergoes the following process to develop the official community plan, secondary and concept plans as well as oversee zoning by-laws:

1) Pre-Application: Prior to the submission of a development application, the city encourages applicants to meet with Development Officers to ensure the applicable application is complete as well as the applicable supporting documents. Similarly, for concept plans and other development applications reviewed by planners, applicants are encouraged to come to speak with the department to verify the proposed plan is in accordance with existing plans and bylaws.
2) Approval Process: Upon receiving a development permit application for a land use requiring Council approval, a File Manager is assigned to the application. The File Manager reviews the application and circulates it to internal and external departments for comment. The File Manager is also tasked with sending out public notification to neighbouring property owners for comment. After all of the required information has been collected a report is completed by the File Manager. The File Manager's report is provided to Council with a recommendation to approve, approve with conditions or deny. Council will deliberate, request additional edits and revisions or make a decision to approve, approve with conditions or deny the plan/application with the official community plan requiring a final approval from the Government of Saskatchewan.

Although City Council retains its authority to decide zoning by-laws, Part 1D section 1.2 of the Zoning By-law, states that the Executive Director of City Planning and Community Development is appointed as the Development officer that:

> (1) The Development Officer is authorized to exercise and shall carry out all of the powers and duties required to be performed by the Development Officer pursuant to this By-law and *The Planning and Development Act*, 2007, including, but not limited to, carrying out all actions necessary to administer and enforce this By-law.
>
> (2) Further to and without limiting the generality of section (1), the Development Officer is delegated the authority and responsibility to exercise and carry out any and all of the powers and duties conferred or imposed on Council as an approving authority pursuant to *The Planning and Development Act*, 2007, including those respecting the following:
>
> a) approval of plans and drawings in a Direct Control District; and
> b) Architectural Control District development permits.

Under section 3A of the subdivision by-law:

> 1) Council hereby delegates to the Development Officer the responsibility to exercise or carry out all of the powers and duties of Council as an approving authority for subdivision applications as provided in this By-law.
>
> 2) The Development Officer shall serve as the approving authority for the following types of applications for a subdivision certificate of approval:
>
> a) subdivisions or consolidations by plan;
> b) re-issuance of certificates of approval; and
> c) registration of leases pursuant to section 121 of the *Act*.

Finally, building permits, inspections, and occupancy permits are appointed to City Staff in reference to Building By-law section 1.2.3

The Regina Planning Commission advises and assists City Council with respect to all matters pertaining to community planning and development. The Commission has the duties and powers as set forth in *The Planning and Development Act*, 2007 and The Committee Bylaw, No. 2009-40. Specifically, the Regina Commission will:

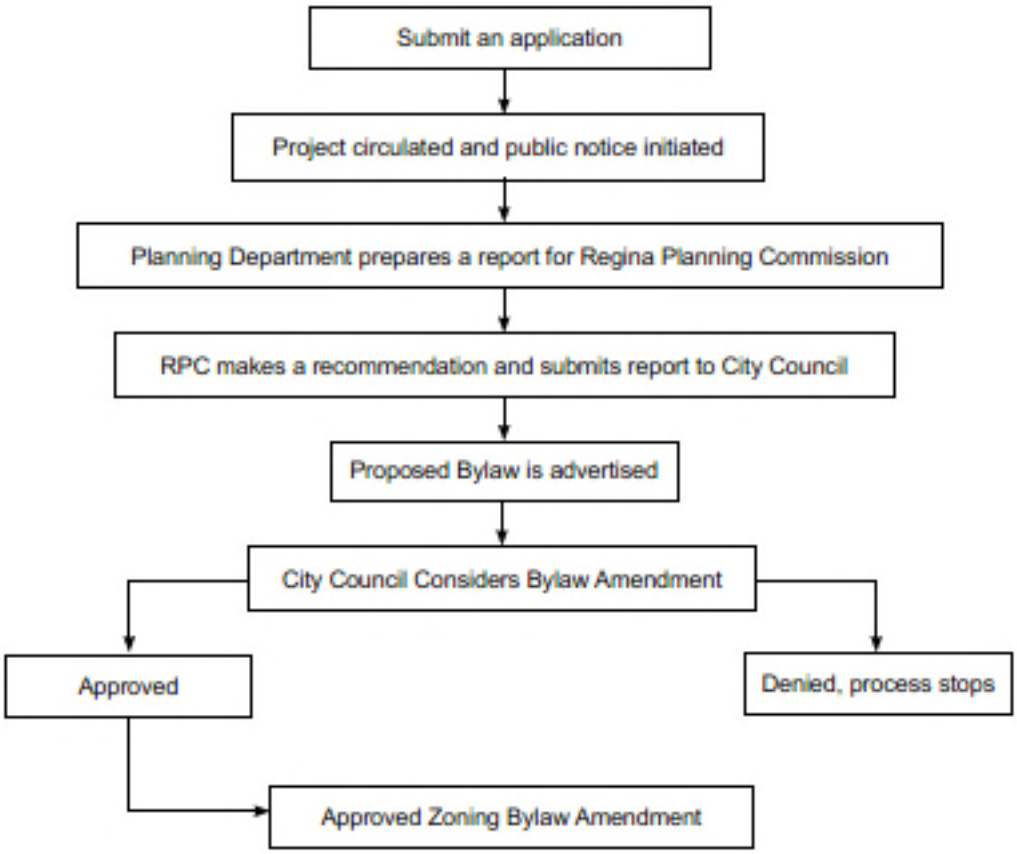
- Advise and make recommendations to Council regarding City Planning & Development policies, programs and services;
- Review all discretionary use requests
- Make recommendations to Council regarding the preservation, interpretation, development and designation of heritage properties and heritage districts;
- Consider and make recommendations to Council regarding rail relocation matters;
  Review and make recommendations to Council regarding items emanating from the Committees that report to the Regina Planning Commission;
- Consider and make recommendations to Council for those items emanating from Developmental Engineering related to long term planning items such as transportation planning; and
- Consider and make recommendations to Council on all consulting contracts over $500,000 related to the mandate of the Regina Planning Commission.

Additionally, Council has delegated the authority to interpret and approve the policy and guidelines for names of streets, city facilities, and parks pursuant to section 100 of *The Cities Act*.

Secondary and concept plans are reviewed by the Reginal Planning Commission, which makes a recommendation to Council. A public meeting is arranged by staff prior to consideration by the Planning Commission. There is no further hearing.

A zoning by-law amendment is also reviewed by the Regina Planning Commission for recommendation to Council. An overview of the process is shown below.

***Figure 11 Regina Zoning Amendment Review Process***




**ONTARIO**

*The Planning Act* (*the Act*) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.

The act provides the basis for:

- preparing official plans and planning policies that will guide future development
- establishing a streamlined planning process which emphasizes local autonomy in decision-making
- exempting official plans and official plan amendments from provincial or upper-tier approval (s. 2, Official plans)
- regulating and controlling land uses through zoning bylaws and minor variances (s.3, Zoning bylaws)
- dividing land into separate lots for sale or development through a plan of subdivision or a land severance (See s. 4, Subdivisions and s.5, Land severances)

- ensuring the rights of local citizens to be notified about planning proposals, to give their views to their municipal Council and, where permitted, to appeal decisions to the Local Planning Appeal Tribunal (LPAT) or in some cases, a municipal Local Appeal Body (LAB) where a LAB has been established by a municipality. The LPAT and LAB are independent administrative tribunals responsible for hearing appeals and deciding on a variety of contentious municipal matters (s.6, Local Planning Appeal Tribunal)
- establishing local planning administration, including planning boards in Northern Ontario (s. 7, Northern Ontario)
- allowing that provincial appeals can only be made through the Ministry of Municipal Affairs and Housing (s. 9, The plan review and approval process)

(Ministry of Municipal Affairs and Housing, 2019)

*The Planning Act* requires a municipal Council to appoint a planning advisory committee. The planning advisory committee must include at least one resident of the municipality who is neither a member of a municipal Council nor an employee of the municipality.

*The Planning Act* establishes a municipal Council as the approval authority for zoning bylaws or amendments and requires that the process of approval include at least one public meeting. The decision of Council is subject to appeal by the LPAT or local appeal body. The Act enables municipalities to establish a Committee of Adjustment to consider variance applications. The municipality is the approval authority for subdivisions [s. 51] subject to criteria set out in the Act and processes in the Subdivision Regulation 544/06.

The Local Planning Appeal Tribunal (LPAT) is an adjudicative tribunal that hears cases in relation to a range of land use matters, heritage conservation and municipal governance (formerly known as Ontario Municipal Board). Appeals that come before LPAT include matters such as official plans, zoning by-laws, subdivision plans, consents and minor variances, land compensations, and development charges. LPAT is part of the Environment and Land Division (ELD) of Tribunals Ontario. Tribunals Ontario was established on January 1, 2019, bringing together three justice clusters that report to the Ministry of the Attorney General.

A municipality may establish its own local appeal body in stead of the LPAT. An appeal lies from the local appeal body to the Divisional Court, with leave of the Divisional Court, on a question of law.

**Hamilton**

In Hamilton there are 2 official plans that must be approved by Council: first, is an Urban Hamilton Official Plan that applies to land within the urban area of the city; second, is a Rural Hamilton Official Plan that applies to the rural areas of the city.

Hamilton has established a Planning Committee of Council made up of 9 members of Council plus the Mayor. The Planning Committee is responsible for considering applications and making recommendations to Council for all matters under *The Planning Act*, including zoning and subdivision applications. Staff make recommendations to the Committee. The Committee recommends the matter to Council.

Below is a summary of the process:

- Pre-Application Consultation Meeting: Those who apply for a draft plan of subdivision development application is required to meet with Planning staff to establish what must be included in the application.

- Public Notification: The City will post notification signs and notify nearby property owners and registered community groups when a public hearing will occur to provide their input.

- Review: The Planning Committee will review a final report and recommendation provided by City staff from applicable departments will review the application taking into consideration information gathered from public hearings to inform a decision.

- Decision Making: City Council will approve, approve with conditions, or deny the application utilizing the report and recommendation made by the Planning Committee.

- Appeal: All appeals are heard by the Local Planning Appeal Tribunal, the provincial tribunal that is the final arbiter of any planning decisions.

Under section 1 subsection 8, of the Zoning By-law the City of Hamilton's General Manager of Planning and Economic Development has been delegated the authority to administer the bylaw. Additionally, the City of Hamilton has delegated authority to the General Manager of Planning and Economic Development for part lot control applications. Site plan approval has also been delegated to the Manager of Development Planning.

Lastly, the Committee of Adjustment has been delegated the authority to rule on consent and minor variance applications in reference to Section 53 of *the Planning Act*. The Committee of Adjustment is composed of members of the public and operates with six panels. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for minor variances, permissions and consents.

**Toronto**

The City of Toronto posts a development guide online with detailed information explaining its planning approval processes (City of Toronto, 2019). Most applications are vetted first by staff, which may include public meetings and consultation, then by a Community Council OR the Planning and Growth Management Committee, before consideration by Council. Public meetings are generally held by the Community Council. The process in detail is provided below:

Official plan amendments, zoning by-law amendments and combined applications are circulated to a number of City Divisions and/or Agencies, Boards and Commissions for detailed technical review and comment. External agencies may also be asked to comment on the proposal. Target timelines are for the first internal comments to be provided to the City Planning Division within eight (8) weeks of the initial application submission.

All Official Plan and Zoning By-law Amendment applications are presented to Community Council or the Planning and Growth Management Committee (if the application has city-wide significance) for review and direction through a Preliminary Report. This report provides an early opportunity to raise and discuss any issues of concern, recommends direction on the extent of community consultation and indicates the expected timing for a final report to City Council. Technical review of the application will continue during this process.

Although not required by *the Planning Act*, a community consultation meeting is held on almost every Official Plan and Zoning By-law amendment application. The meeting is organized by Planning staff and usually attended by the Ward Councillor. The meeting provides staff an opportunity to outline the planning process to the local community

and an opportunity for the applicant to publicly present their proposal. It also provides the local community an opportunity to comment on the proposal. Target timelines are to hold this meeting within two months from the date that Community Council considers the Preliminary Report.

The Planner assigned to the application(s) co-ordinates responses from the circulation, political input received through the consideration of the Preliminary Report and any comments from the public. These responses are then forwarded to the applicant for the purpose of revising their proposal. Target timelines are to give the applicant a response within nine (9) weeks of the application submission.

*The Planning Act* requires that the City hold a Public Meeting to consider all applications for amendments to the Official Plan or Zoning By-laws. This responsibility has been assigned to the four Community Councils and, if the application has City-wide significance, the Planning and Growth Management Committee. The City will issue a formal notice of the Public Meeting in accordance with the requirements of *the Planning Act*, or as directed by Community Council through the Preliminary Report. A Final Report that contains staff recommendations is prepared for Community Council. The Public Meeting provides a public forum for debate on the merits of the application(s) to inform Community Council's consideration of the application(s).

Community Council and/or the Planning and Growth Management Committee will make recommendations on the application(s) to City Council for a final decision. Based on these recommendations, City Council can amend the Official Plan and Zoning By-laws through enactment of an amending bylaw. *The Planning Act* provides an administrative process to appeal City Council's decision to the Local Planning Approval Tribunal (LPAT) on amending the Official Plan and/or Zoning By-laws. The City must issue a notice of approval within 15 days of City Council's decision. After this notice has been issued, there is a 20-day period within which a party can appeal this approval to the LPAT. If no appeal is submitted, the amendment(s) comes into effect. A similar administrative and appeal procedure applies should City Council refuse an application(s). If no appeal is submitted, the Official Plan and Zoning By-law Amendment(s) come into full force and effect on the day that they were passed.

This process is illustrated below.

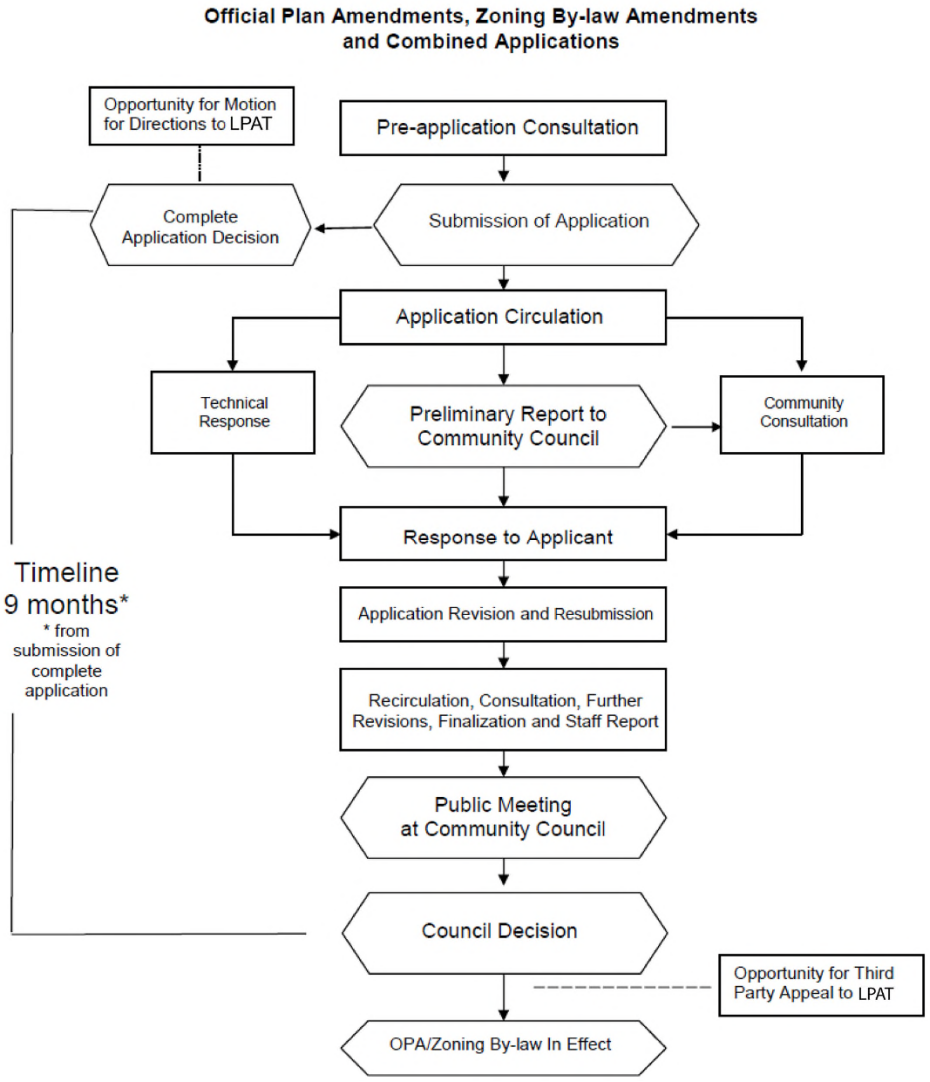



*Figure 12: City of Toronto – Official Plan, Zoning By-law, and Combined Applications Process*

A similar process is followed for subdivision approvals, without the preliminary report to the Community Council. Subdivision applications are also subject to a public meeting at Community Council.

City Council has delegated the approval authority for Site Plan Control applications to the Chief Planner or his/her designates, being the four District Directors of Community Planning. The City of Toronto has a two-stage approval process for Site Plans. The first stage is the issuance of the Notice of Approval Conditions (the "NOAC") and the second stage, once all pre-approval conditions have been met, the issuance of the Statement of Approval which signifies final site plan approval. The Director of Community Planning will issue the NOAC, recommending approval subject to a list of pre-approval and post-approval conditions. Pre-approval conditions must be met, one of which is entering into the Site Plan Agreement which secures the post-approval conditions.

The Ward Councillor can request that any application be "bumped-up" for a report to City Council. Usually, a Ward Councillor will make this request to provide an opportunity for consultation with the local community. In this case, the community consultation meeting is organized and chaired by the Ward Councillor. Planning staff usually will

attend the meeting as a resource. This request, and the subsequent meetings of Community Council and City Council, may occur at any time during the evaluation process. The Planner assigned to the application will prepare a report with recommendations and appropriate conditions of approval for consideration by Community Council. City Council will receive the staff report and Community Council's recommendations and then make a decision on the application. If City Council approves the application, the responsibility for issuing the Statement of Approval (final Site Plan Approval) is delegated to the Chief Planners designate; the Director of Community Planning.

Consent and minor variance applications have been delegated by Council to The Committee of Adjustment that is composed of members of the public. Section 53 of *the Planning Act* permits the Committee of Adjustment to decide minor variances. The Committee of Adjustment operates with six panels. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for minor variances, permissions and consents.

(City of Toronto, 2019)

### Ottawa

In 2003, the City adopted the current official plan that is in effect until 2031. The process for developing the official plan includes:

- Pre-Application Consultation Meeting: Those who apply for an Official Plan amendment must meet with Development Review staff from the City of Ottawa for a preapplication consultation meeting. Development Review staff outline what studies and plans are required and provide an overview of the land use principles that must be addressed by the proposed Official Plan amendment before it will be reviewed.
- Public Notification: The City notifies registered community groups once the application is submitted to the City. For a site-specific Official Plan amendment, the City installs a notification sign on the lands affected by the proposal and notifies nearby property owners. For a Citywide Official Plan amendment, notices are published in local newspapers.
- Technical Review: Reviewing an Official Plan amendment application involves many individuals including City Planners, Engineers, Architects, City Councillors, registered community groups, residents, provincial ministries and agencies, and other professionals. *The Planning Act* lays out the base standards for when consultation takes place, with whom, and to what degree.
- Staff Recommendation at Committee Meeting: Planning staff provide a recommendation, in most cases, to either the Agriculture and Rural Affairs Committee (for rural area amendments) or the Planning Committee (for all other proposed amendments).
- Council decision and Appeal: Committee considers the report and the opinion of public delegations and makes a recommendation to City Council. City Council then approves or refuses the Official Plan amendment. Notice of the decision is given within 15 days of the approval or refusal date. The process takes approximately six months. The Council decision may be appealed to the Local Planning Appeal Tribunal, which is the provincial tribunal that is the final arbiter of any planning disputes.

Zoning by-laws and combined applications i.e., applications involving both zoning and planning amendments, follow the same process as the official plan. In accordance with *the Planning Act*, the City of Ottawa has a Zoning By-law that regulates the use and development of buildings and land.

*The Condominium Act* states in section 9(2) that an application for a condominium is processed in the same way as subdivisions that are outlined in section 51 of *the Planning Act*. The process to approve a subdivision or condominium act application is outlined below:

- Pre-Application Consultation Meeting: Those who apply for a draft plan of subdivision development application must meet with Development Review staff from the City of Ottawa for a pre-application consultation meeting. Development Review staff outline what studies and plans are required and provide an overview of the land use principles that must be addressed by the proposed draft plan of subdivision before it will be reviewed.
- Public Notification: The City installs a notification sign on the lands affected by the proposed draft plan of subdivision application and notifies nearby property owners and registered community groups once the application is submitted to the City. The notification signs also indicate when a public open house will occur. Residents are invited to attend the public open house and provide their comments.
- Technical Review: Reviewing a draft plan of subdivision application involves many individuals including Development Review Planners, Engineers, Architects, City Councillors, registered community groups, residents and other professionals. *The Planning Act* lays out the rules on when consultation takes place, with whom, and to what degree.
- Decision Making: Managers in Development Review Services are delegated the authority to decide if the draft plan of subdivision is approved or refused. Before a decision is made, staff prepare a delegated authority report which addresses comments received by members of the public and many technical issues such as stormwater management, environmental and transportation considerations as well as the arrangement of land use. Afterwards, a notice of decision is sent out to individuals that provided comments to the Development Review Planner. The Ward Councillor and local registered community groups are also notified.
- Appeal: Once the draft plan of subdivision is approved, an appeal can be submitted to the Development Review Planner within 20 days of the approval of the draft plan of subdivision. Residents, community groups and the applicant can all submit an appeal to the Development Review Planner. The Manager's approval becomes in effect if an appeal is not received within 21 days of the approval. All appeals are heard by the Local Planning Appeal Tribunal, the provincial tribunal that is the final arbiter of any planning decisions. Following the approval of the draft plan of subdivision, the developer may decide to develop the subdivision in many phases during the course of multiple years. Minor reviews to the plan of subdivision may occur but all development will have to respect the original draft plan of subdivision.

City Council has delegated their authority to City Staff for site plan controls. Consent and minor variance applications have been delegated by Council to The Committee of Adjustment that is composed of members of the public. Section 53 of *the Planning Act* permits the Committee of Adjustment to decide minor variances. The Committee of Adjustment operates with six panels. Each panel comprises five members, including a chairperson. They regularly hold public hearings to consider applications for minor variances, permissions and consents.

**Halifax**

Part 8 of *The Halifax Regional Municipality Charter* provides the City of Halifax with the authority to regulate land use within the jurisdiction of the municipality. Within the *Charter* under part 8 section 280 (b), "enable the Municipality to assume the primary authority for planning within its jurisdiction, consistent with its urban or rural character, through the adoption of municipal planning strategies and land-use by-laws consistent with interests and regulations of the Province".

In Halifax there are 21 community plan areas that reflect differing community interest, and each have their own municipality planning strategy as well as Land Use By-law(s). The City Halifax is split into two plan areas with Halifax being one community area and Downtown Halifax being another. The following are the relevant by-laws and planning strategies for each community area:

Halifax:

- Halifax Municipal Planning Strategy
- Halifax Peninsula Land Use By-law
- Halifax Mainland Land Use By-law

Downtown Halifax:

- Downtown Halifax Secondary Municipal Planning Strategy: A 25-year plan to provide guidance on the 'look and feel' of Downtown and identify where change ought to occur and where it ought to be managed carefully.
- Downtown Halifax Land Use By-law

The Halifax Municipal Planning Strategy and Downtown Halifax Secondary Municipal Planning Strategy were developed and approved by the Halifax Regional Council in accordance with part 8 section 228 of The Halifax Regional Municipality *Charter*.

The Halifax Mainland Land Use By-law (section 1) and the Halifax Peninsula Land Use By-law (section 2) is administered by the Development Officer of the City of Halifax. A Design Review Committee is established in the Downtown Halifax Land Use By-law (section 3) with authority to review and approve site plan approval applications. The Design Review Committee is a 12-member committee composed of members of the public, planning and develop experts, and city staff that is appointed by the Halifax Regional Council to:

a) approve, approve with conditions, or deny an application for substantive site plan approval consistent with the requirements of the Design Manual;
b) seek and consider the advice of the Heritage Advisory Committee on site plan applications on registered heritage properties or abutting registered heritage properties, and on applications within heritage conservation districts;
c) advise the Development Officer on matters pertaining to bonus zoning in relation to substantive site plan approvals; and
d) advise Council on potential amendments to regulation and policy to carry out the role and responsibilities of the Committee or to further the intent of this By-law as may be required from time to time.

Under all three Land Use By-laws, most of the authority is delegated to the City of Halifax and the Design Review Committee to approve, approve with conditions, or deny an application. However, the Halifax Regional Council is the exclusive body to hear Land Use By-law Map Amendments, while Community Councils* will hear development applications for subdivision, minor variances, and parking permits. For both the Land Use By-law Map Amendments and the development applications, applicants will meet with a planner from the Planning and Development Department to review the request to confirm compliance with planning policies and identify all supporting information required. The Planning and Development Department reviews completed applications, and prepares a report to approve, approve with conditions, or deny the application. The report is sent to Halifax Regional Council, Community Planning and Economic Development Committee or the Community Council depending on the application. Each body has exclusive jurisdiction to make a decision with regards to the applications that they review.

*The mandate of Community Councils is established under the *HRM Charter* and includes monitoring provision of services to the community and recommending the level of services, recommending by-laws, regulations and development standards. The Community Planning and Economic Development Committee is responsible for overseeing the Municipality's Regional Plan and related review processes.

# APPENDIX J – INDIGENOUS ADVISORY COMMITTEES IN OTHER CITIES

### Vancouver

Vancouver has established an Urban Indigenous Peoples Advisory Committee to advise Council and staff on enhancing access and inclusion for urban Indigenous Peoples to fully participate in City services and civic life. Mandate of the committee includes developing and maintaining a positive relationship with others who are addressing issues of concern to Vancouver Urban Indigenous Peoples, and to advise Council and staff on the City of Reconciliation Framework as it is developed, implemented and updated.

The committee provides input to City Council and staff about issues of concern, considers any matters which may be referred to the committee by Council or staff, and may take positions on policy initiatives from other levels of government within the mandate of the committee.

The Committee produces an annual work plan with specific objectives in consultation with Council and staff liaisons and submits an annual report to Council describing its accomplishments for the year. The committee meets six times a year and is made up of 15 members who represent Urban Indigenous Peoples, with at least 3 members identifying as Metis. The committee also includes two non-voting Council liaisons, and five other liaisons, including from Park Board Commission, Vancouver Aboriginal Executive Council, School Board and City staff.

### Calgary

The Calgary Aboriginal Urban Affairs Committee is a collaborative effort between the City of Calgary and the Indigenous community to address and resolve issues pertaining to urban Aboriginal residents.

The CAUAC is authorized, on behalf of City Council, to investigate areas of concern to people of Aboriginal ancestry and to make recommendations on policies. These recommendations are meant to help give urban Aboriginal people a more meaningful role within the governance of the Calgary community. The Committee reports to Council through the Standing Policy Committee on Community and Protective Services.

The Committee consists of 10 people selected at large based on their interest and merit without any consideration as to tribal origin or membership in any special interest group. 50% plus one shall be Aboriginal. An Alderman appointed by City Council is included in the count.

### Edmonton

The Edmonton Indigenous Relations department provides support to the Edmonton Urban Aboriginal Affairs Committee, however the Committee is currently inactive and under review. The City of Edmonton also has memorandums of understanding that establish working relationships with Enoch Cree Nation, Confederacy of Treaty No. 6 First Nations and the Metis Nation of Alberta.

**Regina** – nil result

### Ottawa

In 2007, the Aboriginal Working Committee (AWC) was established to work together with the community to address emerging issues and to improve City services for Aboriginal communities. Since the beginning, the AWC has focused on building trust, relationships, and awareness through concrete actions. The AWC partners are very proud of the work accomplished together since the beginning of the relationship. The City of Ottawa's General Manager of Community and Social Services and the Chair of the Ottawa Aboriginal Coalition co-chair the Committee. The Committee is a formal partnership between the Ottawa Aboriginal Coalition, non-Indigenous community organizations and City staff and supports the City's Reconciliation Action Plan, approved by Council.

The Aboriginal Working Committee works within a cultural working model. It produces action plans that reflect the priorities of urban Aboriginal communities, in partnership with the Ottawa Aboriginal Coalition.

Areas of focus include:

- Culture
- Employment
- Education
- Housing
- Health

### Hamilton

The Hamilton Aboriginal Advisory Committee is a Sub-Committee of the Audit, Finance & Administration Committee. Its mandate is to address issues of mutual interest and concern, and to enhance and empower the Aboriginal community. The Committee meets monthly. The Committee is chaired by a member of Council and includes 10 additional members.

### Toronto

The City receives Indigenous focused advice and recommendations through the Aboriginal Affairs Committee (AAC), an advisory body to City Council. Members are made up of Executive Directors and/or Designates from the organizations and institutions in Toronto serving Toronto's Indigenous communities. The AAC regularly requests information and input from City staff and community organizations to assist them in their advisory role to City Council.

Any advice or recommendations regarding Aboriginal Peoples that require action or implementation by staff must be considered by the Aboriginal Affairs Committee and approved by City Council.

### Halifax

On October 30, 2018 Regional Council approved the formation of a new committee to reflect an equal partnership between Halifax Regional Municipality (HRM) and the Mi'kmaw community, as represented by the Assembly of Nova Scotia Mi'kmaq Chiefs (ANSMC). This Committee is tasked to advise Regional Council on the following:

(a) Proposed changes to the commemoration of Edward Cornwallis on municipal assets, including Cornwallis Park and Cornwallis Street.

(b) Recognizing and commemorating the indigenous history in the lands now known as Halifax Regional Municipality.

The Committee was asked to complete its work within two years.

The Committee is made up of five members of the Assembly of Nova Scotia Mi'kmaq Chiefs and five Halifax Regional Municipality staff. Originally established as a Special Advisory Committee to Regional Council, the new governance structure better reflects the equal partnership between the HRM and Assembly, and the committee now has the ability to set its own processes and procedures. The Committee is funded equally by both parties, and administrative support is equally shared.

# APPENDIX K – SUMMARY REPORT OF PUBLIC ENGAGEMENT PROCESS AND RESULTS

# CITY OF WINNIPEG GOVERNANCE REVIEW

Public Engagement Summary

June 2021

## Background

The legislation and by-laws that guide governance of the City of Winnipeg were established following the last comprehensive review of the City's governance system in 1997. MNP was engaged to conduct a review of the City's governance structure, by-laws and processes to consider ways the current model is effective and how it may be improved to further enable responsible and accountable governance.

## Engagement

Public engagement aimed to understand residents' experiences with and opinions of City of Winnipeg governance structures, processes, and priorities for improvement. Residents were invited to provide input through an online survey (self-selected participation), an idea generation and commenting tool and online public events. Public events were held virtually due to COVID-19 and provincial public health orders.

Stakeholder organizations were also invited to provide input through focus groups and written submissions. Details on engagement opportunities are outlined in Table 1.

*The City also contracted Probe Research to complete an independent survey of a random and representative sample of 600 adults residing in Winnipeg. Key Findings of the Probe survey are incorporated for comparison in this summary report and the full Probe report is included as Appendix C.*

## Promotion

Public engagement opportunities were promoted using the following methods:

- City of Winnipeg website – launched January 11, 2021
- News release – January 11, 2021
- Facebook posts with over 30,000 followers – January 11 to February 18, 2021
- Twitter posts with over 100,000 followers – January 11 to February 18, 2021
- Email to 81 identified governance stakeholders – January 18-20 and January 25, 2021.
- Newspaper advertisements in the Harold, Lance, sou'Wester, Metro, Times and La Liberte – January 20 and 27, 2021 -
- City of Winnipeg public engagement newsletter with over 2,700 recipients – January 15, 28 and February 11, 2021

*Table 1: Public and Stakeholder Engagement Opportunities*

| Date | Activity | Details |
|---|---|---|
| January 11 to February 19, 2021 | Web page | 3150 visitors |
| January 11 to February 19, 2021 | Online Survey<br>(self-selected participation) | 907 respondents<br>(904 English, 3 French) |
| January 11 to February 19, 2021 | Ideas tool | 55 posts |
| January 11 to February 19, 2021 | Written Submission | 8 submissions |
| January 28, February 1, 3, 9, 2021 | Virtual Public Event #1 | 10 participants |
| February 1, 2021 | Virtual Public Event #2 | 10 participants |
| February 3, 2021 | Virtual Public Event #3 | 7 participants |
| February 9, 2021 | Virtual Public Event #4 | 9 participants |
| January 27, 29, February 1, 2, 3, 4, 2021 | Stakeholder Focus Groups (7) | 29 participants from 21 organizations. |
| March 10 to 26, 2021 | Statistical Survey | 600 respondents |

## Who We Heard From

Over 3,150 unique visitors engaged with the project webpage. 907 people responded to the online survey and there were 55 posts to the Ideas tool. A total of 36 individuals participated in the virtual public events and 21

organizations participated in a virtual stakeholder focus group.

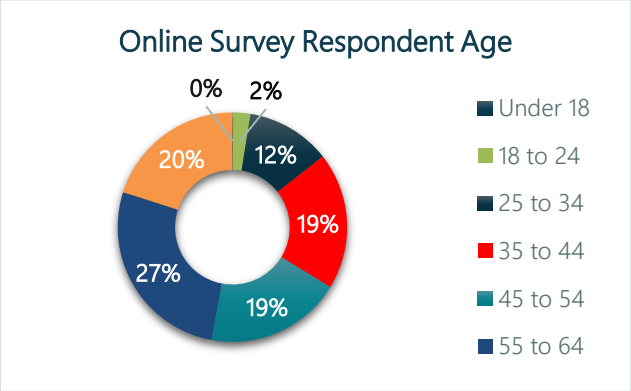
## Online Survey Respondents

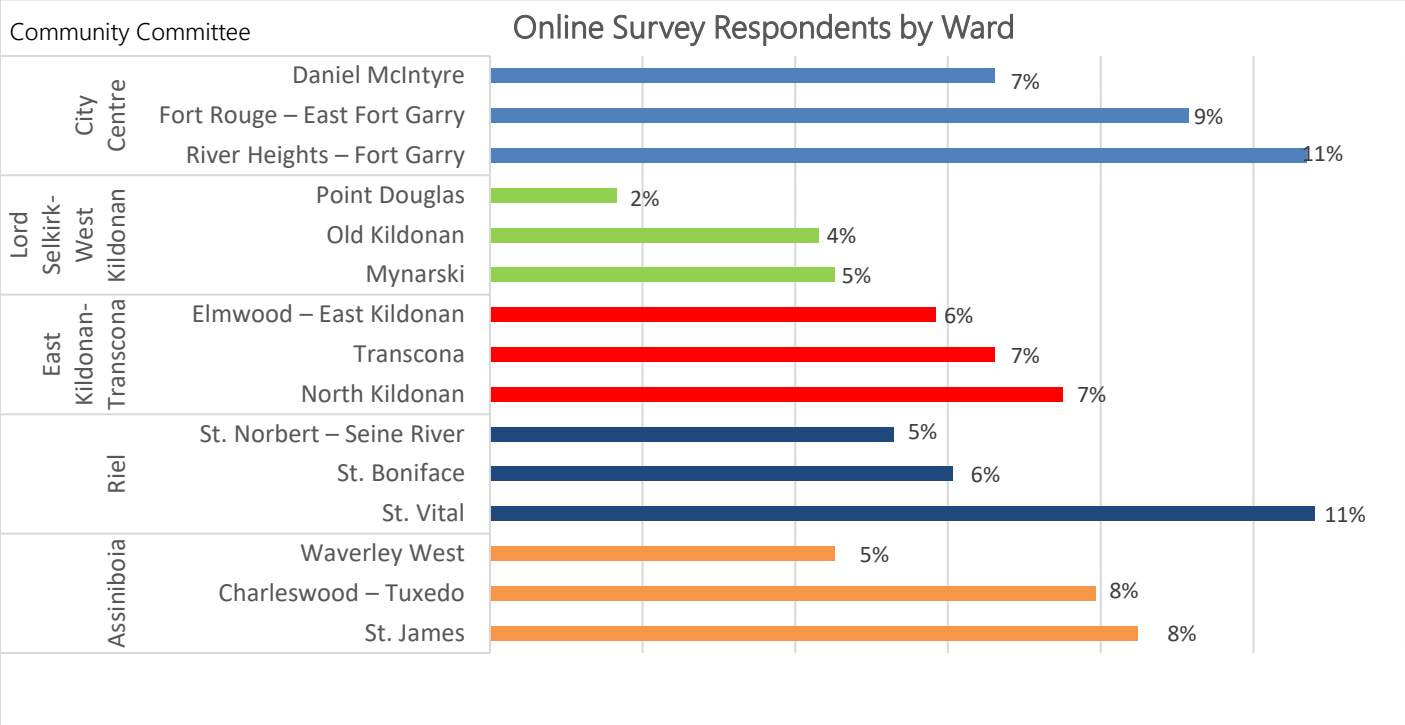
*Response to the online survey was self-selected and was not a representative sample.*

- 43% Female, 51% male; 6% prefer not to disclose, non-binary, or other self-described.
- 38% of online survey respondents were between 35 and 54 years of age, compared to 27% in Winnipeg.
- Residents under 34 years of age are under-represented in the online survey data; residents 35 years and older are over-represented.
- Households with income under $40,000 are under-represented in online survey data.
- Residents of Point Douglas and Old Kildonan are under-represented; Fort Rouge-East Fort Garry, River Heights-Fort Garry, and St. Vital are over-represented in online survey responses.

## Focus Group Participants

Participants in the stakeholder focus groups represented residents' associations, environmental groups, trails associations, recreation, community groups, vulnerable populations, business, industry associations, economic development and planning and development organizations. (see the complete list in Appendix E)




## Key Findings

Each section presents online survey results and related themes from input received through virtual public events, focus groups, written submissions and the Ideas tool. Key findings of the statistical survey are included for comparison. It should be

noted that the questions and rating scales used in the two surveys were not identical. A summary table of key themes from what we heard and how it was considered in development of MNP's recommendations for improvement to the City's governance structures and processes is included in each section.

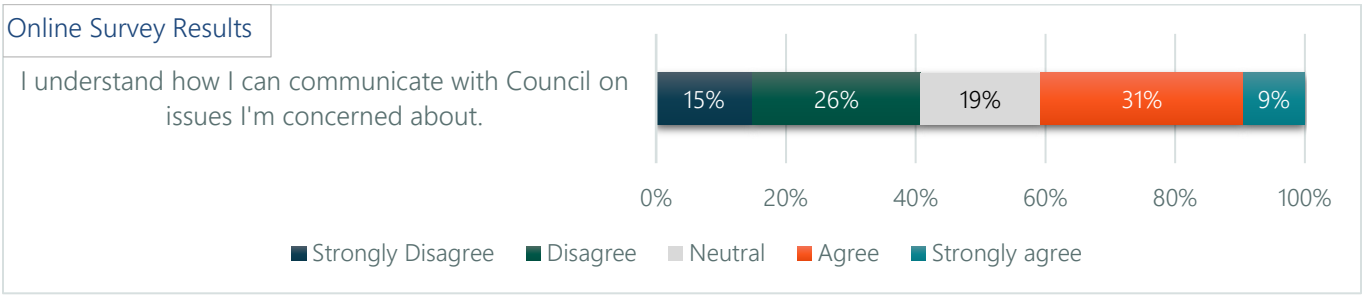
Detailed results and additional information are included in the appendices.

## Participation in Council Decision-making Processes

### Council and Committee Meetings / Hearings / Appeals

Forty percent of survey respondents agreed or strongly agreed that they understand how they can communicate with Council on issues they are concerned about. Focus group feedback indicated representatives of business organizations and some community organizations who regularly make submissions to Council and committees understand City processes and how they can participate in decision-making. These processes can be more difficult to understand for other organizations and average residents. Some community organizations and survey respondents commented they spend considerable time searching City agendas to determine when and where to make submissions on items of interest. One resident group suggested that a mechanism be developed to alert stakeholders of relevant issues coming before bodies of Council.

Statistical survey participants were asked how well they understand the City of Winnipeg governance system. Eighty-one percent indicated they had at least some understanding (twenty-six percent some understanding, fifty-five percent some grasp).




Online Survey comments, focus group input, and written submissions highlighted barriers to participating in Council decision-making processes, including adequate notice and available information, time and length of processes, parking difficulties, and availability of accessible transportation options. Concern was expressed with the length of time delegations may have to wait around to make their submission at a meeting or public hearing, as specific times are not provided. Participants reported that virtual meetings and hearings had somewhat reduced barriers around wait times. The most common concern among community organizations and a frequent concern raised in the online survey is inadequate time to prepare between when meeting agendas are published and the date of the meeting (four business days). Preparations include retrieving information and data, talking to members about the issue, analysing information and preparing submissions. Similar concerns were noted with notice periods for appeals (14 days), which may include weekends and holidays.

The timing of delegations at the beginning of meeting agendas was also raised as a concern, in particular when new information is presented in verbal reports (not included in published agendas) at the meeting. When verbal reports are given by the Public Service, delegations do not have this information when preparing their presentations, nor would they have a chance to react to it in the meeting.

There was some feedback from participants that the City seems to be more aware of the need for resident input in decision-making, however, there is still much room for improvement. Some survey participants and groups that represent vulnerable

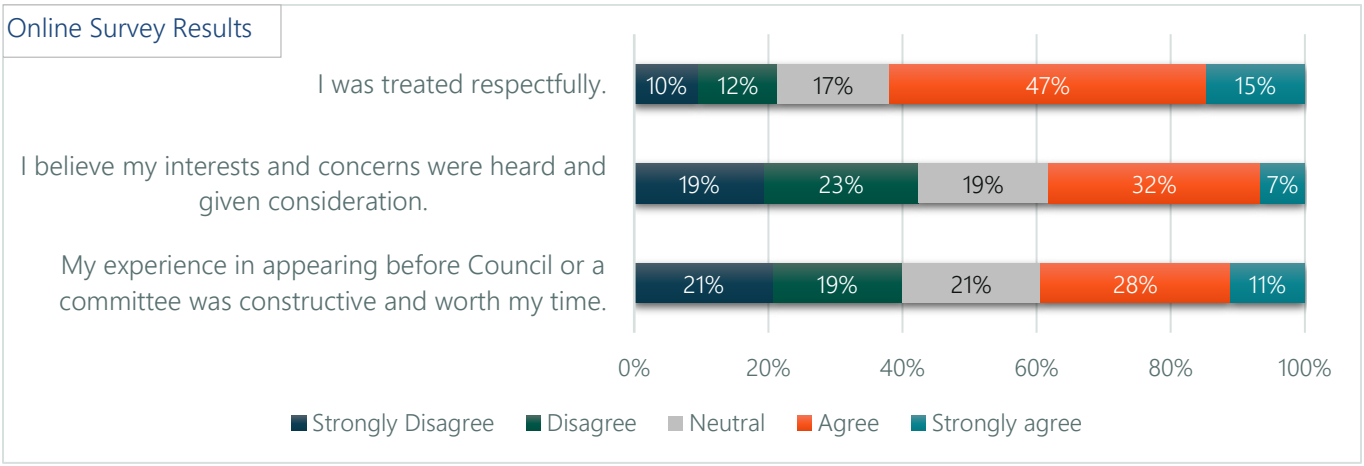
populations would like to see more proactive efforts from the City to seek out and enable diverse opinions on all decisions to be made by Council and its Committees.

Sixteen percent of statistical survey respondents felt the City does an excellent or good job of making sure all citizens have a reasonable chance to be part of decisions made by City Council.

There were mixed experiences among individuals and groups who have spoken to an issue at a Council or Committee meeting or at a public hearing or appeal. Representatives of business organizations and some community organizations who regularly make appearances and are familiar with the processes were more likely to report feeling respected during interactions with Council and its committees. They were also more likely to feel their input is given consideration. Many representatives of resident groups and other community organizations and some survey respondents characterized the experience as condescending or dismissive, and provided examples of Council members not paying attention. A major theme among survey respondents and community stakeholders is that residents' opinions are not considered with the same weight as that of industry and developers. There was also a common perception among online survey respondents and community-based groups that decisions have been made (informally) well in advance of submissions from residents, so that their time spent preparing submissions has little value. This perception also related to opportunities to influence budget development.

A very small number of statistical survey respondents had attended a Council or Committee meeting (n=9). Of these respondents, four felt the experience was worth their time, and two felt decision-makers were interested in hearing their views.

*196 online survey respondents (22%) had appeared before Council or one of its Committees. These respondents were asked the following questions regarding their experience.*




## Public Engagement

Focus group participants provided positive feedback on the Office of Public Engagement and the new Engage Winnipeg website. Survey comments and other feedback indicated that public engagement practices generally have improved in the last few years, with additional room for improvement.

A major concern raised by many who engaged is that the City does not appear to use the feedback collected through engagement processes. To close the loop, some stakeholder groups suggested that administration reports and Council decisions should include how public input was considered in the recommendations.

Community groups noted that advance notice or longer engagement periods would also allow time for them to engage their members and provide collective feedback. One group representing several neighbourhood organizations suggested that with adequate resources from the City, they could consult their members directly on behalf of the City.

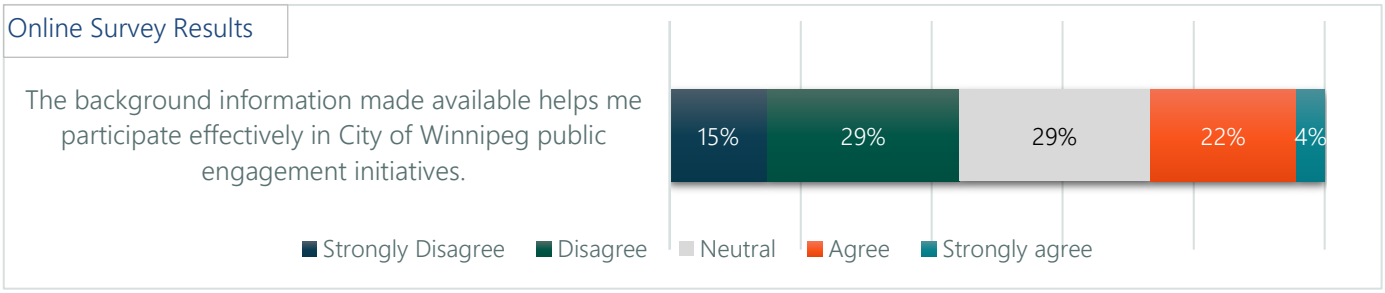
Some community and industry organizations proposed that stakeholder organizations should play a stronger, more collaborative role in developing and implementing City programs, budgets and policies, including membership on expert advisory committees.

Several groups commented that current practices are not sufficient to engage marginalized groups, who are often the most impacted by initiatives and decisions. They suggested that public engagement processes should "super-sample" those impacted the most, whether that is by geographic area or select demographics. In addition, they would like to see more pro-active features to enable accessibility and inclusion, including interpretation, transportation, access to computers, explanation of background information etc.

## Information to Support Resident Involvement in Council Processes and Public Engagement

### *Information for Public Engagement*

Almost forty-five percent of survey respondents disagreed that background information available for public engagement helps participants to participate effectively. Budget information was specifically highlighted as not being well understood by residents. Feedback in focus groups, written submissions and survey comments urged that materials be written in plain language, in accessible formats and available in advance. Some participants suggested that more time is required to understand complex materials before providing feedback, in some cases with a workshop to present information as a first step, followed by opportunities to provide feedback in a few weeks time.




### *Information for Council Processes*

There was low agreement that information on issues being considered by Council is easy to find (13%), useful, and easy to understand (15%). Systems, including the decision-making information system and the open-data portal were noted by many to be complicated and difficult to navigate. Several groups also commented that the information is too technical and suggested that plain language summaries of bylaws and reports would be helpful. Some participants commented that availability of information on the City's open-data portal has improved under the current administration; some feel that all data should be open to the public by default.

Statistical survey results were similar, with sixteen percent indicating the City does a good job of making sure it's easy to find information about issues being considered by City Council and seventeen percent indicating the information is easy to understand.

Online Survey Results

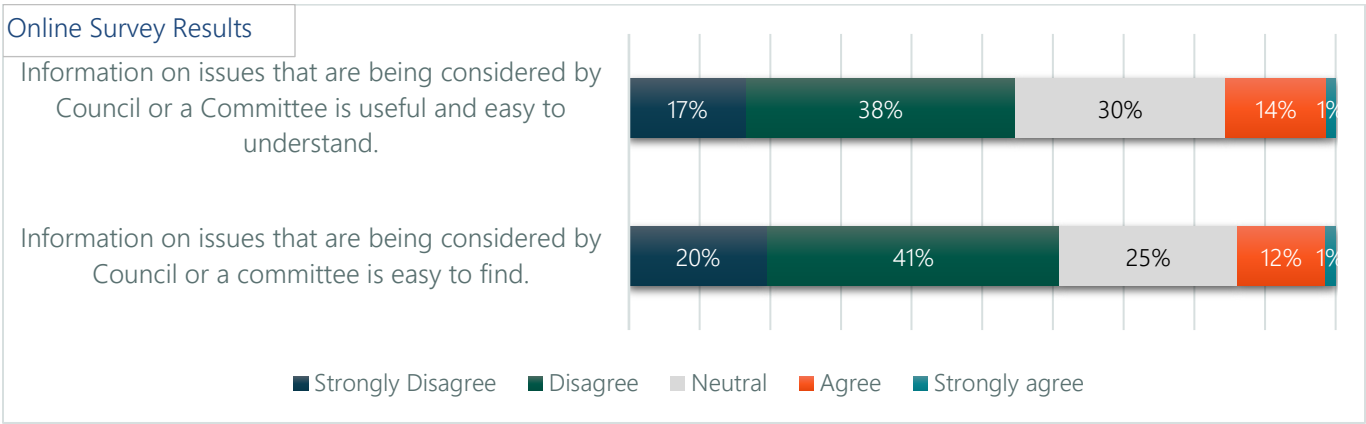



*Table 2 –Key themes from public engagement about participation in Council decision-making*

| What We Heard | How it was Considered in Recommendations |
|---|---|
| The public is not provided with adequate time and information to effectively participate in Council decision-making.<br>• Four days between published agendas and meetings is not enough time.<br>• New information is often presented in verbal reports, that the public is unaware of and does not have a chance to discuss in their submission.<br>• Information on the City's website is not easy to find or understand.<br>• Challenges with advance notice and information available also apply to public engagement. | Recommendations include:<br>• Increasing accessibility of Council meeting information to the public, including opportunities to simplify information and providing as much advance notice as possible.<br>• Publishing Council's priorities in a strategic plan. This will provide advance notice to interested stakeholders of the issues that Council plans to address in a year. |
| Public input (individual and representative) is not considered in Council decision-making. | Recommendations include:<br>• Shifting the placement of delegations to after the Administration report on an item so that public input is more meaningfully connected to the topic.<br>• Ensure the results of public input on a matter before Council are readily accessible to Council, including formalizing a requirement to attach the results of engagement processes to committee/council agendas. |
| Public engagement would be improved through greater engagement with marginalized groups and the residents most affected by a decision. | *Recommendations above regarding information and advance notice are also applicable to public engagement processes.*<br>Recommendations include:<br>• Designing protocols to increase accessibility of Council decision-making and public engagement processes to enable a diversity of perspectives, including marginalized and most-impacted residents. |

## Council Oversight of the City and Performance

### Strategic Planning and Performance

Only eleven percent of respondents to the online survey agreed that the City provides effective oversight of City performance. Thirteen percent agreed Council is effective in ensuring the City uses resources as approved in the budget

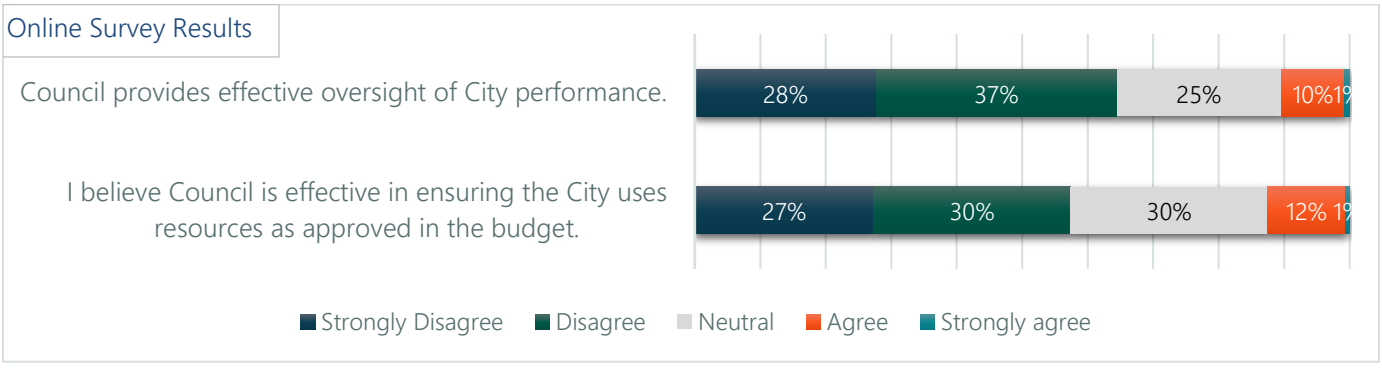
A strong theme arising from individual and group feedback was concern with the lack of a strategic plan with priorities, goals and targets and measurement against the targets. Many commented that while there seem to be many plans, reports and recommendations, it is unclear what issues are a priority, and budget allocations do not necessarily reflect these decisions. Some commented that the City's priorities could be assumed to be where the budget is allocated, others commented that the budget should be a means to implement a strategic plan, not the plan itself. A common theme among stakeholder groups is that City budgets should clearly state how they reflect or support City policies and plans.

In terms of measurement and reporting, feedback indicated that while there is reporting on budget spending, there is a need to understand what the budget investments are trying to achieve, so that reporting can be focused on outcomes. Groups and individuals suggested reporting on indicators in a dashboard format would provide valuable, easily understood information for residents.

### Council's Oversight Role

Sixty-eight percent of respondents disagreed that Council ensures the City is focused on the right things or addresses resident priorities. Several groups commented that Councillors do not receive guidance on their policy-making and oversight role. Some participants commented that Councillors can get caught up in the details of their constituents' day-to-day concerns, rather than focusing on matters of policy and strategy. Others felt that Councillors should be more available to address individual ward issues. Individuals and groups acknowledged that Councillors' responsibilities for both City-wide oversight and ward concerns makes it difficult for them to focus on their city-wide oversight role.

Twenty-two percent of statistical survey respondents felt that the City does an excellent or good job of making sure it works efficiently and correctly.




Comments noted previously regarding concerns with the extent that the City uses feedback collected through engagement processes (public engagement, delegations, representations) also apply to Council's role in ensuring the City addresses resident priorities.

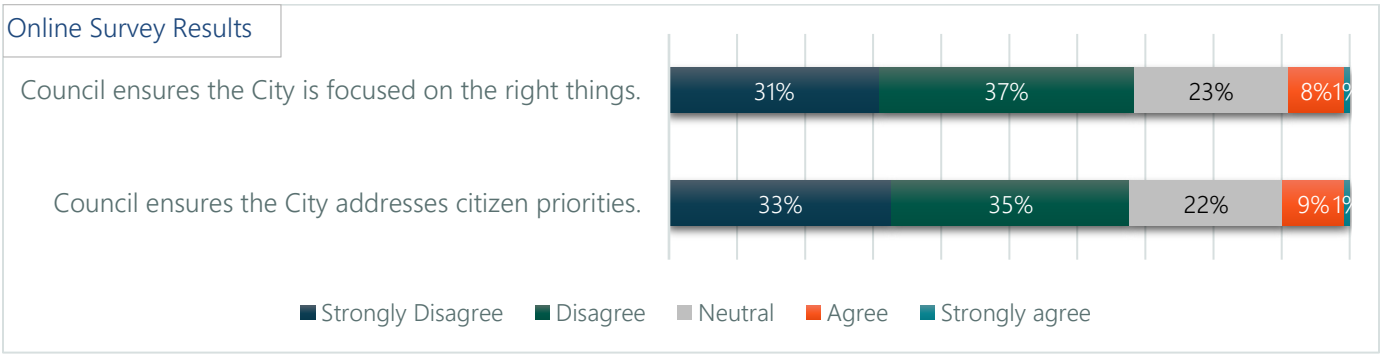



*Table 3 - Key themes from public engagement about Council oversight*

| What We Heard | How it was Considered in Recommendations |
|---|---|
| The City needs a strategic plan, indicators and measurement<br>• City budgets should show how they reflect policies and plans<br>• Measurement and reporting should reflect what we are trying to achieve (outcomes) | Recommendations include establishing an overarching Strategic Plan, including a framework to annually monitor progress, review priorities and objectives. The strategic plan would include policy goals, service expectations, resource priorities and performance objectives for the City. The plan should be informed by public feedback to ensure a clear understanding of resident priorities. Departmental plans would then align with the strategic plan. |
| Participants are divided on whether Councillors should be focusing on strategic matters or paying more attention to local constituent issues. | Recommendations include developing a formal orientation process for Members of Council including information on governance principles and their roles and responsibilities. Information on the roles and responsibilities should be communicated to the public to help them understand the full responsibilities of their elected Member of Council. |

## Council Decision-Making Processes

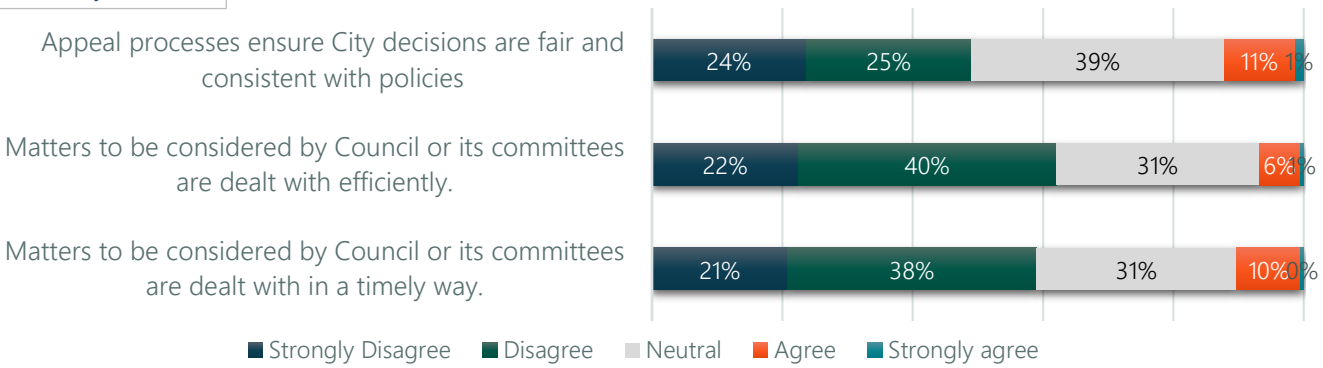
### Efficiency of Council

Sixty-two percent of survey respondents disagreed that matters to be considered by Council are dealt with efficiently, fifty-nine percent disagreed that matters are dealt with in a timely way. Feedback received from groups and individuals with first-hand experience with Council processes indicate that timeliness of decisions is impacted by multiple committee layers, delays in receiving reports or decisions being deferred, and matters referred back to administration for further study. These stakeholders explained that lengthy delays can negatively impact initiatives if new issues have arisen, quotes have expired, or data supporting the recommendations is no longer relevant or accurate.

Some business, industry groups and survey respondents commented that the multiple processes and hearing bodies for planning and development applications and appeals are inefficient.

Statistical survey results were similar, with thirteen percent indicating the City is excellent or good at making decision in a timely way.

Online Survey Results




## Effectiveness of Council Decision-Making

Only twelve percent of respondents to the online survey agreed current appeal processes ensure City decisions are fair and consistent with policies. Forty-nine percent disagreed or strongly disagreed. Feedback from groups interested in property development matters commented that there are limited opportunities to appeal development applications and the process merely shifts matters from one committee to another. Twenty-seven percent of respondents to the online survey agreed they believe Council overall makes decisions based on what they believe is in the best interests of the City; forty-eight percent disagreed. Written survey comments included some general concern with conflict of interest and ethics involved in City decisions.

### *Information Available*

A major theme in public feedback is that Councillors do not have sufficient time to absorb an overwhelming amount of information when received just a few days ahead of meetings, particularly if there is a heavy agenda (e.g. when budgets are added to regular agendas). Many participants commented that it appears that Councillors need access to resources to assist with analysis, both in terms of expertise and volume of information. Many participants also commented that members of Executive Policy Committee (EPC) have earlier access to information and some information that other Councillors do not. As noted previously under information available to the public, verbal reports at meetings also impact Council's ability to make effective decisions.

Several focus group participants commented that City administrative departments are very siloed and may result in incomplete or conflicting information being provided to Council for decision-making.

### *Quality of Decisions*

A major theme in public feedback was inconsistency in the decisions made by Council and Committees. Most references were to property development matters. Generally, individual residents and groups commented that many decisions are not consistent with existing plans, bylaws and policies. Many commented that the ward system encourages ward-centric decisions versus what is best for the city as a whole, with decisions often influenced by vocal local constituents. Lack of clear priorities were noted by some as impacting consistency of decisions. Business and industry groups expressed concern that inconsistencies in decision-making can negatively impact potential investments in the city.

Some community groups suggested that in addition to being consistent, the criteria for all decisions should be expanded to include impacts on the environment, public health, and social justice.

Several groups and individual residents commented that Council members do not have the required expertise to be making decisions on complex matters such as planning and development. Some suggested that such items should be decided by City administration or the Standing Policy Committee (SPC) that has the expertise.

There were differing views on the influence that public opinion should have on decisions before Council. Some business and industry stakeholders felt that decisions should be based on long-term priorities such as economic benefits to the city. Community groups and many individual residents felt their input should carry more weight, and specifically related to planning and development decisions, that the voice of neighbourhood residents should have more influence than those of developers or others from outside the neighbourhood. Individual residents, community-based groups, business and industry groups each felt that their input should influence decision-making to a greater extent.

The concerns expressed above related to inconsistencies in decision-making and the extent that public representations are considered in decision-making also include Appeal processes.

Twenty percent of statistical survey respondents felt that the City was excellent or good at making fair decisions. Forty-five percent felt the City did a fair job.

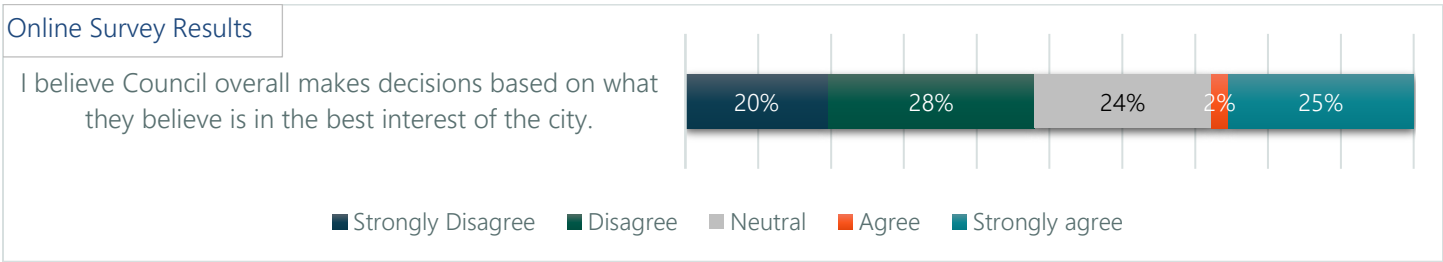



*Table 4 – Key themes from public engagement about Council Decision-making Processes*

| What We Heard | How it was Considered in Recommendations |
|---|---|
| Council decisions are not efficient or timely.<br>• Multiple layers of reviews, hearing bodies, meetings are inefficient | Recommendations include:<br>• Discontinuing the practice of informal reviews of Administrative reports prior to being presented to Council or committee.<br>• Removing the layer of EPC recommendation between SPC and Council.<br>• Streamlining the property development application process. |
| Council members do not have enough time and resources to absorb Agenda materials. | Recommendations include:<br>• Providing all members of Council with equal access to resources, information and analysis.<br>• Removing the layer of EPC recommendation between SPC and Council would reduce the number of matters and materials on EPC agendas. |
| Council decisions are ward-centric, inconsistent, and do not follow established by-laws and policies.<br>• Council members do not have the expertise to make decision on property development matters. | Recommendations include removing decisions on property development matter from Community Committees and having them heard by a neutral body with technical expertise. |

| What We Heard | How it was Considered in Recommendations |
|---|---|
| Members of EPC have access to information that non-EPC members do not. | Recommendations include providing all members of Council with equal access to information and analysis.<br>*(See also City Governance Structures)* |

## City Governance Structures

Many stakeholder groups and individual survey respondents commented on specific Council structures, including Executive Policy Committee, Community Committees and wards.

### Executive Policy Committee

Executive Policy Committee (EPC) was the most frequent topic of survey comments and a common theme in focus group discussions and written submissions. Opinions varied on the EPC powers and the way in which members are appointed. The majority of feedback asserted that as a majority of Council (along with the Deputy Mayor and the Assistant Deputy Mayor) the EPC has too much power. Among those who expressed that view, many suggested that EPC appointments should be made by Council. A smaller number suggested options for rotating SPC chairs, Deputy Mayor, and the Acting Deputy Mayor positions. Some related comments suggested that the Deputy Mayor and Assistant Deputy Mayor should be appointed from the existing EPC members. A smaller number of participants suggested eliminating EPC altogether. A minority of stakeholder groups and individual respondents agreed with the current structure and appointment process (Strong Mayor model), stating that similar to the Federal or Provincial system, the Mayor has a right to effect their mandate.

Many participants commented that members of EPC have access to information for decision-making that the other members of Council do not, which reduces transparency, and impacts effective decision-making. Community groups and residents commented that if their ward Councillor is not on EPC, their concerns and initiatives are less likely to take priority.

### Community Committees and Ward Structure

As noted previously, there was some concern expressed with Community Communities' lack of expertise in planning and development matters and inconsistencies in their decisions. On the other hand, many community groups and individual residents expressed a desire to weigh in on issues of local concern at Community Committees. Some group representatives noted they would like to be able to put forward agenda items for Community Committee meetings. Many resident organizations submitted that they would like to see Resident Advisory Groups reinstated, possibly as a substitute for Community Committees.

Many participants commented that the ward structure encourages ward-centric decision-making, with some suggesting that Councillors be elected at-large. Others felt that wards are too large and should be smaller, so that Councillors can more adequately address constituent concerns. Some community organizations submitted that Councillors should have to live in the ward they represent.

Several survey and focus group participants commented that the downtown area should be a ward of its own. They noted that the current split of the downtown area among three wards does not properly represent inner-city demographics and area concerns.

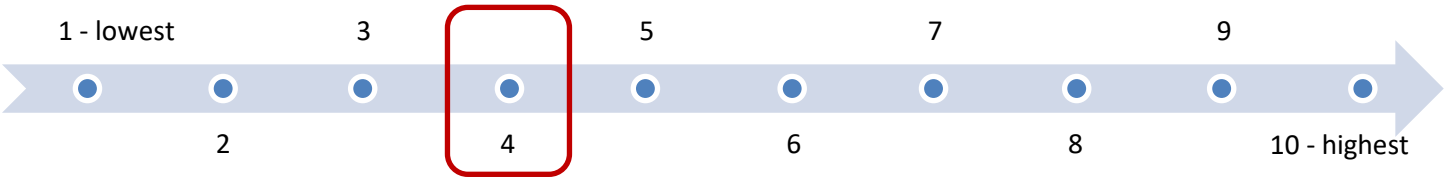
*Table 5 – Key themes from public engagement about City Governance Structures*

| What We Heard | How It Was Considered in Recommendations |
|---|---|
| Executive Policy Committee has too much power and unfair access to information.<br>• EPC members should be appointed by Council. | Recommendations include:<br>• Establishing a maximum number of appointments by the Mayor to ensure these appointments plus the Mayor, do not exceed 50% of Council.<br>• Providing all members of Council with equal access to information and analysis.<br>• Providing reports directly to SPC without prior vetting by EPC.<br>• Allowing SPC to make recommendations directly to Council.<br>• Developing a mechanism to ensure all wards are reasonably represented on EPC over time. |
| Downtown is not adequately represented when split into three wards. | Ward structure was not within the scope of this governance review. |
| Ward structure encourages ward-centric decision-making. *(See also Effectiveness of Council Decision Making)* | Recommendations include removing decisions on property development matter from Community Committees and having them heard by a neutral body with technical expertise. |
| Residents and community groups want a venue to provide their input, whether that is Community Committee or another structure. | Recommendations include ensuring that the public has adequate notice and opportunity to participate in public hearings, Committee and Council meetings. |

## Overall Satisfaction with the Governance of the City

Online Survey Results

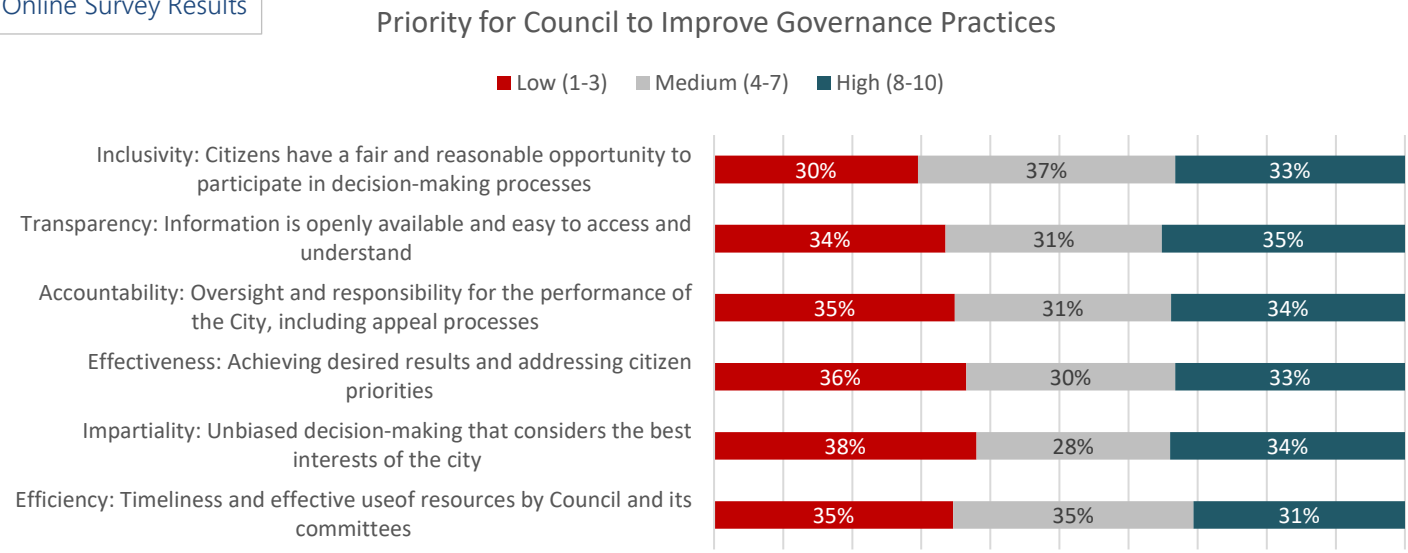
Average score out of 10 = 4




## Priorities for Improvement to Council's Governance Practices

Survey respondents were asked to indicate, on a scale of 1 to 10, how much of a priority they felt it was for City Council to improve their current governance practices under each principle. There was very little difference in the average priority rating for each governance principle; the average priority rating for each was between 5 and 6.

Online Survey Results




## Top 20 Themes from Online Survey Open-ended Comments

Online survey respondents were asked to share any additional comments or concerns regarding Council's governance of the City of Winnipeg. We received over 530 comments, covering a wide range of topics, including those not related to City governance such as traffic, transportation or specific infrastructure. The 20 most frequently mentioned themes pertaining to the City of Winnipeg's governance are presented below.

| Theme | # |
|---|---|
| EPC has too much power - members have unfair access to information, ability to influence administrative reports. | 78 |
| • Non-EPC Councillors do not have timely and full access to information and reports | 22 |
| Committees / Council not listening to residents' opinions - public consultation feedback, delegations and submissions have little impact on decisions. | 41 |
| • Committee / Council seems to have made decision already by the time the public can speak to an issue. | 13 |
| Information available to the public needs to be more timely, easier to access, easier to understand, communicated proactively. | 40 |
| The City lacks a strategic plan and performance measurement. | 38 |
| Committee / Council decisions biased towards developers, other corporate interests | 38 |
| Poor oversight of City operations (including staff conduct). | 36 |
| Desire for more resident involvement in decision-making including advisory councils, plebiscites, commenting on agenda items etc. | 27 |
| Ward system promotes individual agendas, bargaining and negatively impacts effectiveness and consistency of decision-making. | 30 |
| Committee / Council decisions biased towards special interest groups. | 30 |
| Inefficient Council processes - Multiple layers of committees, additional reports being requested, reports taking too long. | 21 |

| Theme | # |
|---|---|
| Disrespectful treatment of residents by Council and Committee members, City staff. | 17 |
| Committee and Council meetings not easily accessible by public (time of day, duration, location process). Zoom attendance is an improvement. | 16 |
| Specific concerns with planning and property hearings and appeals.<br>• Inconsistency in decisions made by Committees / Council; not following own policies, plans, bylaws. | 16<br>15 |
| General concerns with ethics, conflict of interest. | 16 |
| Public engagement should be more accessible, inclusive, have an impact on Council decisions. | 14 |
| Poor transparency and accountability. | 14 |
| Poor attention to local issues by Councillors. | 12 |
| Council Member decisions made for personal benefit, pet projects, not in the best interest of the city. | 11 |
| We need more action, fewer studies. | 11 |
| Plebiscites should not be used to decide on important issues - Leaders should study, decide what is best for the City. | 11 |

## Key Findings of Probe Research Survey

The following is extracted from the Probe Research Report. The detailed report is included as Appendix C.

"A strong majority of Winnipeggers feel they have some understanding of the City's governance process, but indicate this process is not particularly timely, effective or accessible to them as citizens. Despite this negative impression, a significant proportion of Winnipeggers, 59 per cent, have tried to the make their voice heard at City Hall – at least by completing an online survey about a city issue. Here again, their assessment of the experience participating in City Hall's decisions tends to be more negative than positive.

- Eight-in-ten Winnipeggers feel they have at least a basic understanding of how their city is governed, with men, older Winnipeggers and those with higher socio-economic status most confident in their grasp of civic governance.
- Only one-in-six Winnipeggers feel it's relatively easy to find information about city decisions and to understand that information once they've found it.
- Similarly, a relatively small proportion of Winnipeggers feel the city's decision-making process is fair and fast and open to public input. One-in-five Winnipeggers feel the City makes fair decisions. However, nearly four-in-ten rate the City's ability to make timely decision as "poor", and nearly the same proportion also say the City does a poor job of ensuring reasonable access to public input. As well, Winnipeggers rate the city poorly on the level of accountability it provides the public.
- Winnipeggers approve only slightly more of the city's ability to make sure civic government functions effectively, with one-in-five rating this as good or excellent.
- Nearly six-in-ten Winnipeggers have tried – at least in a small way, such as completing a survey – to influence a decision at City Hall. However, most found the process less than satisfactory in a variety of ways. They are somewhat more likely to say the process was easy to understand but feel particularly strongly that decision-makers were not interested in hearing their views."

## Next Steps

Key findings from the stakeholder and public engagement have been considered along with the findings of the Preliminary Report (current state and comparison with other Canadian cities) to inform MNP's Report of Recommendations to improve the City's governance structures and processes. The report of recommendations will be submitted to Council in winter 2021/22 for their consideration.

## Appendices (separate document)

Appendix A – Online Survey Results

Appendix B – Ideas Tool Results

Appendix C – Probe Statistical Survey Results

Appendix D - Written Submissions

Appendix E – List of organizations that participated in a focus group

Appendix F - Promotional Material (Facebook & Twitter Ads, Newspaper Ads)

Appendix G -Data Collection Tools

- Survey
- Written Submission Guide / Focus Group Question Guide
- Public Event presentation and questions

Appendix A – Survey Respondents

Age

| Row Labels | Count of Q1 |
|---|---|
| Under 18 | 1 |
| 18 to 24 | 22 |
| 25 to 34 | 108 |
| 35 to 44 | 175 |
| 45 to 54 | 174 |
| 55 to 64 | 245 |
| 65 or over | 182 |
| Grand Total | 907 |

Highest Level of Education

| Row Labels | Count of Q2 |
|---|---|
| Some high school | 22 |
| Some college or university, but no degree | 216 |
| High school diploma or equivalent | 82 |
| Bachelor's degree / college diploma | 388 |
| Master's degree | 133 |
| Doctorate | 25 |
| Other (please specify) | 36 |
| Grand Total | 902 |

Total annual household income

| Row Labels | Count of Q3 |
|---|---|
| Up to $40,000 | 130 |
| $40,000 – $59,999 | 130 |
| $60,000 – $84,999 | 160 |
| $85,000 to $124,999 | 231 |
| $125,000 and over | 222 |
| Grand Total | 873 |

Gender

| Row Labels | Count of Q4 |
|---|---|
| Female | 385 |
| Male | 457 |
| Non-binary | 7 |

| | |
|---|---|
| Prefer not to disclose | 35 |
| Prefer to self-describe (please describe) | 8 |
| Grand Total | 892 |

Are you part of marginalized group?

| Row Labels | Count of Q5 |
|---|---|
| Yes. Please explain if you wish or enter n/a | 188 |
| No | 705 |
| Grand Total | 893 |

What area of the city do you live in?

| Row Labels | Count of Q6 |
|---|---|
| Charleswood – Tuxedo | 72 |
| Daniel McIntyre | 60 |
| Elmwood – East Kildonan | 53 |
| Fort Rouge – East Fort Garry | 83 |
| Mynarski | 41 |
| North Kildonan | 68 |
| Old Kildonan | 39 |
| Point Douglas | 15 |
| River Heights – Fort Garry | 97 |
| St. Boniface | 55 |
| St. James | 77 |
| St. Norbert – Seine River | 48 |
| St. Vital | 98 |
| Transcona | 60 |
| Waverley West | 41 |
| Grand Total | 907 |

# Appendix B – Ideas Tool Responses

| How could the City increase citizens' ability to inform Council decisions? | | | |
|---|---|---|---|
| Ideas | | Votes | |
| Title | Description | Votes | Unvotes |
| the city should explore and look to implement aspects of Edmonton's "neighbourhood renewal" program. | it would gives residents a comprehensive option to comment and participate in changes in their neighbourhood related to transportation, infrastructure, parks, etc. | 3 | 0 |
| Reduce the current EPC Model from 7 members +2 to just 7 members and prevent all future mayors adding 2 additional members | All appointed positions must come from the 7 positions of the EPC. No additional councillors are to be appointed to serve in the Mayor's Inner-Circle. This will reduce the temptation to stack the voting deck in the Mayor's favour. This will ensure that City Hall has a democratic process that is truly transparent and more accountable when governing the affairs of the city. The citizen's representative from each Ward will truly have a voice for ALL issues that are presented to Council. | 8 | 0 |
| Mayor appoints Deputy Mayor only . ALL Councillors participate in SPCs and elect a chair of each SPC to sit on EPC. | This allows for a more democratic council. Time limits to serve on each SPC would be another complimentary consideration. | 2 | 0 |
| Create a web page whereby citizens and property tax payers can easily see what city councilors either voted for or against at City Hall. | | 1 | 0 |
| Move to Vancouver's model of having councillors elected at large rather than by geographic ward so they represent ALL Winnipeggers. | | 1 | 0 |
| Make it harder for councillors to overrule or ignore policies. | | 1 | 0 |
| City School | Annual trips to other cities by the entire City Hall leadership team. Mayor, all councillors, and department leaders together. Become a team. Go to one Asian / South American city, to one European city, to one North American city each year. Study and meet with leaders in those cities.<br><br>"What is working? What is not? What can we implement in Winnipeg? How come we haven't tried __XX__ ? Oh, look how they solved that problem! Oh, so THAT'S what happens to vibrancy, business and tourism when you invest in densification and good design and don't just build cheap suburbs."<br><br>What we've been doing for the past 75 | 0 | 0 |

# Appendix B – Ideas Tool Responses

| How could the City increase citizens' ability to inform Council decisions? | | | |
|---|---|---|---|
| Ideas | | Votes | |
| Title | Description | Votes | Unvotes |
| | years hasn't exactly worked great. So let's get inspired by other places and start improving Winnipeg's quality of life. | | |
| Comment response to "Reduce the layers to Development Applications" | That entire department should be fired into the sun and re-built. | 0 | 0 |
| Comment response to "Move to Vancouver's model of having councillors elected at large rather than by geographic ward so they represent ALL Winnipeggers." | love this | 0 | 0 |
| Comment response to "Make it harder for councillors to overrule or ignore policies." | I get especially miffed when councillors vote against beneficial projects that aren't even in their wards. Why does the Transcona councillor get a say in traffic calming measures in West Broadway? | 0 | 0 |
| Grow ops on residential streets | Residents on a the street should have their input prior to the city granting a permit. No one lives in these homes. These people come on go increasing traffic on the street. The smell is disgusting where no one in the neighborhood can enjoy their own property or even go for a walk. Jeopardizes the safety of young children to due the traffic and smell. All grow op licensing should be canceled and reviewed with neighbouring homes and city council. Signage should be placed on property notifying residents that an application for a grow op has been made giving residents the option to disagree. | 1 | 0 |
| Reduce the layers to Development Applications | Winnipeg has too many layers. With clear development by-laws there is no need for that much oversight. | 0 | 0 |
| More budget transparency | I would like to know what and where crimes are being committed within the city, per neighbourhood. It would also be important to know if the budget for crime prevention measures differs per neighbourhood... And what the reasoning is for that! | 0 | 0 |
| REQUIRE budgets to match the policy plans such as OurWinnipeg, Complete Communities, Transportation Master Plan, Transit Master Plan, etc. | | 0 | 0 |

# Appendix B – Ideas Tool Responses

| How could the City increase citizens' ability to inform Council decisions? | | | |
|---|---|---|---|
| Ideas | | Votes | |
| Title | Description | Votes | Unvotes |
| Rotate the role of Deputy Mayor among all councillors. The Mayor should not appoint any roles. | | 0 | 0 |
| Provide more time for feedback | There is often little time between public release of a report and opportunities to speak to the report before council. By providing more time between release of a report and the deadline to speak or submit responses/recommendations related to that report, you would greatly increase people's ability to meaningfully provide feedback for council. | 0 | 0 |
| Comment response to "Reduce the current EPC Model from 7 members +2 to just 7 members and prevent all future mayors adding 2 additional members" | Excellent post, very well said. This is a fundamental and crucial change which MUST be made. There is no reason not to. | 0 | 0 |
| Comment response to "Mayor appoints Deputy Mayor only . ALL Councillors participate in SPCs and elect a chair of each SPC to sit on EPC." | Could we do away with the EPC entirely? | 0 | 0 |
| Comment response to "More budget transparency" | The city should also publish its crime solving success rate. I think Winnipeggers would be surprised to learn how low that number is and support a re-thinking of what roles the police take on and how that money could be better allocated. | 0 | 0 |
| Comment response to "REQUIRE budgets to match the policy plans such as OurWinnipeg, Complete Communities, Transportation Master Plan, Transit Master Plan, etc." | And add TEETH to those plans in terms of targets, objectives. | 0 | 0 |

# Appendix B – Ideas Tool Responses

| What information would be helpful to understand the City's performance? | | | |
|---|---|---|---|
| **Ideas** | | **Votes** | |
| **Title** | **Description** | **Votes** | **Unvotes** |
| valid explanations without coverups re: failed "rapid transit" rollout (now being revisited) and environmental destruction entailed | Rapid Transit is a bust! | 0 | 0 |
| Dashboard showing progress on policy indicators | While the city has many policies in place to provide advice, there is no real link between the city budget and those policies, and especially to their intended outcomes. Could we have something similar to the United Ways MyPeg that would allow citizens to look at key city policies to see what progress is being made on key indicators (year over year, compared to policy targets) etc, and what budget lines relate to the policy and its indicators (again along with year over year comparisons). I think that would make it much easier to identify what policies we are making progress on, where we need help, and what actions are underway to reach those policy goals. | 0 | 0 |

| How could the City encourage "seldom heard voices" to participate more fully in public engagement activities? | | | |
|---|---|---|---|
| **Ideas** | | **Votes** | |
| **Title** | **Description** | **Votes** | **Unvotes** |
| Add transparency to the City budget and expenses: It would be great to have online public access to all CoW expenses. | Add transparency to the City budget and expenses: it would be great to have online public access to the data on all current expenses vs. budget. I would like to see how what was spent on a particular city's district (e.g. Transcona, River Heights) as well as categories (e.g. infrastructure - schools, infrastructure - roads etc.).<br>If this data is published regularly (e.g. bi-weekly or monthly).<br>I want to see how my tax dollars are spent to make sure high priority issues and needs are addressed first. Also, it is important to monitor how particular expenses align with the election promises and programs. This would give the City of Winnipeg citizens more public control and visibility. | 0 | 0 |



# City of Winnipeg
# Governance Issues

## For More Information:

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# Key Findings

A strong majority of Winnipeggers feel they have some understanding of the City's governance process, but indicate this process is not particularly timely, effective or accessible to them as citizens. Despite this negative impression, a significant proportion of Winnipeggers, 59 per cent, have tried to the make their voice heard at City Hall – at least by completing an online survey about a city issue. Here again, their assessment of the experience participating in City Hall's decisions tends to be more negative than positive.

- Eight-in-ten Winnipeggers feel they have at least a basic understanding of how their city is governed, with men, older Winnipeggers and those with higher socio-economic status most confident in their grasp of civic governance.
- Only one-in-six Winnipeggers feel it's relatively easy to find information about city decisions and to understand that information once they've found it.
- Similarly, a relatively small proportion of Winnipeggers feel the city's decision-making process is fair and fast and open to public input. One-in-five Winnipeggers feel the City makes fair decisions. However, nearly four-in-ten rate the City's ability to make timely decision as "poor", and nearly the same proportion also say the City does a poor job of ensuring reasonable access to public input. As well, Winnipeggers rate the city poorly on the level of accountability it provides the public.
- Winnipeggers approve only slightly more of the city's ability to make sure civic government functions effectively, with one-in-five rating this as good or excellent.
- Nearly six-in-ten Winnipeggers have tried – at least in a small way, such as completing a survey – to influence a decision at City Hall. However, most found the process less than satisfactory in a variety of ways. They are somewhat more likely to say the process was easy to understand but feel particularly strongly that decision-makers were not interested in hearing their views.

# About the Probe Research Omnibus

For more than two decades, Probe Research Inc. has undertaken quarterly omnibus surveys of random and representative samples of Manitoba adults. These scientific telephone surveys have provided strategic and proprietary insights to hundreds of public, private and not-for-profit clients on a range of social, cultural and public policy topics. The Probe Research Omnibus Survey is the province's largest and most trusted general population survey.

# Survey Instrument

The survey instrument was designed by Probe Research in close consultation with the City of Winnipeg.

# Methodology

Between March 10th and 26th, 2021, Probe Research surveyed a random and representative sampling of 600 adults residing in Winnipeg.

With a sample of 600, one can say with 95 percent certainty that the results are within ± 4.0 percentage points of what they would have been if the entire adult population of Winnipeg had been surveyed. The margin of error is higher within each of the survey's population sub-groups.

The sample consists of 242 Winnipeggers randomly recruited via live-agent operator; 192 were randomly recruited via Interactive Voice Response (IVR) and 166 members of Probe Research's online panel. All respondents completed the survey on an online platform.

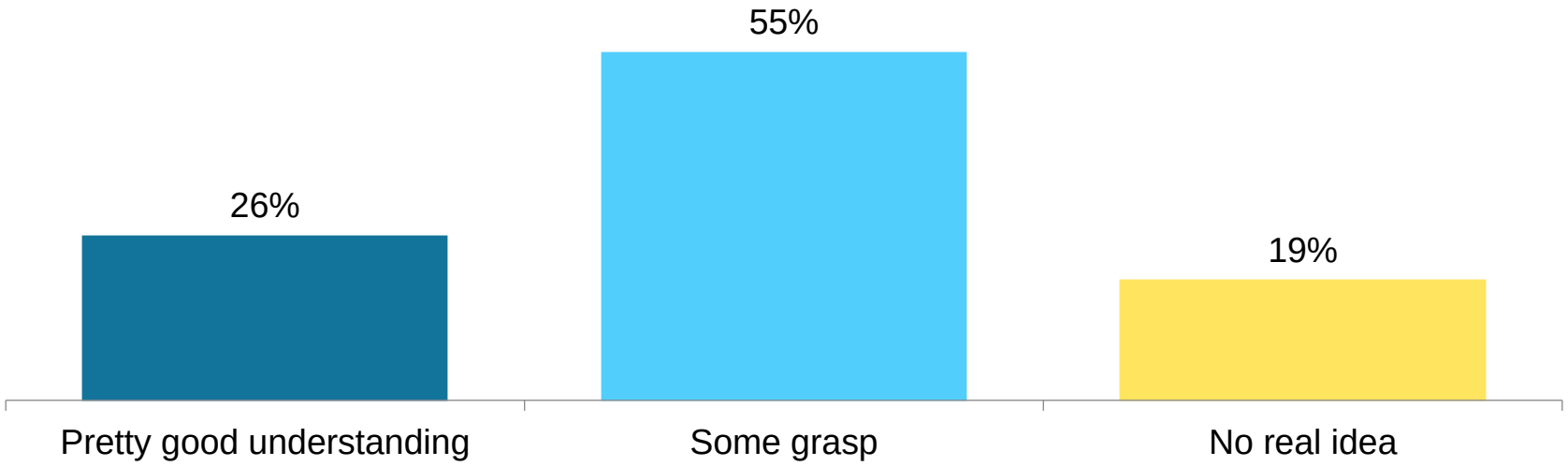
Modified random digit dialing, including both landline and wireless numbers, ensured all Winnipeg adults had an equal opportunity to participate in this Probe Research survey.

Minor statistical weighting has been applied to this sample to ensure that age and gender characteristics properly reflect known attributes of the city's population. All data analysis was performed using SPSS statistical analysis software.

# Citizens' understanding of the city's governance system

## A majority of Winnipeggers feel they have at least some grasp of the system

**At least some understanding = 81%**




Those most likely to say they have **a pretty good understanding** of city governance include:

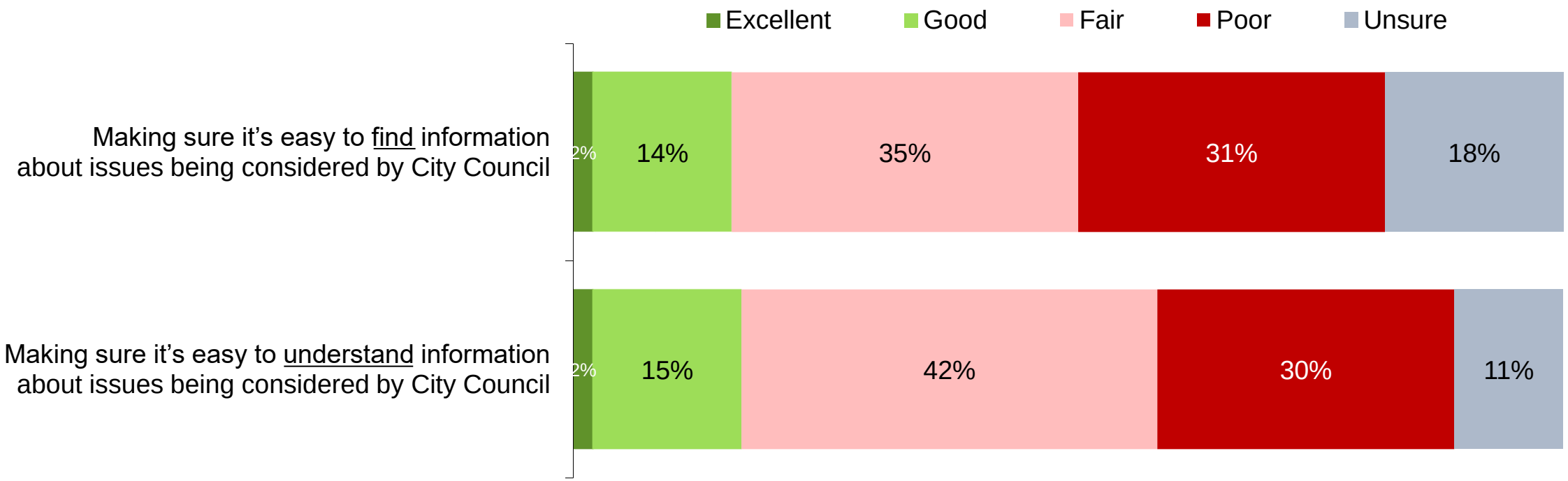
- Men (34% vs. 19% among women)
- Older Winnipeggers (31% among those 55+ vs. 21% among those 18-34)
- Core area residents (32% vs. 23% among those living in southwest Winnipeg)
- University graduates (30% vs. 17% among those with high school or less)
- Those from higher income households (31% earning $100K+ vs. 12% among those earning <$50K)

*COWG1. How well would you say you understand the City of Winnipeg's governance system? By this we mean how city government works, how City Council is structured and the processes it uses to make decisions.*

Base: All respondents (N=600)

# Views on information about City decisions

## One-third feel the City does a poor job of making information clear and accessible

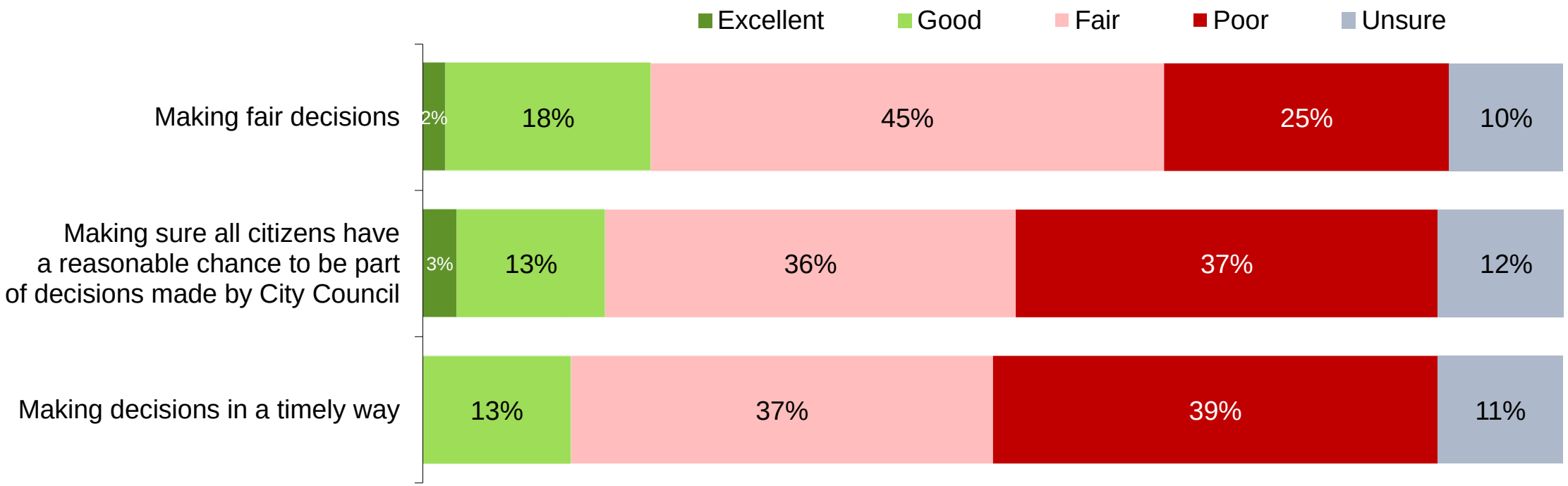



*COWG2. Now, thinking about the City of Winnipeg governance system, how would you rate the job the City of Winnipeg currently does on the following things:*

Base: All respondents (N=600)

# Views on City decision-making process

## Four-in-ten feel the City does a poor job of making timely decisions and ensuring citizen input

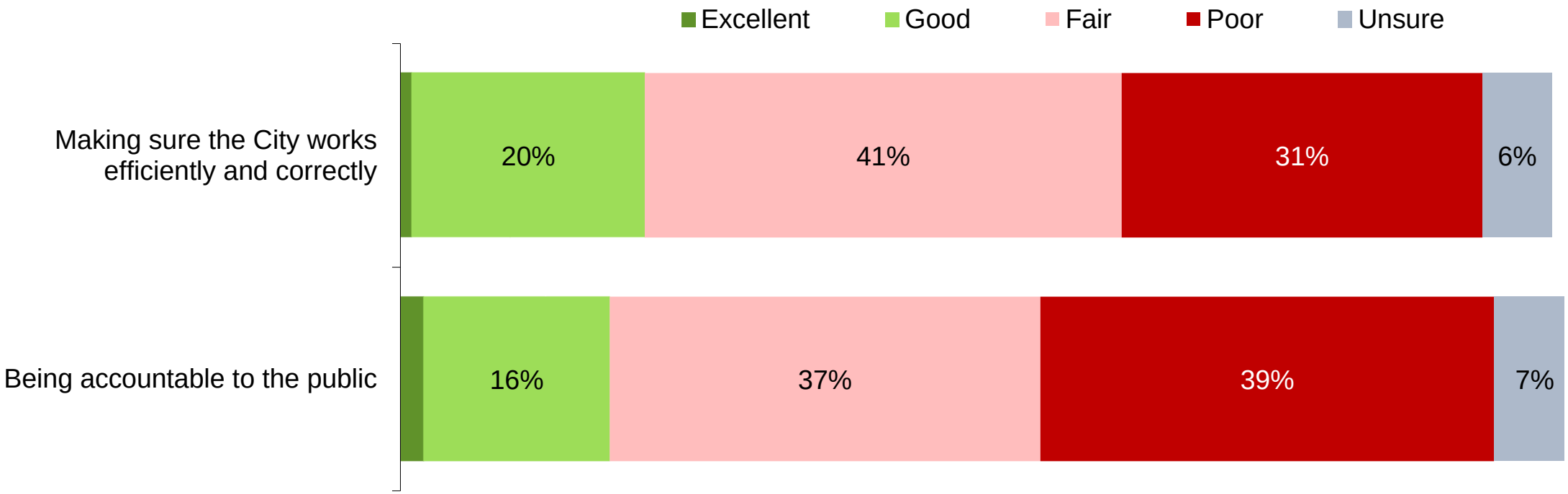



*COWG2. Now, thinking about the City of Winnipeg governance system, how would you rate the job the City of Winnipeg currently does on the following things:*

Base: All respondents (N=600)

# Views on City accountability

## Only one-in-five feel the City does a good job of being accountable, ensuring a well-run City

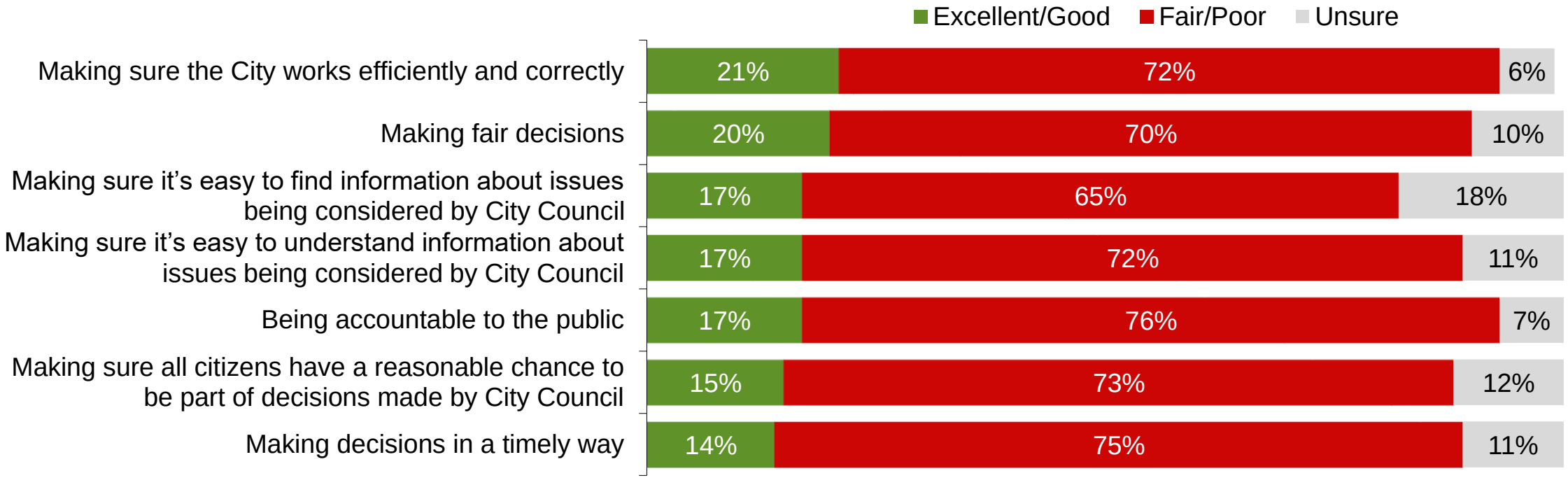



*COWG2. Now, thinking about the City of Winnipeg governance system, how would you rate the job the City of Winnipeg currently does on the following things:*

Base: All respondents (N=600)

# Aspects of City governance - Summary

## Few offer praise for how well the City is performing in its governance role



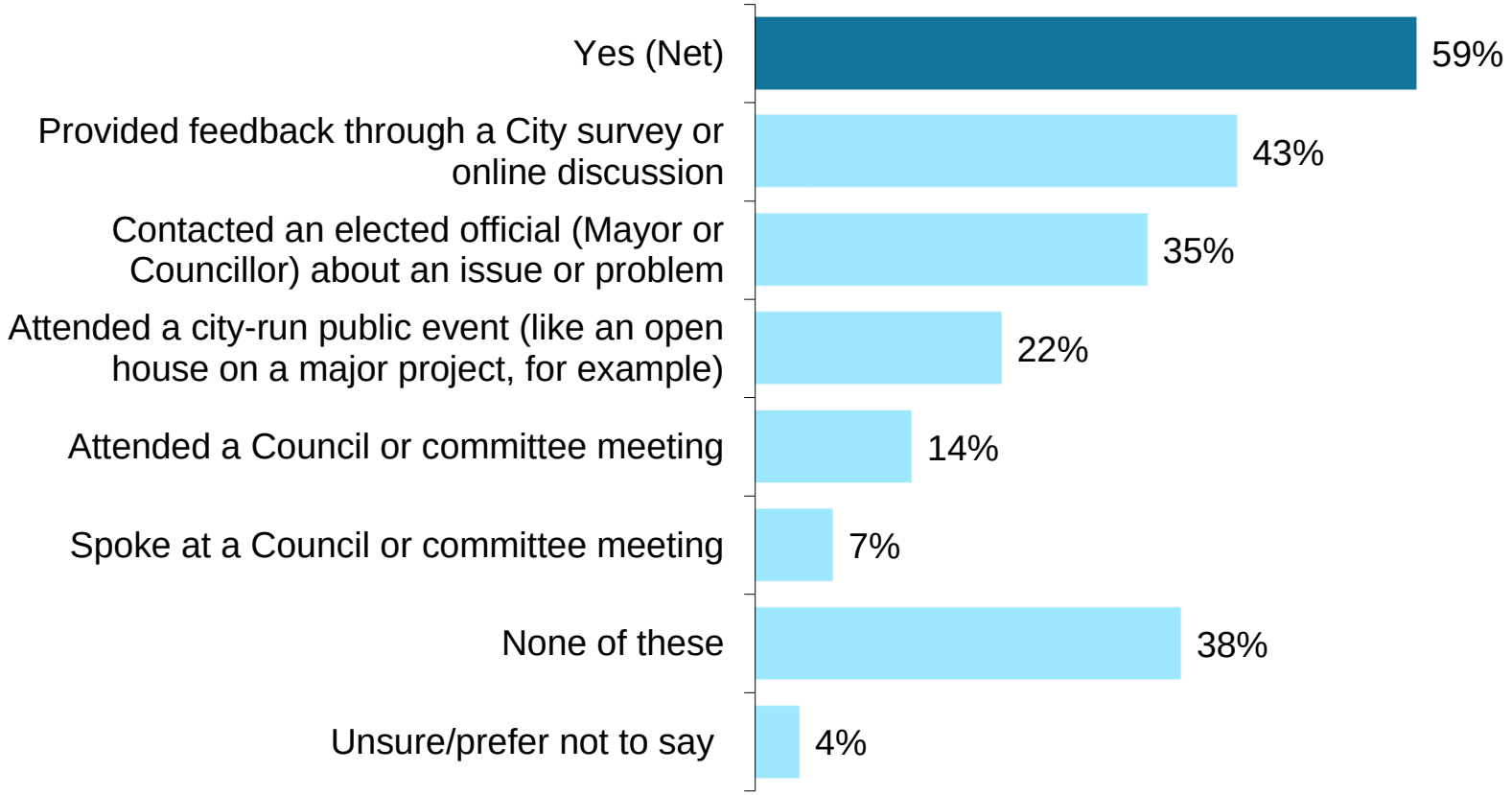

There was little difference in views among survey sub-populations.

*COWG2. Now, thinking about the City of Winnipeg governance system, how would you rate the job the City of Winnipeg currently does on the following things:*

Base: All respondents (N=600)

# Citizen participation in Winnipeg's governance process

## Six-in-ten have tried to make their voice heard in some way




Those most likely to have tried to **make their voice heard** include:

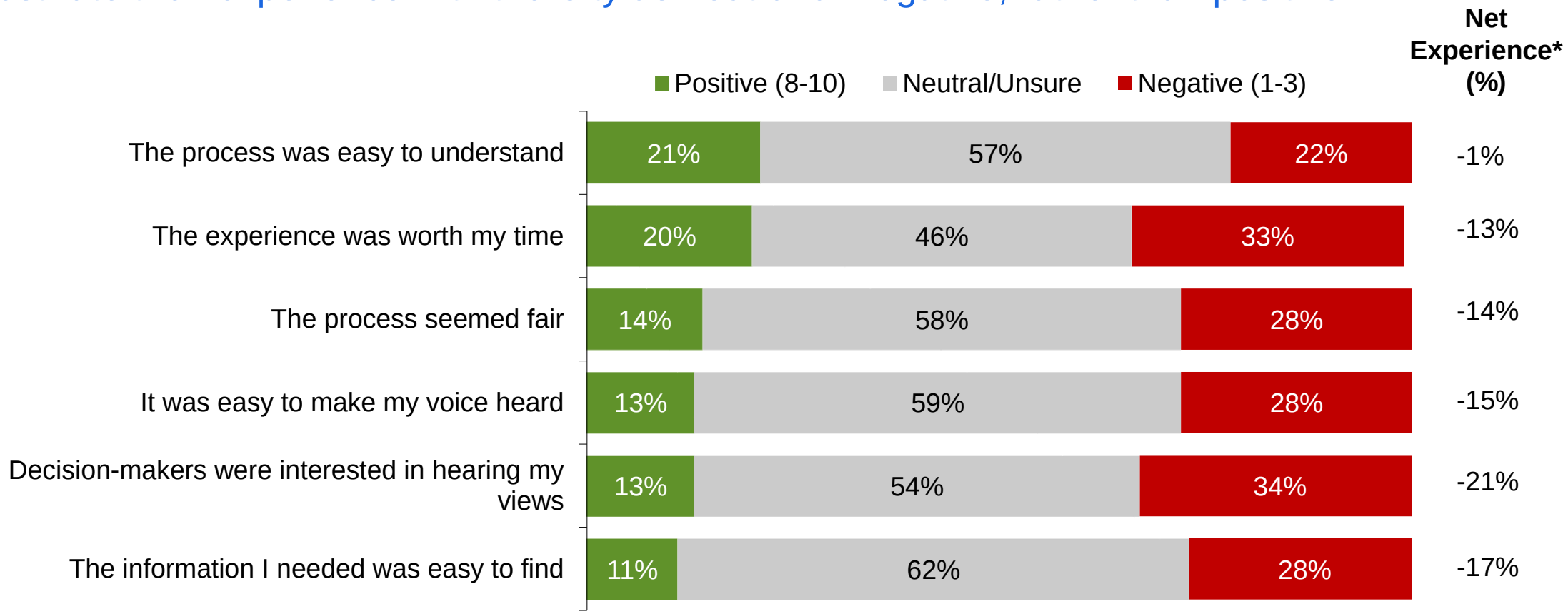
- University graduates (65% vs. 45% among those with high school or less
- Homeowners (62% vs. 48% among renters)
- Higher income earners (64% among those earning $100K+ vs. 48% among those earning <$50K)
- Those with a pretty good understanding of the governance system (76% vs. 31% among those with no understanding)

*COWG3. Have you ever tried to influence a City Council decision or make your voice heard on a city issue? Please check all that apply.*

Base: All respondents (N=600)

# Assessment of the engagement experience

## Most rate their experience with the City as neutral or negative, rather than positive

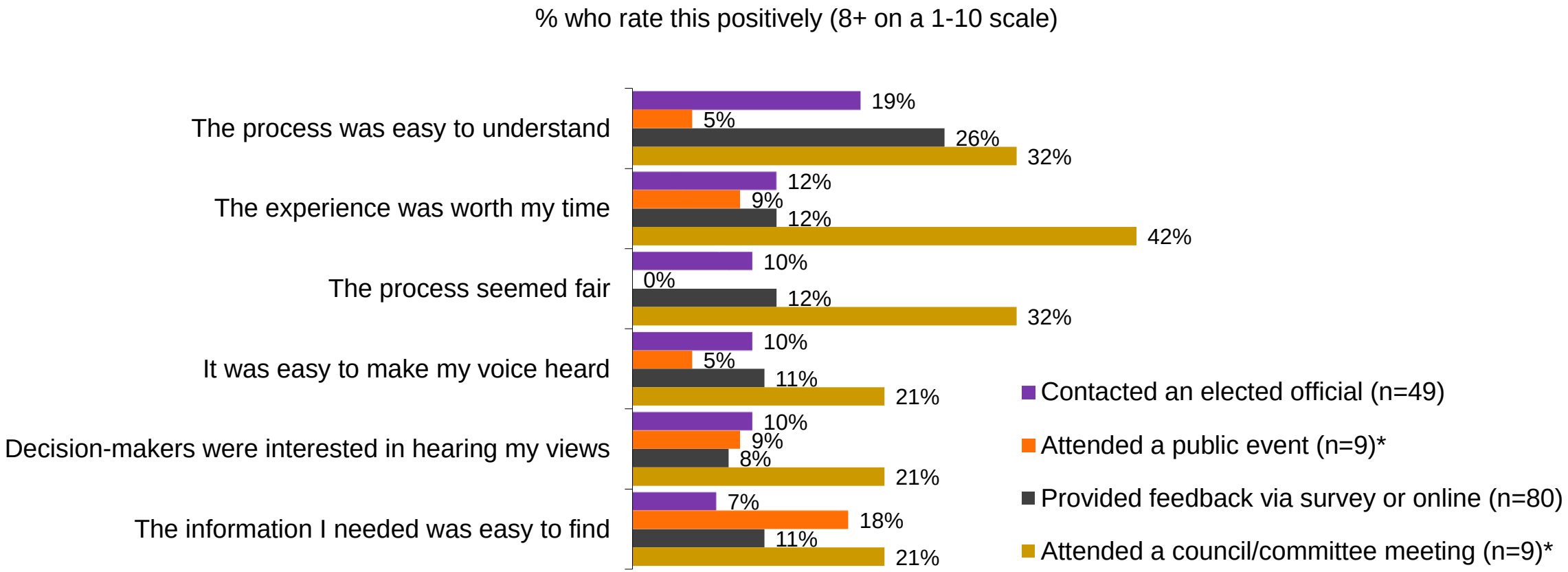



*COWG4. And how did that go? Thinking about the time (or times) you tried to influence a decision a City Hall or make your voice heard, please read the following and rate your experience on a scale of one to ten.*

Base: Those who have had experience with the system (n=353)
*Net experience calculated by subtracting negative experience from positive experience

# Assessment of the engagement experience: By experience type

## Those who attended a council or committee meeting more likely to be pleased




*COWG4. And how did that go? Thinking about the time (or times) you tried to influence a decision a City Hall or make your voice heard, please read the following and rate your experience on a scale of one to ten.*

Base: Those who have had a single engagement type (n=149)
*Caution: Very small base. These results are directional and not conclusive.

**Re: City of Winnipeg Council's governance structure and practices**.

**From: Armstrong's Point Association**

Date: February 19th, 2021

*1. How is your organization or its members typically involved in interactions with the City Council or a committee of Council?*

We have a good relationship with the council member for this district: Sherri Rollins. We also connect with the City Zoning Department (Cheryl McGinnis) and with the Planning, Property and Development department on occasion. We have attended and presented as a delegate at City Hall.

After years of effort and subsequent excellent interactions with the City, Armstrong's Point received Heritage Conservation District status – the first in Winnipeg. We hope the process is duplicated and more rapidly effected in the future.

*2. Do you feel there is reasonable access and opportunity for organizations/citizens to participate in the decisions before Council? What barriers may exist?*

We have seen increased awareness from the City for public participation in decisions affecting the neighbourhood in recent years. We are not sure that citizens can easily navigate the City's website.

*3. Is information on issues being considered by Council or a committee easy to access? How would you describe the information that is available? What gaps might exist?*

It is not obvious when Council has an agenda which pertains to this area which again relates to how one accesses the relevant website, or whether there exists a mechanism to apprise residents of pertinent issues other than through our Councilor.

*4. Have you participated in any of the City's hearings or appeal processes? What works well? What do you believe are priorities for improvement?*

The last appeal in which we were seriously involved was in 2012. The process did not work well. Zoning decisions affecting our neighborhood were made before any resident could attend the first meeting. The City allowed variances to three of their zoning bylaws to facilitate an expansion of a school in our area.

Priorities for improvement would be that the City should provide sufficient notification, and regard input by residents of an area as having priority over input from people who live outside the area.

*5. How would you describe Council's role in providing oversight of the City? What seems to work well? What do you believe are priorities for improvement?*

*6. Does available information meet your needs to understand City budgets or performance? Please explain.*

The priorities are not obvious to explain decisions made. The Open Capital Projects Dashboard is excellent. Updates to Budgets are appreciated. How are outcomes evaluated?

*7. In your experience, are matters to be considered by Council and committees brought forward and dealt with in a timely way? Efficiently?*

Not really – there appear to be inexplicable delays which impact negatively on the timeline of matters to be considered. Is there a process to prioritize?

*8. How well does Council address citizens' priorities? Support the overall effectiveness of the city?*

Our new councilor has addressed our immediate concerns with effect. Overall effectiveness may depend on the impact of individual councilors. Does the City know what citizens' priorities are?

9. *How confident are you in the rules and processes around Council conflict of interest?*

We are not confident about the rules. We have in the past seen Councilors not recuse themselves when they do have a conflict of interest. We can refer to a decision in 1997 to over-ride the concerns of many of our residents with the development of an accessory structure in a property in Armstrong's Point which clearly broke Zoning Bylaws.
There are also still people in the Property and Planning Department who were part of the decision-making process regarding the expansion of an institution in our neighborhood in 2012, who had connections with that institution.
We are, however, not familiar with the Municipal Council Conflict of Interest Act or how it is applied.

*10. Do you believe Council is effective overall in making decisions based on the best interest of the city? Please explain.*

Not always. We would reference the recent decision to sell 2 heritage buildings in St. Boniface without apparently adequate input from the community. And we were concerned with the handling of 514 Wellington Crescent which should have had heritage designation but has now been demolished.

However, we are looking forward to the City plan to re-invigorate the downtown core and are impressed by activity so far.

Business Council of Manitoba

**Business Council of Manitoba's submission to the City of Winnipeg's governance review.**

Firstly, we applaud the Council on the multi-year budgeting process with annual reviews. This is efficient, clear, and transparent. It allows for better planning and procurement of goods and services.

In general, the BCM is in favour of streamlining processes and governance to ensure timely decisions with proper due diligence. Council requires sufficient time and more so information to make informed decisions. It is the BCM's position that recommendations should be thoroughly debated and research at standing committees then proceed directly to a committee of the whole. This would eliminate the Executive Policy Committee. This transparent process quickens timelines and involves the full Council in decision making. Further, standing committees chairs should be appointed by decision of the full Council and could rotate chairs throughout the term on an annual basis.

The BCM would also recommend a system the rotates the Deputy Mayor and Acting Deputy Mayor based on a predetermined schedule that would be published at the beginning of each term. This would promote inclusion within the Council as well as maintain impartiality of each Councilor.

The BCM sees merit in the review of the current ward system and potentially moving to an "at large" model or a hybrid ward/at large model. The current ward system potentially pits area interest against the greater good. It has the ability to foster and us against them polarity. Understanding that there are large ramifications to this model and the needs of all need to be represented we recommend this idea be explored further with a large public consultation component.

Access to the system to make representation is clear and easy to access. That said, public presentation should be made to all Council as per the above recommendation of streamlining and elimination of some of the existing structure. Community committees seem to have lost some relevance and importance in the decision-making process. This should be reviewed and either clear value established, or they too could be reviewed for elimination.

BCM recommends that the various development appeal processes be consolidated into one clear process.

The civic governance model we have was set up to be clear of party style politics and allow individuals to be elected to make the best decisions in the interest of the people they represent. Free of party influence, free of favoritism or reward. Each elected member, including the Mayor is given one vote to use to fulfil their sworn duty. The current model has evolved over a course of time and no longer represents that clear unbiased vision.

The Business Council of Manitoba (BCM) and its members appreciate the opportunity to input into this process and look forward to the positive results of this review.

Thank you for your time and consideration,

Bram Strain
President and CEO
Business Council of Manitoba

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**T** 204 942.3637 ~ **F** 204 942.3563

**Date**: February 19, 2021
**To:** City of Winnipeg – Governance Review, MNP (www.mnp.ca)
**COWgovernance@mnp.ca**
**From:** Shirley Forsyth,
Corydon Village Residents' Association,
corydonosbornecommunityplan@gmail.com
**Re:** **Response for submissions on Governance and the City of Winnipeg**

**SUBMISSION GUIDELINES**

**The following questions are provided to help guide your submission. We would appreciate your input on any or all of these questions or on any additional topics related to the City of Winnipeg Council's governance structure and practices.**

1. **How is your organization or its members typically involved in interactions with the City Council or a committee of Council?**
   Corydon Village Residents' Association formed in 2011 to participate in the development of the secondary plan as well as having community members participate on the Corydon-Osborne Neighbourhood Plan Community Advisory Committee (CPAC). This committee had 50% business (including Jerry Cianflone), and 50% residents as part of its membership; the committee seemed to be working out well. CPAC had seen half of the draft plan when the process was terminated at the request of the councillor from Transcona, and a CPAC member who was representing the business community. (See Appendix A) A consultant was then brought in to write the plan, and there was no meaningful consultation with the community before the report was approved in the fall of 2014. (As Chairperson of the Resident's Association at that time, I know that all requests to be part of the steering committee for the Plan were denied by the Mayor's office.)

   In the years following the approval of the Corydon Osborne Community Plan (COCP), members of the community have attended many Board of Adjustment, City Center Community Committee and Appeal meetings as well as participating in Engage Winnipeg events for the Corydon Osborne communities, but most decisions are decided in favour of the developer. In 2016, City planners began referring to 'developer rights' during committee meetings, but there has been no equivalent rights referenced for residents and it is not possible for the City to adhere to its stated purposes as long as developers are seen to be superior to residents and this situation needs to be rectified. (See response to question 8, for reference and more references could be provided upon request.)

2. **A. Do you feel there is reasonable access and opportunity for organizations/citizens to participate in the decisions before Council? No**
   Most meetings are open to the public, but resident's concerns not acknowledged in the decisions rendered during Committee, Board of Adjustment or Council meetings. The lack of emphasis on healthy communities and health can be seen in a review of the Mandate letters written by the Mayor for committee chairs. There is no mention of the well-being of residents, climate change or healthy communities in these letters. As a result, when councillors are making decisions and residents base their arguments on the attributes of their health and the health of their community, they are ignored. This situation was made worse when the province directed the City to draft 'development' plans as part of the Our Winnipeg process and the health of the City and its residence became secondary to the well-being of developers and 'developer rights'.

**B. What barriers exist?** The attitudes held by City councillors and city employees form the major barrier to policies and decisions that are supportive of the stated purposes of our city government, public health and healthy communities.

The City of Winnipeg has four stated purposes as shown here:

a. • To provide good government for the city
b. • To provide services, facilities or other things Council considers necessary for all or part of the city
c. • To develop and maintain safe, orderly, viable and sustainable communities
d. • To promote and maintain the *health, safety and welfare of the inhabitants*.

**ii.** There is no City of Winnipeg Strategic Planning process into which residents and organizations may provide input. Best practices suggest that the City of Winnipeg should have a strategic plan that is updated annually and into which residents have an opportunity to provide input as to their priorities. There should be an advisory group / consultations prior to drafting the strategic plan that include input from individuals with expertise in health and the built environmental and resident associations.

**iii.** The City on Winnipeg does not set policy goals and targets and, therefore, it cannot report back to residents on status of achieving its goals, on an annual basis. The City needs to update its indicators with input from community groups that includes representation from health organizations and environmental groups. The indicators chosen should be comparable to those being used by other Canadian cities. Targets need to be set for each indicator that can measure goal attainment for healthy living and climate change such as green space, tree canopy, impervious surfaces, pedestrian / bike trails and traffic by community area. It is also very important that impervious land cover be tracked, particularly in mature communities, as lot splitting and variances are diminishing green space while increasing impervious land cover. Other cities such as Toronto track this indicator for a healthy city as this excerpt demonstrates, "Impervious land cover is increasing across the city. Impervious land cover has increased by 1.4% since 2008. Plantable space across the city has decreased by 2% while nonplantable space increased by 3%. The most land area converted from pervious to impervious is on Single Family Residential lands." https://www.toronto.ca/legdocs/mmis/2020/ie/bgrd/backgroundfile-141367.pdf

**2B. Public engagement Limitations**

Office of Public Engagement (OPE)

There should be a gender analysis and an analysis by age group for responses gained from public engagement exercises. As an example, there were meetings and surveys regarding parks, cycling and pedestrian routes in Osborne Village. Literature shows that there is a difference between genders in choosing cycling routes, but these differences to not appear to be taken into consideration by the city planners in selecting their recommendations. Moreover, the Osborne Corydon area has the highest percentage of seniors living in Winnipeg but there was no public consultation with seniors who live in the Village, and would be using the local parks and pathways (Osborne to Downtown Walk Bike Bridge and Connections Project, Public Engagement Report). At the final open house, at least 30 percent of the people in attendance mentioned the need for asenior's gym in the park and yet there is no mention of that feedback in the final report. (See Appendix B; Cross Jurisdiction Scan for Senior's or intergenerational gyms in parks) For every dollar invested in pathways there is a $3 dollar saving in health care, and there needs to be more pathways

and bridges in the Corydon Osborne area. Active transportation should be encouraged and facilitated with good design that meets the needs of a community's population, and no groups should be excluded due to age or gender; recommendations should take into account age and gender.

3. **Is information on issues being considered by Council or a committee easy to access? How would you describe the information that is available? What gaps might exist?**
    - **i.** Council and committee meetings are often hard to follow as information lacks context and there are no links to previous information or meetings that are pertinent to understanding what is occurring at council or committee meetings.
    - **ii.** It would be very useful, if there was an annotated edition of the City of Winnipeg Charter that could be more easily understood by residents and community groups.
    - **iii.** Information or reports that are part of a community consultation are frequently removed from website while still relevant. The removal of reports or information from the City website makes it more difficult to follow-up on council decisions, and to hold Council and city departments accountable. Reports should be archived in such a way that they can be located on-line and requested by interested persons.
    - **iv.** It is difficult of find documents or reports on the City's internet site using the search engine; for example, I copied the title of a document from an old agenda, and then pasted into the city's search engine, for nil results. I wanted to compare the annual report to reports from previous years but I was unable to do the comparison. It should be possible to search for reports from previous years.
    - **v.** The City does not make public how many letters it receives in support, for information or against an agenda item prior to the meeting, but does submit them to the councillors in attendance. As a result, a number of people may submit letters to the Clerk's office who are unable to attend a meeting, but these submissions are kept secret from the community. I attended a meeting that several other people were unable to attend due to other commitments, and they wrote letters. The next day, an article appeared in the Free Press stating that only one person did not support the development, but this information was incorrect.

4. **Have you participated in any of the City's hearings or appeal processes? What works well? What do you believe are priorities for improvement?**

    **1. Variances and Appeals**

    The number one priority should be to update the test or criteria for approving a variance to reflect the purpose of the City. From observations, the lack of clear decision criteria or a test to see if a variance meets specified conditions leads to decisions that vacillate widely depending on which councillors are involved in the decision, and which community groups are involved. Manitoba's four criteria for testing to see if a variance is valid need to be updated so that they fall in line with the tests used in other jurisdictions across Canada.

    Manitoba's four tests for a variance are found in subsection 247(3) of The City of Winnipeg Charter. The Variance, (a) is consistent (b) not consistent, with the following:

    1. with Plan Winnipeg, and any applicable secondary plan
    2. a substantial adverse effect on the amenities, use, safety and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway
    3. the minimum modification of a zoning by-law required to relieve the injurious effect of the zoning by-law on the applicant's property; and *(This criterion is an outlier that does not appear in other jurisdictions observed in our scan*.)
    4. compatible with the area in which the property to be affected is situated.

These criteria are open to interpretation and this leads to uncertainty and debate each time they are applied to a decision. The rational as to whether a variance request is granted or refused should be clear and not surrounded by uncertainty. An scan done across Canada for criteria used to test the validity of a variance found that Manitoba's criteria do not conform to what is found in other jurisdictions. Winnipeg is missing a test which looks at the impact of a variance on the health of neighbours and community. It would be desirable to have criteria similar to Edmonton's proposed test (see table one), which includes impact on surrounding neighbours and the requirement for a variance be driven by a physical constraint of the site and not profit.

If Manitoba was to bring its test for the validity of a variance request in line with the rest of Canada, it would greatly reduce the number of variances coming before community committees, reduce the number of appeals that are being heard by the City of Winnipeg, and increase the fairness of the current system.

Table one: **Edmonton's proposed variance criteria and rationale**

| Proposed Variance Criteria | Variance Test | Rationale |
|---|---|---|
| 1. Alignment with City policies | Does the proposed variance result in a development that aligns with the general intent of the Municipal Development Plan and other statutory plans? | This ensures that any proposed variance will result in a development that still achieves the goals and objectives of Edmonton's policies. |
| 2. Meet the general intent of the Zoning Bylaw | Is the proposed variance consistent with the general purpose of the zone? | The intent is to ensure that the proposed variance does not deviate from the purpose of the zone and that the intended scale and form of development in that zone is maintained. This will also uphold the Municipal Government Act requirement that a use cannot be varied. |
| 3. Impact on surrounding neighbours | Does the proposed variance and development unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring properties? | The Municipal Government Act currently requires municipalities to determine whether the development unduly interferes with the amenities of the neighbourhood or affects the use, enjoyment or value of the neighbouring property. This may help focus the arguments for or against a decision by considering any potential land use impacts from the development. |
| 4. Physical constraint | Does the proposed variance address a practical difficulty such as a physical constraint of the site (e.g. unusual shape, topographic feature)? | A variance does not necessarily need to meet this condition for it to be granted. Instead, it is intended to identify valid situations where a proposed variance is trying to address a practical challenge of the site. |

https://www.edmonton.ca/city_government/documents/08NotificationsAndVariances.pdf

5. **How would you describe Council's role in providing oversight of the City?**
   - Council is ignoring its purpose and not providing oversight for the City that will lead to future healthy communities; for example, the lack of policies to support our urban forest on private

and public property will lead to deserts without trees, and green space as climate change leads to the development of heat sinks and the associated increased mortality rates.

- Council should be applying a health and social justice lens to all policies and decisions made by Council and its committees.
- Council needs to consult with the community on its budget and it needs to do this for every budget

**What do you believe are priorities for improvement?**

i. The Council does not provide oversite for the four purposes of the City and it should be referencing its purposes when making decisions. It is essential that there be a strategic plan which is updated annually with goals and targets.
ii. Provide an annotated edition of the City of Winnipeg Charter that can be more easily understood by residents and community groups.
iii. Mandate letters need to reflect strategic goals of the city.
iv. The Executive policy committee needs to be elected by Council so that the Mayor does not have too much control.
v. Council votes need to recorded and posted as part of the disposition, or elsewhere on the City's Site.
vi. The number of terms that a city councillor may serve should be limited to two
vii. Councillors should need to live in their ward or be required to have two community meetings per year in each community area of their ward so that an areas's councillor is accessible to everyone. Our councillor does not live in our ward and other than during the last campaign, I have never been seen her at a community meeting in the Corydon Osborne area.
viii. Traffic counts on Winnipeg streets need to occur at least every five years and the results of the counts need to be public information. Currently, the province posts traffic counts outside of the City, but Winnipeg residents need to pay to obtain the results of traffic counts. This is type of information should be made available at no cost to residents.
ix. At numerous committee meetings, the need for outdoor space at developments has been requested. The need for outdoor space has been highlighted by Covid-19 and the need to social distance. Unfortunately, the City of Winnipeg does not contain guidelines for amenity spaces for buildings of any size; as out community does not have adequate park space, it is important that buildings of four units or larger have designated space where people can meet or play outside. Example of standards for amenity space can be found at the following site: http://www7.mississauga.ca/documents/pb/main/2015/FinalOutdoorDec2014.pdf

6. **Does available information meet your needs to understand City budgets or performance? Please explain.**

- It is not possible to judge the city's performance without better information. The City lacks a strategic plan with priorities, goals and targets and these are essential to good governance. Currently, almost all Canadian cities are producing plans for green space and their urban forests with targets that measure the amount of green space, tree canopy as well as changes in impervious land cover. Other cities are also looking at the environment and climate change with indicators and targets specific to measuring goals such as ambient air temperature, while the city of Winnipeg is not producing useful goal driven annual reports and there is no website dedicated to communicating this information to the public.
- Need more budget information that is easily understood by residents and with comparisons to similar budget expenditures in other jurisdictions.

- Communities need to know what is happening with the cash payments the City is receiving in lieu of a dedication of land for parks. The communities deserve an annual account of how much money the City has received and what was done with the funds. The following statement is present in most applications but the community receives no further information and this is wrong: "That, in lieu of the dedication of land, the developer shall provide a cash payment in an amount equal to ten percent (10%) of the appraised value of Development Application No.-------, as determined by the City's Director of Planning, Property and Development." There has been a great deal of new developments in the Corydon Osborne area but there has been no parks or green space added to the area – where is money?

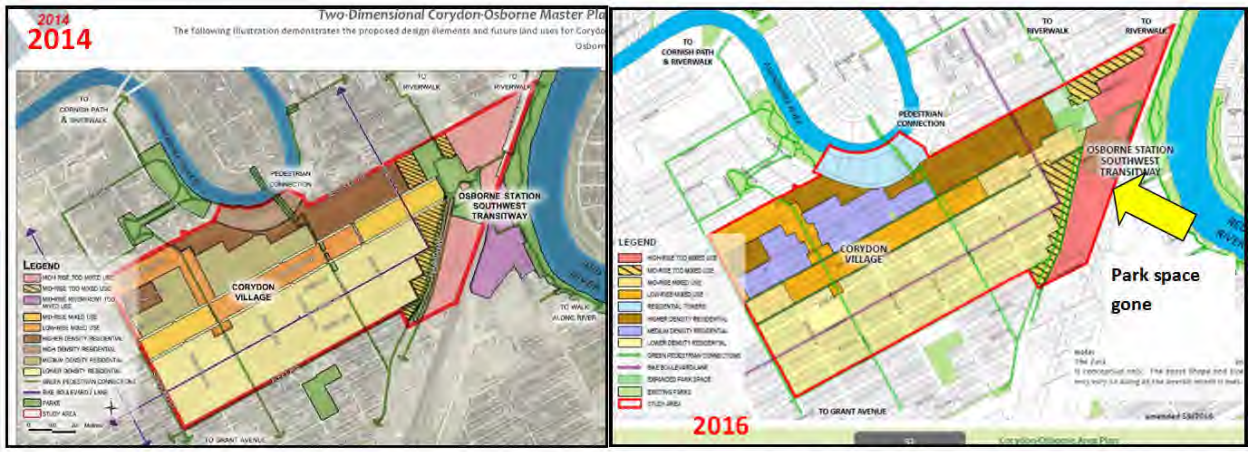
7. **In your experience, are matters to be considered by Council and committees brought forward and dealt with in a timely way?** This question is not meant for residents but rather developers. The problem is that the community is not given information with enough lead time to actually prepare for a meeting. It is possible for our City Centre Community Committee to post its agenda at 3:00 on Friday for a meeting the next Tuesday. The community does not time to prepare for the meeting, and it is often difficult to attain information from city staff in order to prepare for a meeting. 311 adds to this problem as there is no easy way to call staff directly and the 311 system means a delay of at least one business day. Councillors and the city administration (planners) need to communicate better with the community.

   **Efficient or Equitable Access**
   - While property developers may work with the Planners over prolonged periods of time, the **community can be given less than a week to prepare** for a meeting and need to do so with incomplete information.
   - Input from community groups has decreased in importance to the administration and the councillors since the demise of the resident advisory groups, (RAGs).

8. **How well does Council address citizens' priorities?**
   The city does not address citizens' priorities as it has no mechanism for collecting, developing or updated priorities, goals and targets on which to base its work. When priorities are available from community plans the council and city employees often chose to ignore them as is shown in the following examples:

   **<u>Examples of how City Council and Administrators work with community priorities.</u>**

   **Example 1:**
   The lack of parks in the Corydon Osborne area have been identified by residents at community meetings and in the Corydon Osborne Community Plan (COCP) as a priority, but the planners and our elected official choose to ignore the lack of parks. The COCP was amended to eliminate park space from the Plan to allay "any misconception that development 'rights' are being suppressed."




**At a public meeting in 2013, 69% of respondents strongly agreed that there should be more parks in the area. There is one piazza and no parks south of Corydon and no property has been purchased for park space.**

These changes to our plan were wrong and ignored the damage to both the communities and an individual's health, as well as the costs to our health care system that occur when a community lacks green space. What is a developer 'right' and why does it trump a community's right to green space? The conception that developer rights exist needs to be rectified and the planning department needs to be restructured and senior people moved to other departments.

**Example of how terms are used from the Standing Policy Committee on Property and Development, Heritage and Downtown Development – November 8, 2016**
**Secondary Plan Amendment – Corydon-Osborne Area Plan**
**File SPA 1/2016 [c/r DAZ 213/2016]**

- "Commercial properties on the west side of Osborne at McMillan are now labeled as Mid-rise TOD Mixed Use policy with a Parks policy overlay. **This addresses any misconception that development rights are being suppressed,** while still flagging the area for possible Parks acquisition in the future."
- "Parks" areas between Pembina and the rapid transit corridor are now labeled as High-rise TOD Mixed Use policy with a Parks policy overlay. **This addresses any misconception that development rights are being suppressed,** while still flagging the area for possible Parks acquisition in the future."

**Example 2: Corydon Osborne Community Plan Review**

Prior to the COCP, the *Corydon Village Pre-Plan Assessment* was released in 2009 to provide a snapshot of the area in both its physical form as well as its social-economic composition. The resident's association requested that the City run the data again in 2014, to establish a baseline as to what existed when the COCP was approved, and that the report be updated every five years. In the COCP it states that, "A Plan Review should occur every 5 - 10 years." At this time, the City and our Councillor has rejected the request to update the COCP and to do a plan review. Osborne Village's plan was released in 2006, and there has been no in-depth analysis of the changes that are occurring in the community despite community requests for a comprehensive review that includes parks and the urban forest. I used to live in the Village, and there is no why that the changes occurring in the Village would have been supported or foreseen by the residents in 2006.

**Example 3: Councillor states she is choosing to ignore community requests for park space**

The failure of Council to recognize the importance of green space to the health of its residents can be demonstrated by examining a decision made at a recent committee meeting. At the Committee on Property and Development, Heritage and Downtown Development, a property that was being used as a parking lot came up for a declaration of surplus, and residents from that community requested that the

lot, in the most densely populated area of the city become a park. That area's councillor stated during the committee meeting, "My ward residents would want me to say this, that the highest and best use would be a park, that is what they would want me to say, and so there you have it Madame speaker…. But like many of the surface parking lots in Osborne City, it does not reflect that vibrancy of the neighbourhood, the greening of the neighbourhood and so Madame speaker, I want to state that I am supportive of this declaration of surplus of City owned property located at 145 Osborne St." This is only one example of a councillor rejecting the request to have city property in Osborne Village be converted to green space.

> Osborne Village has a great need for parks; it covers 231 acres (93 ha) and has a population of approximately 12,745, making it the most densely populated neighbourhood in Winnipeg. When the World Health Organization (WHO) standard is applied to Osborne Village, the Village should have a minimum of 19 hectares of green space; it has 3.65 hectares of green space. The city property at 145 Osborne Street will now be sold to a property developer, and an opportunity to provide the green space needed for a healthy community will be lost. This does not take into account the negative effect on tourism when a community lacks green space. It is essential that there be targets created that need to be revisited on a yearly basis, because best practice and community health is not enough to motivate Council members to make decisions that will "promote and maintain the health, safety and welfare of the inhabitants."

**Example 4: Council and Planning Decision to Reduce Park Space in the COCP area**

During consultations for the COVP, the community was told that there would be a park across from the Osborne transit station at 265 Osborne street as part of a greenway down Jessie Ave from the transit station and then down Hugo St. to the river. The City then sold the land at 265 Osborne Street for a parkade, and variances were granted that greatly reduced any green space around the building. When the planner for the project was asked how these variances could be granted for a property that was to be a park and part of a greenway, he responded, "There will be an enhanced bus stop."

To make matters worse for the community, the easiest route to access the parkade is down Hugo Street which was to form part of the green way. When a planner for our community was asked about the future of our active transportation route and increased traffic down the greenway, he claimed to have no knowledge of the plans for a greenway or the bike routes in our plan.




**Example 5: Parks or Green Space and Councillor Support Community for Priorities**

A major concern of the Corydon residents is the lack of green space, and it states in our plan that the City should develop an open space acquisition strategy for park space, but this has not happened despite repeated requests to City planners and our councillor as to the status of this priority. It is common across Canada and around the world for cities to benchmark their green space against the World Health Organization's 1.5 hectares per 1000 people guideline. The COCP area has 0.3 hectares of park space for an estimated 8,000 people; this is far short of the 12 hectares the community should have by WHO guidelines. A quick and incomplete scan across Canada found over 10 urban communities with green plans that contain goals or targets, but Winnipeg does not have a green space plan with targets. Vancouver is a good example of how a ratio of greenspace to population is it set with annual targets and projections; their goals and targets are posted updates on-line, as well as in 2-page info sheets: https://vancouver.ca/files/cov/greenest-city-action-plan-implementation-update-2019-2020.pdf

**8B. How well does Council support the overall effectiveness of the city?**

Council does not support the overall effectiveness of the city. To further demonstrate how the Council does not support the effectiveness and well-being of the City, at a community meeting, City employees expressed concern for the impact of summer heat and flooding on residents.

> "Many communities are facing serious threats related to public health, infrastructure costs, economic viability, and social equity associated with climate change. Proactive climate adaptation planning can help avoid significant financial costs associated with climate-related

disasters. For example, Public Safety Canada estimates that every dollar invested in disaster mitigation saves $3-$5 in recovery costs."
http://clkapps.winnipeg.ca/DMIS/ViewDoc.asp?DocId=19192&SectionId=554049&InitUrl=

At numerous other meetings, residents have presented on the dangers of policies that contribute to the loss of trees on private and public land, and green space for contributing to health issues, mortality and flooding. Unfortunately, the Council does not appear to share the concerns of some of its employees, as there are no policies to demonstrate the Council's support for a healthy city in which all residents have equal access to green space or trees. This is not uncommon as research shows that areas with higher incomes have more green space. At two meetings in which I was involved with another agenda item, a resident from a high income area presented reasons why a lot division should not take place on his street and he won in both cases. No other community group was successful in winning their arguments not to have a lot split or variances granted on their streets. In one case, approximately 60 residents protested against an oversized development that would result in no trees on the lot and no sun in the yards of several homes and Council supported the development against the wishes of the community.

9. **How confident are you in the rules and processes around Council conflict of interest?**
Winnipeg is a small city and people in the same profession often know each other which may lead to decisions that reflect social connections and not the well-being the city's residents. Recently, I was listening to a committee meeting when one of the counsellors stated to the other counsellors that they need to be nice to a property manager for proposed development as he has a lot of projects coming up in the future. This same individual used to be a planner for the City of Winnipeg and appears to have remained on good terms with the individuals in his old department. In this situation, it is essential that in order to avoid the appearance of a conflict, the criteria for supporting a property development needs to be clear, reflect the City's purpose and be similar to criteria used in other jurisdictions. It is not good enough just to have criteria, the criteria must be similar in substance.

10. **Do you believe Council is effective overall in making decisions based on the best interest of the city?** No, not if the best interest of the city is the same as the best interests of the city's residents. **Please explain**.

At almost every, if not all, meetings for a sub-division, variance or conditional uses of property, there is a discussion as to how long the planning department has worked with the property developer to determine what the specifics of the request or what variances will be for a particular development. At no point in this process is the community consulted prior to the committee meeting. To the community, the goal appears to be to make the building as large as possible without concern for impact on green spaces, amenity spaces or neighbouring properties. In other jurisdictions, it is common for there to be an expectation that a building will be designed to fit onto a property without variances, and if the building has been designed too large for the property in order to make a profit, the variance will be denied. (In a number of jurisdictions, a variation of this statement from Prince Edward Island was part of their regulations,

"w.1) "variance" means a limited relaxation from the provisions of these regulations with respect to setbacks, area, height or size of a structure where, *owing to the conditions peculiar to the parcel*, *and not the result of actions of the applicant*, a literal enforcement of the regulations would result in unnecessary or undue hardship.)"

Manitoba should bring its criteria in line with other cities as the current criteria is resulting in oversized buildings that negatively affect neighbours and necessitate the removal of mature trees or prohibit the planting of trees as there is not enough space left between the front of the building and the sidewalk when variances are approved.

HOW TO RESPOND The format of your response is entirely up to you. It can be a simple email or a longer document. **Responses may be submitted by email to COWgovernance@mnp.ca until February 19, 2021.**

## Appendix A: Close connections at City Hall

https://www.cbc.ca/news/canada/manitoba/key-figures-in-axing-corydon-plan-questioned-over-connections-1.1173603

# Key figures in axing Corydon plan questioned over connections

## Coun. Russ Wyatt's assistant is son of businessman who opposed original plan

CBC News · Posted: Jul 11, 2012 6:59 AM CT | Last Updated: July 11, 2012

A plan for Winnipeg's Corydon-Osborne neighbourhood is officially back on track, but it's being tweaked a little. 1:46

A process to develop Winnipeg's Corydon-Osborne area is back on track, but some question what appears to be close ties between the key players who killed the original process.

Transcona Coun. Russ Wyatt introduced a motion at a July 3 meeting of the city's property committee to halt work on a major development plan for the Corydon-Osborne area — one of the city's trendiest neighbourhoods — even though the plan had not been written yet.

The move came as Jerry Cianflone, owner of the Pizza Hotline chain and the Café 22 restaurant on Corydon Avenue, expressed strong opposition to the planning process and called on the city to start fresh with an outside consultant instead of city planners.

Cianflone's son, Antonio, works for Wyatt as his executive assistant. The councillor confirmed on Tuesday that the younger Cianflone is working for him.

"He's a young student going to [study] medicine in the fall. He's working for me for the next two months," Wyatt told CBC News.

Jerry Cianflone said his son is just working for Wyatt this summer and he was not involved in the Corydon-Osborne debate.

"You know what? I think that's a very unfair question. That has absolutely nothing to do with any of this," he said.

"My son has only been there three days just this last week," he added.

"He's doing it as a summer [job]. He's in sciences at the University of Manitoba, and this is just something to take him over the summer."

Brian Kelcey, a political commentator who has previously worked as an adviser to Mayor Sam Katz, said the fact that Wyatt hired Cianflone's son may not pose a conflict of interest, strictly speaking, but it certainly raises questions.

"Councillor Wyatt, at a minimum, was thinking too much personally about the individuals, like Mr. Cianflone, and thinking too little about how the process is supposed to work — which, of course, it's his obligation to be thinking of," Kelcey said.

**Consultant to review planning work**

Jerry Cianflone and other Corydon business owners said they had caught wind of some details being discussed for the plan, and they feared it would assign more regulations that would kill development in the area.

The planning committee voted in favour of scrapping the planning process, sparking an outcry from residents in the neighbourhood.

On Monday, Katz brought together a number of stakeholders — including Cianflone, city officials and councillors — and they agreed to hire an independent consultant to review the planning work that has been done by city planners to date.

The consultant will also help the city move forward with a new area plan, while ensuring all stakeholders have a voice in the process.

Mynarski Coun. Ross Eadie said the fact that an independent consultant will be hired to put the Corydon-Osborne plan back on track shows that city hall is dysfunctional.

"Russ is going to support whatever somebody on EPC [executive policy committee] wants and he's going to support whatever his friends want," Eadie said.

"It really, again, is not based on sound planning principles and consulting and finding out from the neighbourhood what they want."
Fort Rouge-East Fort Garry Coun. Jenny Gerbasi, whose ward includes the Corydon-Osborne area, said she just wants to move on.
"We all made a commitment to stop finger-pointing, which some people were doing, to focus on moving forward," she said.
Area residents had a chance to discuss the latest developments at a public meeting on Tuesday night.
On Wednesday, the city's executive policy committee approved a proposal to have an outside consultant oversee the Corydon-Osborne planning process.

# Appendix B: Seniors Gyms for Parks Cross-Jurisdiction Scan, 2020

Shirley Forsyth, Corydon Osborne Residents' Association,

Cross jurisdictional scan for outside senior gyms or Intergenerational playgrounds.

- Winnipeg needs to support intergenerational or senior gyms in its parks as getting people active is good for everyone.

Note: A 2014 study of 174 neighborhood parks in 25 major U.S. cities found that children — representing 20 percent of the total U.S. population — made up 38 percent of park users, and adults age 60 and older represented only 4 percent of total park users and accounted for 20 percent of the general population. Winnipeg needs to acknowledge seniors in its planning and in its greens spaces, and there should be green space every 400 meters.

**British Columbia**

**B.C's Seniors Community Parks initiative**

**https://www2.gov.bc.ca/gov/content/family-social-supports/seniors/health-safety/active-aging/physical-activity/seniors-community-parks**

**Alberta**

In the context of Alberta, many communities have already invested in this equipment, including Lethbridge, Calgary, Red Deer, Fort McMurray, and Canmore. https://www.centre4activeliving.ca/news/2017/06/outdoor-fitness-equipment-in-public-parks/

Parks with fitness equipment, Calgary parks with outdoor fitness equipment
https://www.calgary.ca/csps/parks/locations/parks-with-fitness-equipment.html

**Ontario**

## Donate Senior-Friendly Outdoor Fitness Equipment

For the first time in Toronto, more people are over 65 than under 15. Our senior population is projected to grow to 21 per cent by 2036. Active ageing exercises help ensure seniors are more independent. Designed to help older adults stay mobile, healthy, and physically active in Toronto, free outdoor exercise equipment promotes physical activity, community health and community connectedness. Your taxes have funded five such environmentally friendly parks that require no electricity and minimal maintenance. They include elements like stationary and recumbent bicycles, side-by-side striders, leg presses and hand-eye dexterity games, walking paths with ramps, steps and arches; games like bocce, ping pong or horseshoes; and shaded seating areas.
Your City needs more senior-friendly parks which can only become a reality today through your generosity.
https://www.toronto.ca/business-economy/partnerships-sponsorships-donations/donate/senior-friendly-outdoor-fitness-equipment/
https://www.youtube.com/watch?v=ofD-ZXnIq7I&ab_channel=CityNewsToronto
https://www.youtube.com/watch?v=PaYuCMtnlYk&ab_channel=PazitLevinger
**Seniors exercise park in North York's Godstone Park opens,** NEWS JUL 10, 2019
https://www.toronto.com/news-story/9493158-seniors-exercise-park-in-north-york-s-godstone-park-opens/

**Quebec**
https://trekfit.ca/en/blog/not-your-fathers-push-ups

**Nova Scotia**
**Chester Basin Green Gym, Nova Scotia**
https://www.youtube.com/watch?v=dSaK1m2z0rA&feature=emb_title&ab_channel=EntertainmentTonight

**USA**
New York free for seniors
https://www.youtube.com/watch?v=48hjx_hzS3E&ab_channel=NYCParks
https://www.youtube.com/watch?v=NzOoqKTpsVo&ab_channel=CBSDenver
Multi-generational playgrounds,
https://www.youtube.com/watch?v=o8N_7Zb0S5w&ab_channel=TheListShowTV

**NATIONAL HEALTH SYSTEM, UK**
https://www.youtube.com/watch?v=f2akOb-7_L8&ab_channel=CamdenCouncil

**Spain has over 300 senior gyms**
https://www.youtube.com/watch?v=4tzilhuTB1M&feature=youtu.be&ab_channel=PRX
Article - https://www.pri.org/stories/2014-04-01/playgrounds-are-big-hit-spains-elder-set

**Articles on Senior or gyms for the elderly**
**https://www.bbc.com/worklife/article/20191028-the-cities-designing-playgrounds-for-the-elderly**

**Playgrounds for Seniors (Good Overview)**
by Lesley Forrester | Jul 17, 2019
**https://worndoorstep.com/playgrounds-for-seniors/**

Lambly Park will soon be home to “seniors-friendly” outdoor fitness equipment, director of community services Cheryl Wiebe announced in a press release today.
The new equipment is being added to the park to help seniors in the community age actively.
“In addition to the equipment, the district will be working with the Peachland Wellness Centre to develop an education and awareness program to help seniors become familiar with safe use and help seniors overcome any uncertainty in using the equipment,” Wiebe said.
Funding for the project was made possible through a successful federal New Horizons for Seniors Program grant application, along with local contributions from the Peachland Rotary Club and the Peachland Lions Club.
https://www.peachlandview.com/2013/06/14/outdoor-fitness-equipment-to-be-installed-at-lambly-park/

# MANITOBA ECO-NETWORK

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**City of Winnipeg – Governance Review**

Comments from the Manitoba Eco-Network

February 22, 2021

The Manitoba Eco-Network (MbEN) appreciates this opportunity to comment on the City of Winnipeg's Governance Review. Since 1988, MbEN has promoted positive environmental action by supporting people and groups in our community. MbEN has recently transitioned our programming to focus more on policy advocacy, engagement in consultation processes and developing capacity building tools that benefit the environmental non-profit sector and our member groups. We welcome more opportunities in the future to work with the City of Winnipeg in the development of new policies, plans and programs.

In the past few years, MbEN has engaged with the City of Winnipeg in a range of different ways including meetings with Councillors, presentations to Council and the EPC, and extensive engagement with the public service in connection to our *Building Community Climate Resiliency* project. In the past, MbEN also received a small yearly grant for our Organic Lawn Care Program. Unfortunately, the City no longer provides us with such funding. MbEN has managed to continue operating, thanks to our many dedicated volunteers, and participates in a number of consultation processes to provide input and suggestions for strengthening environmental governance at the municipal level.

As an environmental organization, MbEN's main priority in relation to governance processes in Manitoba is the need to implement meaningful policy and regulatory changes that will push Manitoba and Winnipeg, in a more sustainable direction. There are many dedicated grassroots community groups and environmental organizations that should be given a stronger role in the development and implementation of new programs and policies that goes beyond the participatory opportunities currently in place.

Scope of the Review:

MbEN sees this Governance Review as an opportunity for the City of Winnipeg to acknowledge the role of municipal governments in creating a more sustainable Manitoba and make policy and regulatory improvements that will establish Winnipeg as a leader of environmental sustainability. In this regard we recommend that the Principles of Good Governance that set the context of this review include "sustainability" or "sustainable development". As we highlighted in our recent submissions for the *OurWinnipeg* plan, there is a need for the City of Winnipeg to recognize sustainability as a main component of good governance that influences the development and implementation of all policies and programs.

Other principles of good governance that we recommend include "effective enforcement", "collaboration", and "meaningful participation". Some of these elements were captured within the identified Principles of Good Governance, however, it is important to explicitly recognize these principles and analyze the City's governance approach based on these categories in order to provide better insight into the effectiveness of current processes and policies.

MbEN feels that the scope of review should also include the municipal election process, an important process which directly impacts who leads the City of Winnipeg and has the power to implement new policies and programs. How we elect our municipal leaders and the rules we develop for the electoral process is a cornerstone of good governance and should be included in the review.

Environmental Governance:
MbEN recognizes that there have been improvements in the City of Winnipeg's approach to implementing the regulatory and policy changes needed to move Winnipeg in a more sustainable direction. We feel that the City of Winnipeg can go further in the development of new environmental policies and programs and "environmental governance" must be reflected more prominently in the operations of the City of Winnipeg.

A strong environmental governance approach means more funding for environmental programs, more staff to implement existing and new environmental policies and programs, and increased opportunity for members of the environmental community and public to provide advice and support for improvements. MbEN has had great experiences interacting with the public service, however, there has been a lack of support from those individuals with the power to make final decisions. As one of the main stated purposes of the City of Winnipeg is to develop and maintain "sustainable communities" and promote and maintain the "health, safety, and welfare" of its citizens (s 5(1), *The City of Winnipeg Charter Act*) the City of Winnipeg should take the opportunity to move in a more sustainable direction and meet the standards necessary to join important environmental initiatives like Low Carbon Cities Canada (LC3) and the 1000 Cities Adapt Now program.

Other environmental governance approaches which we recommended in our past *OurWinnipeg* submissions continue to apply to this review. For example, MbEN would like to see the City of Winnipeg:

- Recognize environmental rights: It is important for the City of Winnipeg to join the growing number of Canadian municipalities, including the Manitoba communities of The Pas, Whitemouth, Dunnottar, Thompson, Stonewall, Shamattawa and Selkirk, that have

recognized the "right to a healthy environment". Recognition of environmental rights would demonstrate environmental leadership and long-term planning in the intergenerational public interest.

- Implement stronger environmental enforcement mechanisms: Many Winnipeg citizens have faced situations where environmental policies and the decisions of elected officials or hearing bodies have not been effectively enforced. MbEN strongly supports the development and implementation of stronger enforcement mechanisms. For example, we would like to see commitments to the use of more enforcement mechanisms like financial penalties for non-compliance violators. The funds from such penalties could then be used to provide community organizations with funding for collaborative environmental projects.
- Better assessment of new developments and construction projects: MbEN feels strongly that in order for the City to truly take on a role of environmental leadership, there is a pressing need for better assessment of new developments and construction projects through the use of environmental impact assessment and life cycle assessments that considers environmental impacts cradle to grave. MbEN would strongly recommend the inclusion of policy commitments to improve the City's assessment approach.

Public Participation:
MbEN acknowledges the improvements that have been implemented by the City of Winnipeg to better facilitate meaningful public participation. The creation of the Office of Public Engagement and adoption of the Public Engagement Policy were important steps in the creation of opportunities for meaningful public participation. The development of the Engage Winnipeg site has also made it much easier to identify opportunities for engagement and access relevant information. MbEN has found the information included on the City of Winnipeg website about engaging in Committee and Council meetings to be helpful.

However, we feel there are still opportunities for improving the resources and approaches utilized by the City to engage with its citizens and have seen these concerns echoed by other community and environmental groups in Winnipeg. For instance,

- Types of engagement: MbEN would like to see more opportunities to engage that move beyond the "Consult" level of the IAP2 spectrum of public participation that was adopted by the City in the *Engage Winnipeg Policy*. There are many dedicated community groups and environmental organizations that could play a valuable role in the development and implementation of new policies and programs if given engagement opportunities that better align with the "Collaborate" and "Empower" end of the IAP2 spectrum.

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- Timing of engagement opportunities: Having multiple engagement opportunities occur simultaneously restricts the ability of the public to meaningfully engage in all processes.
- Availability of background information: There have been improvements in the type of information available to the public, but we continue to hear from members of the community who have found it difficult to engage in certain consultation processes due to a lack of background information. For example, more information about how the existing policies were consolidated in the development of the new *OurWinnipeg* plan would have increased the capacity of the public to provide informed input and added more transparency to the City's policy development process. MbEN agrees that "[i]nforming the public is a critical component of any engagement process" (*Engage Winnipeg Policy*).
- Summary of public input: There is a need for public engagement reports summarizing the public feedback received during consultation opportunities in order to improve the transparency and accountability of City decision-making processes. It has often been unclear what scope of public feedback was received, how this information was considered and how it was incorporated into final approval and implementation processes. Engaging in consultation opportunities takes a lot of time and effort and it is often not clear if the input provided by the public has been meaningfully considered.
- Lack of funding for additional community consultation: There is rarely any funding available to environmental nongovernmental organizations (ENGOs) and community organizations to undertake additional consultation activities within their respective communities. MbEN feels it would be a better use of public funds if some of the money currently being directed to consultants was redistributed within the Winnipeg community to allow community organizations and ENGOs to more meaningfully contribute to consultation processes and take on more community engagement activities. For example, in Phase 1 of our *Building Community Climate Resiliency* project, MbEN surveyed a broad range of environmental and community organizations about climate resiliency knowledge and action in Winnipeg, and produced a comprehensive report summarizing their feedback. While city staff provided in-kind support, this project received no municipal funding.

Access to Information:

MbEN recognizes the improvements that have been made in terms of public access to information. This includes the ability of the public to access information about Council proceedings and municipal operations through the Decision Making Information System and the Open Data Portal. However, there is a need for more publicly available information about the implementation and effectiveness of municipal policies, enforcement activities, and the development of better sustainability goal indicators. For example, dashboards like PEG

(www.mypeg.ca) could be incorporated into the Decision Making Information System to make the city's open data more accessible to a broader audience.

MbEN feels that transparency and access to information could be further improved by commitments to Open Government and Open Data Principles. There is a need for more policies that ensure data is open by default and access is facilitated under the FAIR principles (findable, accessible, interoperable, and reusable).

Governance Structure:
The current division of environmental responsibilities between various Standing Committees can cause significant confusion in terms of how members of the public and community organizations can best engage with the City of Winnipeg when facing environmental issues or advocating for sustainable change. There is a need for a more coordinated approach to environmental governance where the same individuals with oversight of planning and approvals are also evaluating implementation, development of programs, enforcement, and the effectiveness of the City's framework of environmental regulatory requirements.

Although the EPC may be said to play a coordinating role by recommending the implementation of policies and practices that support environmental leadership, the existence of the EPC has unintendedly created an unequal division of power between Council members due to the unprecedented level of power held by the Mayor and the EPC. As noted in the Preliminary Report, the discretionary power granted to the Mayor to appoint the chairpersons of Standing Committees and members of the EPC, along with the vetting of public service reports by the Mayor and select members of Council prior to their distribution to Council has resulted in a concentration of power that does not exist within other Canadian municipal governments. This has resulted in the perception that members of Council not included in the Mayor's inner circle are at a disadvantage in comparison with their EPC counterparts, which impacts the legitimacy and effectiveness of Council decision-making processes.

MbEN supports the dismantling and/or restructuring of the EPC and the reduction of discretionary power currently afforded to the Mayor so that all elected members of Council are able to effectively represent the interests of their constituents and contribute to the implementation of more effective environmental governance processes.

Conclusion:
MbEN appreciates this opportunity to provide input into the City of Winnipeg's Governance Review. It is time for the City of Winnipeg to implement better environmental governance

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approaches and take on a stronger environmental leadership role in Manitoba. This review is an opportunity to set a real example for Manitobans and move beyond the minimum environmental governance standards set by the Government of Manitoba.

Moving forward, there are many ways the City of Winnipeg can do more to ensure "environmental governance" becomes a prominent element of municipal operations. This includes more funding for environmental programs, more municipal staff to implement existing and new environmental policies and programs, and increased opportunity for members of the environmental community and public to meaningfully engage.

There are also many opportunities for the City to strengthen the legitimacy, transparency and accountability of municipal governance processes by improving public access to municipal data and addressing the power imbalance between City Councillors due to the discretionary powers of the Mayor and the existence of the EPC.

MbEN looks forward to seeing how the City will use the input received during this review process to create a more sustainable and collaborative municipal governance process. We welcome future opportunities to collaborate with the City of Winnipeg and contribute to the development and implementation of environmental policies and programs.

Glen Koroluk, Executive Director

Heather M. Fast, B.A., J.D., LL.M., Policy Committee Chair

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**CITY OF WINNIPEG GOVERNANCE REVIEW**
**RESPONSES TO MNP ENGAGEMENT QUESTIONS**

**1. How is your organization or its members typically involved in interactions with the City Council or a committee of Council?**

Proactive outreach by the City has improved over the last couple of years. Typically, past interactions occurred when the Manitoba Trucking Association (MTA) happened to learn of a threat to truck routes or when other trucking related issues were brought to our attention. These engagements have been frustrating and unproductive, as committees and councillors often appear to be primarily concerned with constituency concerns, not the functional or practical aspects of truck routes, safety enforcement, or their relevance to the overall urban economy. Sometimes councillors appear to be unaware of, or worse, indifferent to the impact of the decisions they make on the broader urban transportation system. It is for this reason that proactive outreach to interest groups, to discuss city wide connections and policy with City of Winnipeg staff, is an improved process.

**2. Do you feel there is reasonable access and opportunity for organizations/citizens to participate in the decisions before Council? What barriers may exist?**

There can be reasonable opportunity to participate but it still cannot be counted as proactive. Again, the City is getting better at proactively engaging with our industry, if they reach out. Beyond that, attempting to work through the pre-determined public engagement processes or the committee hearing system is not ideal. This system is difficult to navigate, registration to appear is time-sensitive, and public engagement is limited. Beyond that, when the MTA attends this process, it is with a policy position that was research, vetted and approved through a duly elected board of directors, who represent 300 Manitoba companies. That opinion and policy development process needs to be provided the merit that it is due and should not necessarily be provided the same weight as others.

As for barriers, there are many examples:

- The defensive and protective manner in which the City often does the public's business, which is engrained in the City's organizational and political culture.
- The ability of councillors to drive constituency-focused agendas with impacts beyond their ward, and who do not want to change this culture, because it is to their political advantage.
- The ease at which letters or presentations may be disregarded, no matter how pertinent, relevant, or insightful to an issue at hand.
- If no-one on a committee has any particular interest in a matter, any concerns raised may not go anywhere.

**3. Is information on issues being considered by Council or a committee easy to access? How would you describe the information that is available? What gaps might exist?**

Information Accessibility: It is easy enough to access what limited information there is, but only for people who understand the DMIS and know how it works. This is not simple for everyone. Not all relevant information is included on the DMIS, and in this manner, the DMIS can delimit the scope of debate.

Information Availability: The real issue is that not all the information that public service uses in their reports is available on the DMIS, even if that information is not legally sensitive or does not involve privacy issues. This is especially a challenge for stakeholders when relevant information may be left out of official reports, key questions are not addressed, or important details are obscured by general descriptions.

Gaps: Reports to committees and Council often frame matters to enable pre-ordained decision-making. This framing can be manifested as a highly limited presentations of alternatives to the preferred option, only a brief review of the merits of those alternatives, or a minimal explanation of why alternates were not further explored.

In general, the DMIS is a very passive tool. It requires an organization to actively go to a variety of committee sites and reads agendas and minutes monthly. Again, for certain advice, appropriate stakeholder outreach must be proactive in nature and it must be something that industry can rely on.

**4. Have you participated in any of the City's hearings or appeal processes? What works well? What do you believe are priorities for improvement?**

Priorities for Improvement: The City should consider establishing a separate adjudication process for minor issues such as zoning variances and minor appeals, that relies on a consistent body of reasonable precedents, offers clear avenues for resolution and final outcomes, and does not involve councillors. The Province's Residential Tenancy Branch should be considered as a potential model.

Doing this will free up time for councillors to have longer, more meaningful discussions of longer-term *policy*, with representation from organized interests, expert witnesses, and a focus on facts and reason rather than parochial power or citizen emotion.

The City should establish standing public policy advisory committees that include permanent representation from relevant expert and industry groups. Their role would be to provide a second set of eyes and ears to matters, pointing out considerations and facts that neither councillors or the public service are aware of, or are hesitant to raise themselves. Too often, issues are dealt with based on sparse information or mistaken assumptions, much to the detriment of practicality, feasibility, and general comprehension.

Example: Deleting truck routes without any consultation or input from the trucking industry.
Example: Ignoring the reasons *why* the Airport Vicinity Protection Area exists, or why those reasons matter to the sustainability of Winnipeg's economy.

**5. How would you describe Council's role in providing oversight of the City? What seems to work well? What do you believe are priorities for improvement?**

There is some merit in ensuring the voice of ward residents can be heard. However, those voices need to inform broader public policy, not dictate it. Especially on issues that should never be decided at the ward level such as decisions about individual parts of the commercial goods corridor or city-wide road safety initiatives. One size fits all solutions are often very ineffective if not damaging and undermine faith in the policy making process.

**6. Does available information meet your needs to understand City budgets or performance? Please explain.**

No. There is ample public information on the City's budget process, but almost no information on the City's budget *methods*. This makes it virtually impossible to understand the reasoning behind budget decisions.

The City's performance information is limited and general. There is no formal evaluation policy in place to regularly assess the rationale, design, delivery, and effectiveness of City programs, and to communicate those findings.

**7. In your experience, are matters to be considered by Council and committees brought forward and dealt with in a timely way? Efficiently?**

It depends completely on the matter in question. If Council or a committee already know what they want to do, the matter is brought forward quickly and passed. If Council or a committee does not know what they want to do, or if the matter is sensitive or controversial, it gets sent back to the public service for more research, analysis, and information.

The point here is that the decision-making process can be driven by councillors' desires, not by facts, analysis, or the design and discussion of options. The existing governance system encourages this, and there is no motivation on the part of councillors to change it. It is simply more convenient and *politically advantageous* to leave things as they are.

This process can enable council to let an issue die down in the media, or if the matter is taking a long time for the public service to respond, it is easy for councillors to place the blame on the public service itself, not on *their own* inability or unwillingness to fully understand the matter or debate its merits.

**8. How well does Council address citizens' priorities? Support the overall effectiveness of the city?**

The better question is: how well does Council address the City's already established priorities in OurWinnipeg and the Transportation Master Plan. City by-laws require the City to have these plans in place. There is no corresponding plan to ensure they get used.

**9. How confident are you in the rules and processes around Council conflict of interest?**

It is too early to tell whether the renewed efforts that have been made on the matters of ethics and conflict of interest are sufficient to address these issues.

**10. Do you believe Council is effective overall in making decisions based on the best interest of the city? Please explain.**

It is believed there is a better way. For example, if Council was effective in making decisions based on the best interest of the city (the place), instead of The City corporate, Winnipeg might not be lagging behind in achieving a number of elements contained in municipal planning documents.

**From:** South Osborne Residents' Group <southosborneresidentsgroup@gmail.com>
**Sent:** February 18, 2021 1:00 PM
**To:** City of Winnipeg Governance 2020
**Cc:** Mayor Bowman; Councillor Gillingham; Councillor Browaty; Councillor Eadie; Councillor Orlikow; Councillor Sharma; Councillor Allard; Councillor Gilroy; Councillor Lukes; Rollins, Sherri; Mayes, Councillor; Councillor Santos; Nason, Shawn; Klein, Kevin; Office of Public Engagement; danielle.dasilva@freepress.mb.ca; joyanne.pursaga@freepress.mb.ca; julia-simone.rutgers@freepress.mb.ca; katie.may@freepress.mb.ca; kevin.rollason@freepress.mb.ca; maggie.macintosh@freepress.mb.ca; malak.abas@freepress.mb.ca; melissa.martin@freepress.mb.ca; ryan.thorpe@freepress.mb.ca; sarah.lawrynuik@freepress.mb.ca; CBC News; CBC Radio; CBC, Nelly Gonzalez; CBC, Sean Kavanagh; CKUW; CTV News; Global TV; Gold, Marty; Janet Stewart; Markusa, Marcy; Metro News; The Lance; The Manitoban; Tsuji, Lindsay
**Subject:** SUBMISSION TO CITY OF WINNIPEG'S GOVERNANCE REVIEW

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*Note: the City has hired MNP to review its governance structure, by-laws and practices.*

***SUMMARY***

Residents groups all over Winnipeg have little faith in Winnipeg's Administration and Council. Why?

1. Lack of openness and transparency. Residents' associations want to help end incomprehensible governance as supported by inconsistent and unethical administration.

2. Lack of credibility. Council and departments should work to reduce the look of corruption.

3. Questionable decision-making. Credible communication instead of deliberate diversionary tactics will improve governance.

4. Lack of accountability for use of existing resources. Collaboration with citizen advocates will improve strategic priorities, planning and administration.

5. Lack of continuous improvement, esp. in ethics and legal compliance. Eliminating the legacy of recent decades of legal disregard will train current staff in being responsible.

6. Lack of transparency as well as meaningful collaboration with staff and politicians.

MNP'S QUESTIONS:

**1. How is your organization (or its members) typically involved in interactions with the City Council or a committee of Council?**

Background: South Osborne Residents' Group Inc. has advocated for the good of local neighbourhoods: Lord Roberts and Riverview since 2009.

Typical interactions: Since 2009, we have received harassment, bullying, gas-lighting, pressure to break privacy law as well as insults. City representatives have lied, denied clear evidence, prevaricated, disobeyed or ignored bylaws and not responded. Also, City reps routinely use bait & switch tactics to stifle citizen input.

Exceptional interaction: As members of the Public Advisory Committee, we are collaborating effectively with the Transportation department and the Office of Public Consultation on the *Lord Roberts Neighbourhood Traffic Plan*. The new Manager of Transportation seems to have overcome the fortress/denial culture that previously existed.

**2. Do you feel there is reasonable access and opportunity for organizations/citizens to participate in the decisions before Council?**

Typical situation: There are no reasonable opportunities for meaningful participation. Firstly, the City does not want it and does not have any tools to collaborate. Secondly, the City gives developers, including Transit, free and easy access to decision-makers. Unlike residents' associations, businesses use emotional blackmail (We need more taxes via luxury housing! My condo will stop urban sprawl! Densification is good! There are too many parks!) and it works, especially just before a big meeting. Sadly, our former Councillor blocked resident feedback.

Exceptional situation: The Community Traffic Engineer for the *Lord Roberts Neighbourhood Traffic Plan*, and the Manager of the Office of Public Engagement are skilled at seeking out evidence-based decision-making tools. Fortunately, our current Councillor seeks feedback and occasionally represents residents' concerns.

**What barriers may exist?**

There are few mechanisms for meaningful collaborations with concerned residents.

In compliance with the Office of Public Engagement initiatives, the City hosts public consultations, but departments (1) tailor responses and (2) ignore the feedback.

*Example*: In spite of residents' extensive campaigning to save parks, the Planning department proposes making all greenspace available for developers, not residents.

**3. Is information on issues being considered by Council or a committee easy to access?**

Typical situation: No. The City's rule of giving only 4 days agenda notice before any Committee meeting bars citizens from meaningful participation. Why? City departments know is not possible for residents to create a credible study in 4 days (that usually include a weekend).

Furthermore, the City's rule (of questionable legality), the Councillors may not talk to residents before a public hearing (but do talk to developers), is a tool Councillors have used for years to avoid accountability to the voters most affected.

Worse yet, we see the City making final decisions well before any public hearing. It does not give citizens accurate (or any) information being considered beforehand.

Exceptional situation: The neighbourhood traffic plan project has been publicly accountable since beginning two years ago. https://www.winnipeg.ca/publicworks/transportation/projects/lordrobertstraffic.stm

**How would you describe the information that is available?**

Typical info: Misleading, ideologically-based, inaccurate, developer-led, biased, not based on facts from any Winnipeg neighbourhood (or even from Canada), sly.

Exceptional info: Transportation and the Office of Public Engagement are using transportation evidence that is local, current, accurate and that includes valuable lived experience.

**What gaps might exist**?

The City would benefit from training in, and close supervision of, ethical reporting.

*Example*: the Planning department routinely produces sloppy Administrative Reports that include: incomplete (and usually no) evidence; cliches and opinions presented as fact; and there remain wildly inconsistent information standards between Planners.

*Example*: Planning publicly states that it "lets developers cherry-pick which parts of OurWinnipeg, Complete Communities, and other bylaws to obey." This becomes apparent during the approval and variance processes when developer-led studies surface.

*Example:* Each City Planner decides what laws to obey and their Director fosters that.

*Example*: Planners routinely contravene bylaw 200/2006, the Province of Manitoba's Planning Act, or the Winnipeg Charter as well as other legislation. See appendix: *Open Letter to the Mayor* by United Neighbourhoods of Winnipeg, dated January 2020.

*Example*: Weak and malleable Managers were appointed during Mayor Katz's tenure. These employees have not the qualifications, nor the understanding of ethical responsibilities, to inform Council accurately or in a timely manner. At the Social Planning Council's *Whose Winnipeg* workshops, City staff revealed that.

Finally, recent Mayors hired friends as the Chief Administrative Officer, so there is no oversight.

**4. Have you participated in any of the City's hearings or appeal processes?**

We present briefs https://southosborneresidentsgroup.wordpress.com/briefs/ and organise presentations to public hearings. We have made presentations to the Planning department, the Transportation department, Transit, the City Centre Community Committee and our

Councillor. Since Winnipeg's largest infill began here in 2009, we met with a wide variety of present and former City staff, some of whom left abruptly in a cloud of media coverage.

**What works well?**

It helps when an area Councillor has ethics and uses them to address community needs.

**What do you believe are priorities for improvement?**

1. Reinstate the Board of Commissioners. The Board of Commissioners began in 1972 and was responsible for providing leadership to all civic departments. In particular, the Board provided advice to Council on key issues; initiated administrative changes and improvements; led civic responses to crisis situations; provided mentoring to department heads; pursued federal and/or provincial funding for civic works; and coordinated service delivery. In 1997, the Mayor abolished this Board. Results: businesses have corrupted decision-making within successive Councils as well as within departments like Planning and Public Works. Since then, Winnipeg has needed a non-partisan advisory group to improve ethics, to enforce accountability and to mentor wayward departments in returning to ethical corporate behaviour.

2. Reinstate Resident Advisory Groups. Many Canadian cities institutionalise collaboration with neighbourhoods. This saves money by improving efficiencies.
https://winnipegneighbourhoodscoalition.wordpress.com/neighbourhood-planning-in-other-cities/

3. Change the Integrity Commissioner hiring and supervision process. Currently, the Commissioner's bosses are the Councillors. This produces a serious problem: the Commissioner does not find against Councillors, even when complainants cite the City's own video of a Councillor being abusive at a public committee meeting. Result: no accountability.

4. Improve and increase appeal processes to stop Council from making inconsistent, frightened, ill-informed, corrupt and/or lazy decisions. Change how Council appoints to committees such as the Board of Revision and the Board of Adjustment to avoid having slack members, unaccountable mandates and problematic structures.

**5. How would you describe Council's role in providing oversight of the City?**

Residents all over the city want to know why successive Councils have not, or will not, make the Administration provide complete and truthful information to it. Let this governance review be the audit of Council's role in supervising the Supervisors.

**What seems to work well?**

Depends who you talk to, doesn't it? It shouldn't. Council should work for the greater good, not just for business or for ideologies.

**What do you believe are priorities for improvement?**

1. Collaborate with communities to incorporate provable evidence using public consultations.

2. Prevent the Executive Policy Committee from dictating to Council in order to stifle scrutiny.

3. Create an independent Board of Commissioners to rebuild integrity.

4. Supervise the culture in Administration, so workers stop lying or denying citizen's evidence.

5. Obey all laws. (A 2019 Councillor quote, "It's up to citizens to sue the City, not us to obey.")

6. Supervise Councillors' and the Integrity Commissioner's behaviour to ensure they are always respectful and ethical.

7. Reinstate Resident Advisory Groups to provide reliable evidence. We want to help.

**6. Does available information meet your needs to understand City budgets or performance?**

Never.

**Please explain**.

The City routinely issues untrustworthy, inaccurate and biased information. Residents have become used to seeking where the City hides its bait and switch tactics.

**7. In your experience, are matters to be considered by Council and committees brought forward and dealt with in a timely way?**

Never.

By only releasing agendas 4 days before important meetings, the City protects itself from open and transparent decision-making. This also prevents citizens from collaborating.

Furthermore, Councillors on community committees still block neighbourhood groups' presentations using interruptions, censorship, contradictions and emotional blackmail.

**Efficiently?**

Because the City's conduct has long ago broken trust, voters cannot believe it is efficient now.

**8. How well does Council address citizens' priorities?**

Very poorly.

*Example*: The City's current proposal to give public parks to developers is in direct contrast to what Winnipeggers have always said. https://www.ours-winnipeg.com/

**Support the overall effectiveness of the city?**

Poorly. How can Council trust its staff after so many well-documented debacles? Staff may change but irresponsible behaviour in Council and on staff continues.

*Examples*: https://southosborneresidentsgroup.wordpress.com/media-coverage-of-sorg/

**9. How confident are you in the rules and processes around Council conflict of interest?**

Not at all, because a review of the few complaints upheld by the Integrity Commissioner reveals a lack of policy compliance, leaving the media as the only reliable arbitrator.

**10. Do you believe Council is effective overall in making decisions based on the best interest of the city?**

No. That has not been SORG's experience. Many other residents' associations across Winnipeg remain very upset at the disregard Council has shown them.

**Please explain**.

Council does not insist on complete local, current and accurate information.

It does not consult residents first. It does not insist on community needs assessments first.

It does not comply with legally-binding Secondary Plans.

*Example*: https://www.winnipegfreepress.com/our-communities/souwester/Residents-rise-up-against-rezoning-384319121.html

Instead, it favours developers and construction businesses over residents' expressed needs.

Council is effective in rewarding developers, but this is not in the best interests of Winnipeg.

Mayor Bowman: January 2020

United Neighbourhoods of Winnipeg (uNOW) has many concerns about how the City of Winnipeg encourages non-compliant infill development. In general, we are not against development that obeys Provincial and municipal by-laws and regulations.

As you know, we have sought answers to questions about the City's questionable circumventing of land use planning laws. We have sought dialogue with you and your office, the Property, Planning & Development Department and its head John Kiernan, the Board of Adjustment and various committees as well as our Councillors.

In spite of that, residents in mature neighbourhoods across the city experience damage by infill development because the City does not comply with the 200/2006 by-law, the Winnipeg Charter, Our Winnipeg/Complete Communities or the Province of Manitoba Planning Act.

It is a sad and embarrassing position that residents have been put in when the City constantly changes its rules. City Planners, Councillors and committee members show insufficient respect or consideration for residents. What is worse is that the City states that it may interpret its own rules differently from one hearing to another on the same subject. And it relies on residents to report inconsistencies and non-compliance instead of early enforcement.

The City's behaviour is not what we expected from you or anyone else we have approached.

We hear that the city wants to be open and transparent. This is not what residents in mature neighbourhoods experience at all.

We'd like to point out that this confusion of communication causes needless expense, anxiety, time and energy to all parties.

Therefore, please provide answers to the following questions:

1. How does the City justify disobeying section 23 of the 200/2006 by-law **Prior Non-conformities Continue** that states: *"The intent of this By-law is to permit a non-conformity to continue until it is removed but not to encourage its survival"*? The message of this law is to prevent lot splits to the excessive extent we experience, for example, in Glenwood.

2. How does the City justify disobeying section 36 **Variance Orders**? It clearly states: *"For purposes of this determination, injurious effects includes physical characteristics of the owner's site that make it difficult or impossible to comply with the provisions of this By-law, but does not include conditions created by the owner or conditions generally shared with other properties in the same area."* The intent of this law is to prevent, for example, developers from ruining their property then asking for (sometimes over 30) variances.

3. How does the City justify disobeying the Housing section 01-4 of **OurWinnipeg**? It clearly states the City: *"…has an important role to play in supporting housing renewal and in both enforcing building codes and property by-laws and educating relevant parties about them."* The intent of this law is to remind the City of its duty of care to residents.

4. How does the City justify disobeying the 200/2006 By-law section that states that *"no structure may be erected on a lot of record unless…the parcel of land is in separate ownership and is not part of a continuous frontage with other parcels of land of the same ownership."* The intent of this law is to regulate lot splits and building too close to adjacent homes.

5. How does the City justify disobeying section 6.3 (p. 25) of the Planning Act Handbook, Manitoba Intergovernmental Affairs that states: *"Consistency with by-laws – all decisions of a board or council must be generally consistent with the plans and zoning by-laws in force. A variance can not be used to circumvent the plan or zoning by-law."* The intent of this law is to remind the City it must comply with existing laws.

6. How does the City justify disobeying its own **Complete Communities** directions that require the City to respect each community's character? This by-law mandates that all development must be done in a sensitive manner that recognizes the existing form and character of its location. Furthermore, infill must conserve the ageing building stock and increase housing choice while maintaining existing neighbourhood character.

7. How does the City justify disobeying sections 12 of the Winnipeg Building By- Law No. 4555/87?

8. How does the City justify disregarding the Workplace Safety and Health Regulations for Asbestos https://www.gov.mb.ca/labour/safety/pdf/faqs_asbestos_contain_material.pdf?

7. How does the City justify making residents and developers wait years to resolve the numerous planning problems we are all experiencing due to an apparent lack of leadership and follow-through?

8. Why are we waiting over two years (and been on the agenda ten times) for a decision on a request made by Councillor Gerbasi on Sept 5, 2017 at City Centre Community Committee for options to improve the ability of the Winnipeg Public Service to ensure compliance with approved plans for new developments?

9. How the City justify the following quotes by City employees? "City no longer conducts these inspections unless they receive a complaint" "there are many developments throughout the City that are not built in accordance with approved site plans" and "the Winnipeg Public Service has limited tools to ensure that developers and property owners comply with approved plans".

10. Finally, why is it that the City now relies on volunteer residents in each mature neighbourhood to inform the City about so many non-compliances?

We ask for your answers as soon as possible as we have waited three months since we met. If you would like to meet with us again or appoint someone to do so, we are willing under the following conditions: that the meeting start on time (and if not, that we have extended time); and that your staff does not attempt to veer into irrelevant diversions.

Respectfully,

Tom Scott Chair, United Neighbourhoods of Winnipeg

On behalf of the uNOW members and thousands of concerned residents city-wide.

The Mayor's response: none.

IE11.1 - Attachment 1





# CanopyTO



TORONTO


TORONTO

# SUMMARY OF FINDINGS



### Toronto's canopy cover and total tree population has increased over the last 10 years.

Toronto's canopy cover increased from 26.6% to 28.4% between 2008 and 2018. The City's tree population increased from 10.2 million to 11.5 million trees.



### Street trees are making a significant contribution to the urban forest.

The condition of street trees has improved significantly, with a 25% increase in trees rated as good or excellent. While representing only 5.4% of Toronto's urban forest, street trees provide 19.4% of the total structural value.



### The composition and condition of the urban forest has seen positive and negative changes.

The distribution of trees by size class improved with more larger-growing trees and more young trees. The overall condition rating of trees and shrubs has declined. Invasive species have increased in the city's parks and ravines.



### Impervious land cover is increasing across the city.

Impervious land cover has increased by 1.4% since 2008. Plantable space across the city has decreased by 2% while nonplantable space increased by 3%. The most land area converted from pervious to impervious is on Single Family Residential lands.



## PURPOSE OF THE 2018 TREE CANOPY STUDY

In order to monitor changes in the structure and function of the urban forest, the City's *Strategic Forest Management Plan 2012-2022* recommended that a canopy assessment be undertaken every 10 years. The 2018 Tree Canopy Study presents an update to the first canopy assessment initiated in 2008 and described in *Every Tree Counts: A Portrait of Toronto's Urban Forest*.

The purpose of this 2018 Tree Canopy Study is to:

- Update information on the current composition, structure and distribution of Toronto's urban forest
- Quantify the ecological services and benefits provided by the urban forest
- Identify opportunities for increasing sustainable tree cover
- Compare and evaluate current conditions to the baseline conditions

## SCOPE OF THE 2018 TREE CANOPY STUDY

The 2018 Tree Canopy Study provides a snapshot of current conditions, measures changes since the last canopy assessment and identifies issues and trends affecting the urban forest. It provides data on the extent, size class, composition and condition of the urban forest. It also provides information about the amount and dollar value of several key ecological services provided by the urban forest.

## USING THE RESULTS

Much like the findings from the first canopy assessment informed the first Strategic Forest Management Plan, findings from the 2018 Tree Canopy Study will help the City make evidence-based decisions in the development of the next Strategic Forest Management Plan, due in 2023.

Using methodologies established by Canadian and international jurisdictions, studies of this kind are an important part of the adaptive management cycle. The Strategic Forest Management Plan recommended that canopy assessments be undertaken every 10 years in order to understand and respond to changes in the urban forest.

The 2018 Tree Canopy Study provides an update on the current state of the urban forest and how it has changed from the previous assessment. The study's findings will be used to inform the development of future strategic directions and priority actions necessary to support a healthy, resilient urban forest. Findings presented in the 2018 Tree Canopy Study will also help inform the implementation of the Ravine Strategy and the Biodiversity Strategy.






# BENEFITS OF TREES

# Toronto's canopy cover and total tree population has increased over the last 10 years.

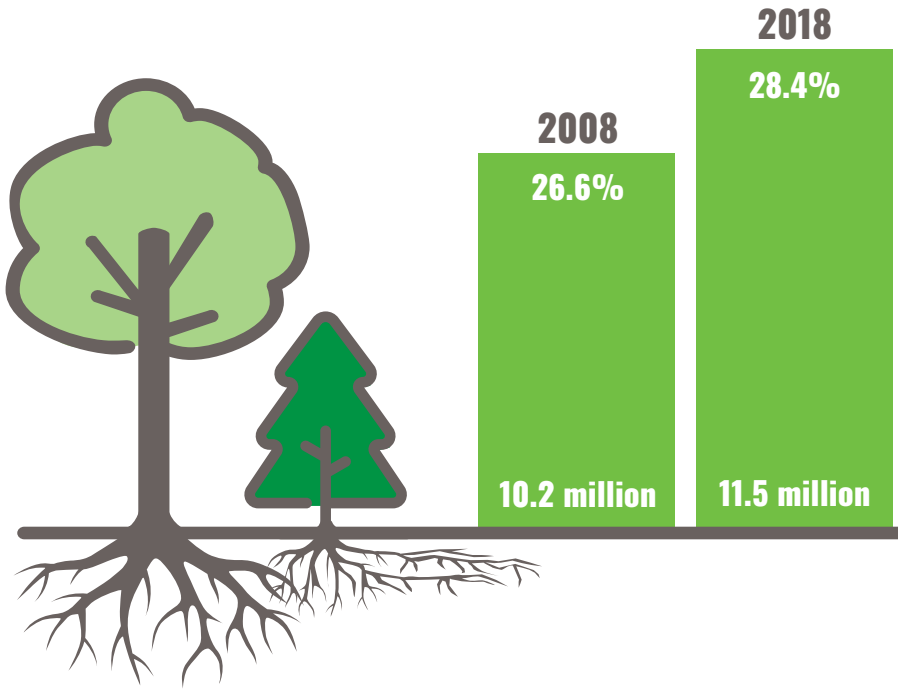
- In 2018, Toronto's tree canopy cover is estimated at 28.4% to 31%, an increase from the 2008 canopy cover estimate of 26.6% to 28%.
  - 28.4% was derived from a random point sampling method using leaf-on satellite imagery; 31% was derived from an automated land cover classification process using the same leaf-on satellite imagery.
  - Canopy cover increased despite serious impacts due to increased development, the 2013 ice storm and the effects of the Emerald ash borer.
- Toronto's tree population increased from 10.2 to 11.5 million trees between 2008 and 2018.
  - Although the total population increased, the total leaf area decreased by about 11% which impacts the structural value and the value of ecosystem services.
- Unlike grey infrastructure, the urban forest is always changing, growing, maturing and dying. Canopy cover and population size are not the whole story. Urban forest size, condition and distribution are factors in the canopy cover story; pest threats, natural mortality, invasive species impacts, development activities and climate change are realities effecting urban forest sustainability.

Canopy cover is the area of the tree population as viewed from above.

Leaf area is the total surface area of the living leaves.

Greater leaf area = greater benefits

**FIGURE 1: Canopy Cover Change in Toronto between 2008 and 2018**




Random point sampling method is best for reliable estimates and change assessments.

Automated land cover classification is best for mapping spatial extent and distribution.

**FIGURE 2: Tree Cover Distribution in the City of Toronto**




- The structural value of the urban forest was relatively unchanged since 2008, dipping slightly from $7.1billion to $7.04 billion.
  - o This change can be attributed to the decrease in total leaf area and tree condition rating, both of which negatively affect structural value and the value of some key ecosystem services.



**FIGURE 2: Annual Ecosystem Services Provided by Toronto's Urban Forest**

**$8.2 Million**
ENERGY SAVINGS

**$4.0 Million**
GROSS CARBON SEQUESTRATION

**$37.6 Million**
POLLUTION REMOVAL

**$4.8 Million**
AVOIDED RUNOFF

**$55.0 Million**
TOTAL ANNUAL BENEFITS

# Street trees are making a significant contribution to the urban forest.

- Street trees are trees planted within the City road allowance, in turf or specialized planting beds.
- Street tree condition has improved significantly, with a 25% increase in trees rated as good or excellent.
  - This improvement can be attributed to species selection, stock quality, and proactive and newly planted tree maintenance activities.
  - Proactive tree maintenance has reduced vulnerability to pests and diseases, improved aesthetics, increased ecosystem services and property values.
  - Urban Forestry works with other City divisions to maximize street tree success by investing in technologies and practices including the use of soil cells for downtown tree beds.
- Street trees contribute almost 19.4% of the structural value of the urban forest while making up only 5.4% of the population.
  - Street trees provide $1.363 billion of the total structural value of the urban forest, estimated at $7.04 billion.
  - Street trees provide $1.277 million annually in ecosystem services including almost 30% of the total urban forest value associated with avoided runoff.
  - The proportion of large trees (those with diameters above 30.6cm) increased from 25% to 33% between 2008 and 2018 which will result in future increases in ecosystem services.
- The street tree population of Norway maples decreased from 22% to 13.5%.
  - Norway maple is an invasive species that can be particularly destructive to natural areas where it can out compete native species.
  - Norway maples have a large leaf area which means that a decrease in their population has an associated negative impact on ecosystem services.

**FIGURE 3: Summary of Positive Trends in Street Tree Indicators**

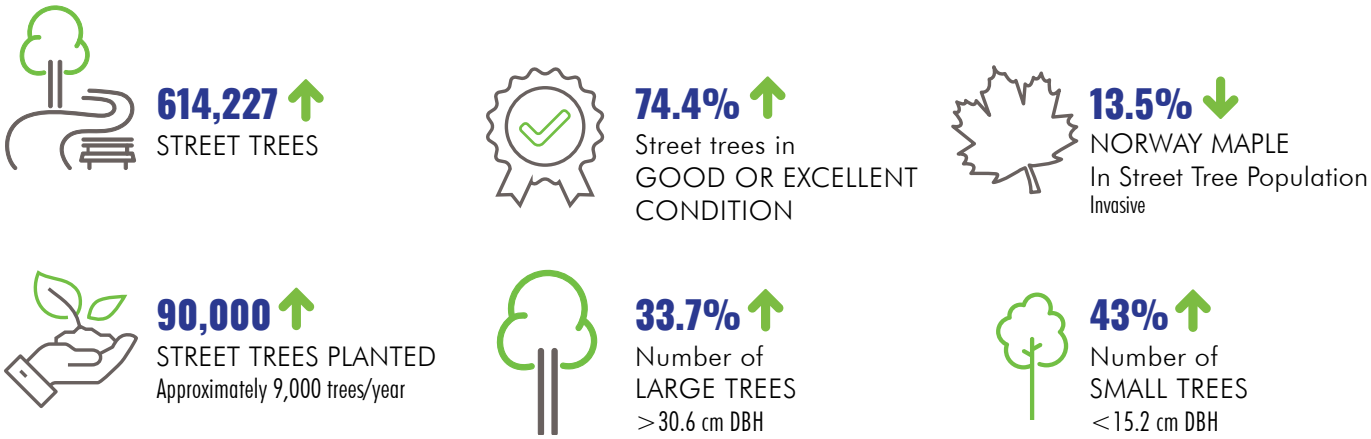
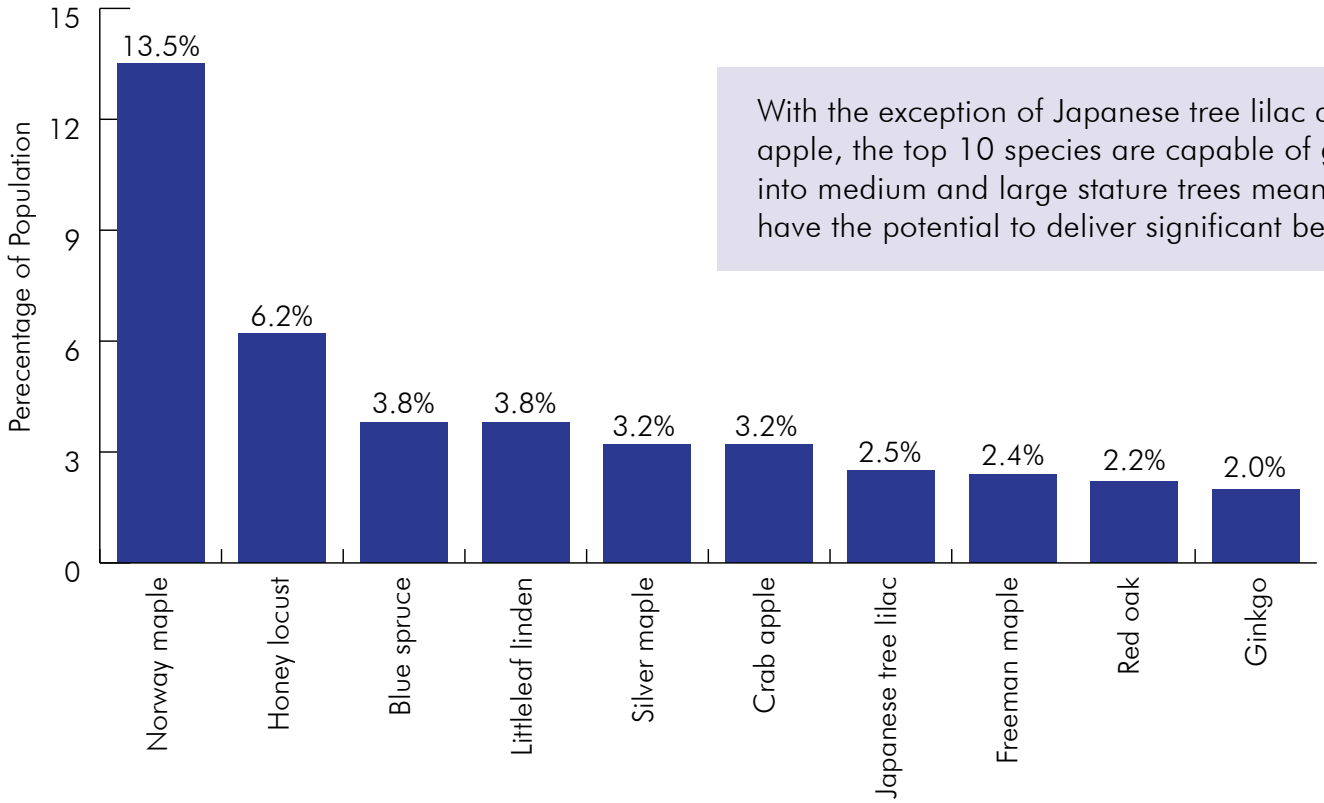


**FIGURE 4: Top 10 Species of Street Trees**




With the exception of Japanese tree lilac and crab apple, the top 10 species are capable of growing into medium and large stature trees meaning they have the potential to deliver significant benefits.

**FIGURE 5: Condition of Street Trees**

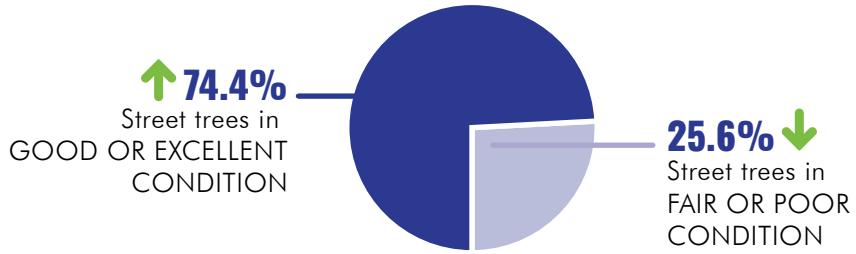



**FIGURE 6: Street Trees by Size, 2008 to 2018**

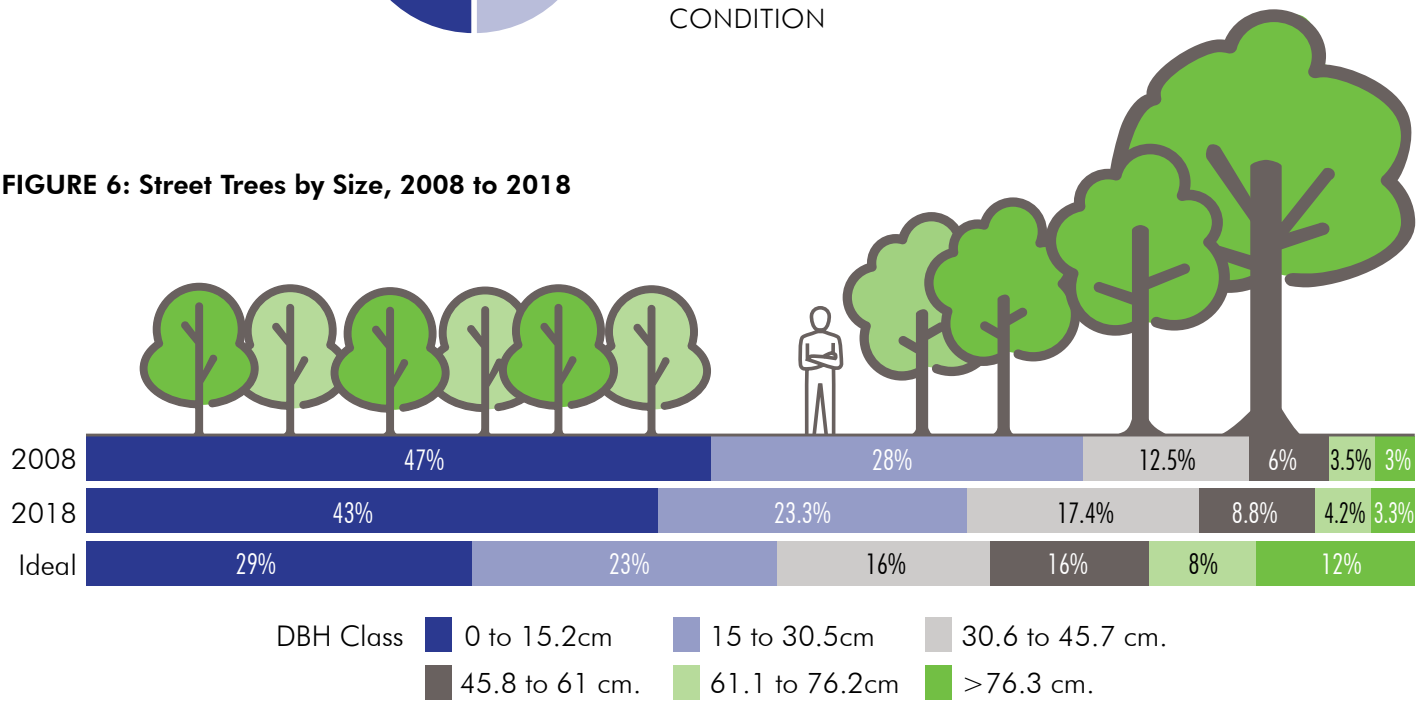


**FIGURE 7: Annual Ecosystem Services Provided by Toronto's Street Trees**

**614,227**
STREET TREES

**5.4%**
of Toronto's
TOTAL TREE POPULATION

**$1.363 Billion**
19.4% OF TOTAL STRUCTURAL VALUE

**$1.277 Million**
TOTAL VALUE
of Annual Ecosystem Services
Performed by Street Trees

**173,355 Tonnes**
GROSS CARBON STORAGE
Associated Value of $19.882 Million
15.8% of total carbon stored

**125.5 Tonnes**
ANNUAL CARBON SEQUESTRATION
Associated Value of $330,750
8% of annual carbon sequestration

**125.5 Tonnes**
POLLUTION REMOVED ANNUALLY
Associated Value of $175,450
12.9% of total annual polution removed

**331,745 $m^3$**
ANNUAL AVOIDED RUNOFF
Associated Value of $771,300
29% of total annual avoided runoff



Structural value is based on the trunk formula method, which is used to calculate the economic value of the physical tree based on its relative size. Additional factors that can influence value include the tree's species, condition, and location.

Toronto maintains a database with individual street trees as point data.

Tree species and size information were used to carry out a benefits analysis.





# The composition and condition of the urban forest has seen positive and negative changes.

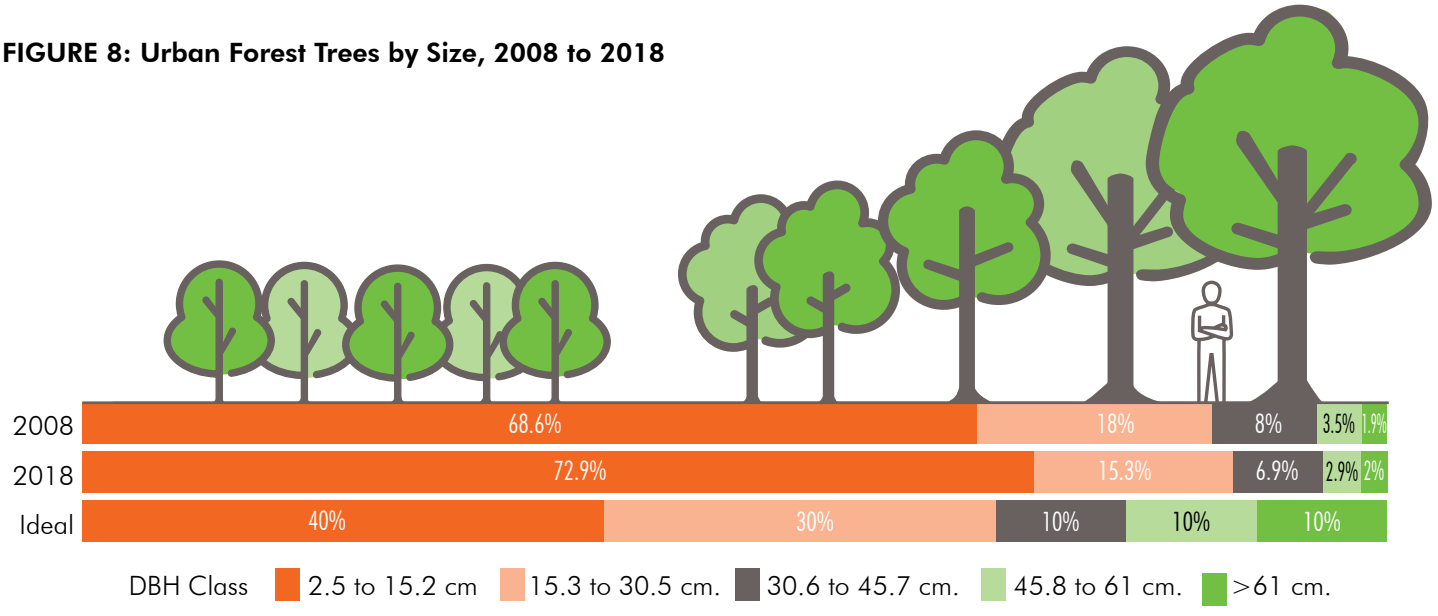
- Species composition has changed slightly with more larger-growing species which will result in future increases in structural value and ecosystem services.
- Native tree cover in parks and ravines remains relatively stable with 70% native tree species.
- 50% of Toronto's canopy is made up of species native to southern Ontario.
- The distribution of trees in the urban forest decreased in all size classes except for smaller trees, those with diameters less than 15.2 cm.
  - o This change may be a factor of the loss of mature trees to the Emerald ash borer pest and an increase in annual tree planting over the last 10 years.
  - o Approximately 120,000 trees and shrubs are planted on public land each year.
- The overall condition of the urban forest has declined, with 70% of trees rated good or excellent compared to 82% in 2008.
  - o This change could be a reflection of the stress of climate change, including the 2013 ice storm, drought and/or heat stress, effects of the Emerald ash borer pest on the remaining ash trees as well as other insect pest cycles such as European gypsy moth.
  - o Trees in the Single Family Residential land use category have an above average condition rating, with 79% rated good or excellent.



Tree species distribution, size and condition ratings are based on field data collected at 407 permanent sample plots, established in 2008 and revisited in 2018.

The principle of size class distribution is to maintain a consistent proportion of young trees in the population to maximize urban forest benefits, recognizing mortality is a factor as trees mature. This is key to sustainable and equitable distribution of forest cover across the city.

**FIGURE 8: Urban Forest Trees by Size, 2008 to 2018**



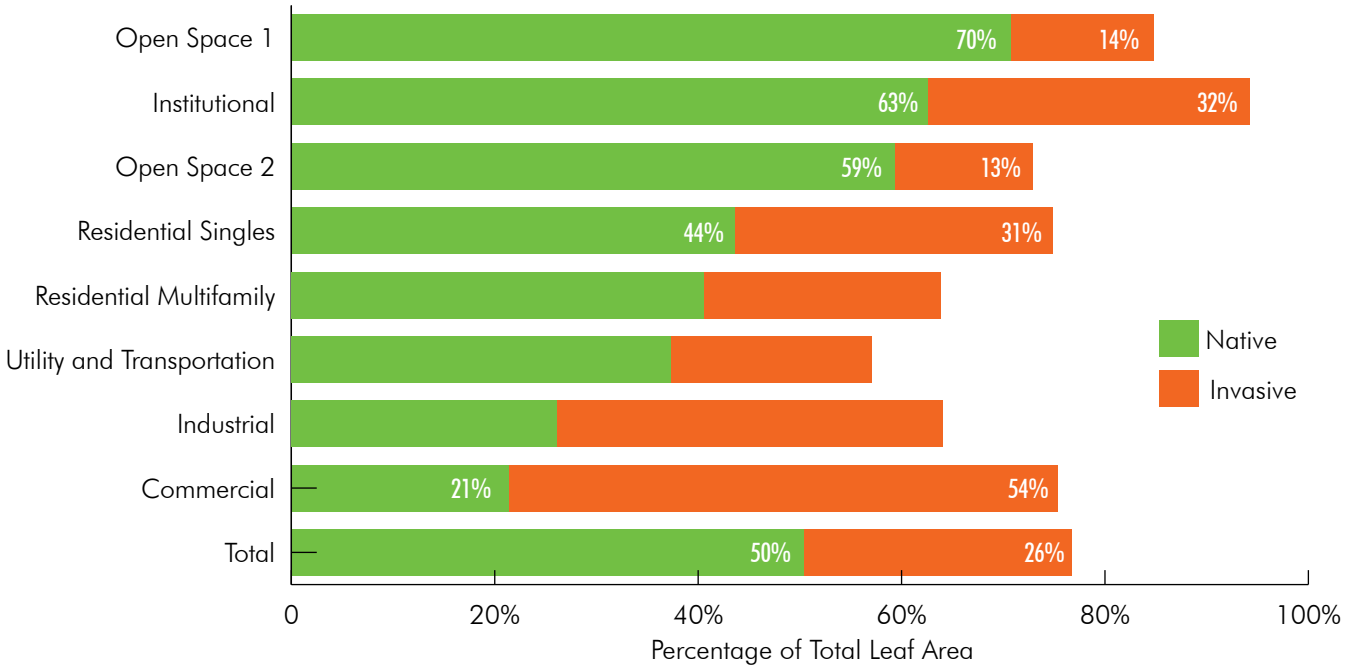
- About 59% of the carbon stored in Toronto's urban forest is stored by trees in the Single Family Residential land use category.
- Toronto's trees are estimated to provide $55 million in annual ecosystem services.
  - $8.3 million per year in home energy savings
  - $4.0 million per year in carbon sequestration
  - $37.9 million per year in pollution removal, such as ozone, nitrogen dioxide, sulphur dioxide and particulate matter
  - $4.8 million per year in avoided runoff

**Native Species**
A species living within its natural range that is naturally self-sustaining.

**Invasive Species**
A non-native species that aggressively out-competes native species and comes to dominate the ecosystem.

- Invasive tree species increased from 10% to 14% in parks and ravines between 2008 and 2018.
  - The increase in invasive species is not unique to Toronto as the management of invasive species is a concern worldwide.
  - Urban Forestry manages 40 species of invasive plants following best practices promoted by the Ontario Invasive Plant Council using physical, mechanical and chemical control methods.
- Invasive shrub cover more than doubled in 10 years, from 15% to 32.5% in parks and ravines, much of it common buckthorn.
  - Common buckthorn is now the second most prevalent species of shrub in the urban forest.
  - The spread of the common buckthorn was also reported in Oakville's recent 2015 canopy study, increasing from 2% to 10.6% over the 10 year study period.

**FIGURE 9: Native Versus Invasive Species by Land Use**




Note: The remaining percentage is made up of non-invasive exotic species.

# Impervious land cover is increasing across the city.

- The amount of impervious cover increased across the city by 1.4% over 10 years, from 47.9% to 49.2%.
- Looking back at data from 1999, the 19-year trend shows impervious cover has been increasing (by 3.6%) while pervious cover is decreasing (by 6.9%).
  - This change has implications for stormwater management, water quality, retention of healthy soils, biodiversity, urban heat island effects and the amount of potential planting space for trees.
- The most land area converted from pervious to impervious cover is found on Single Family Residential lands, a total of 349 hectares.
  - By far the greatest amount of available land for canopy growth is found on Single Family Residential lands.
  - Plantable space across the city has decreased by 2% while non-plantable space (impervious cover) has increased by 3%.
  - The change in land cover from pervious to impervious is often permanent meaning that the land would never again be considered plantable space for tree canopy expansion.

Pervious surfaces absorb water that supports tree growth. Pervious surfaces are potential plantable space for new tree planting. These surfaces include tree, grass, shrub, water and bare earth land covers.

Impervious surfaces do not absorb water and do not support tree growth. Instead impervious surfaces increase surface water runoff. These surfaces include buildings, roads and other impervious land covers.

**FIGURE 10: Top Three Land Uses with Increasing Pervious to Impervious Cover**

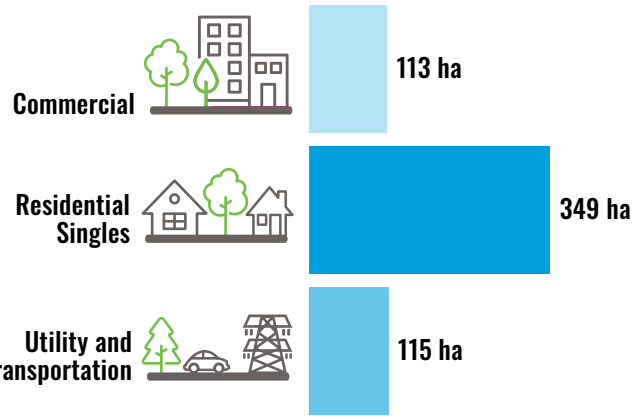



**FIGURE 11: Summary of Land Cover Change Between 1999 and 2018**

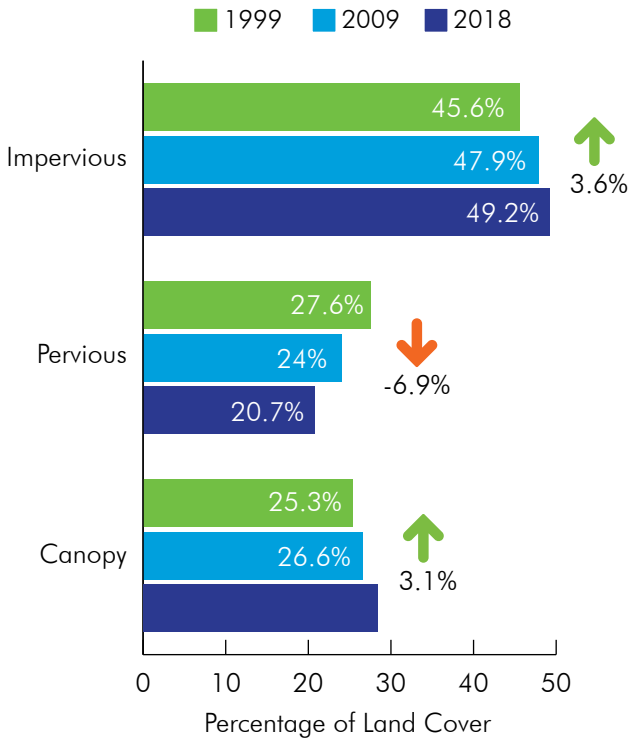




**FIGURE 12: Top Five Land Uses for Potential Canopy Growth**

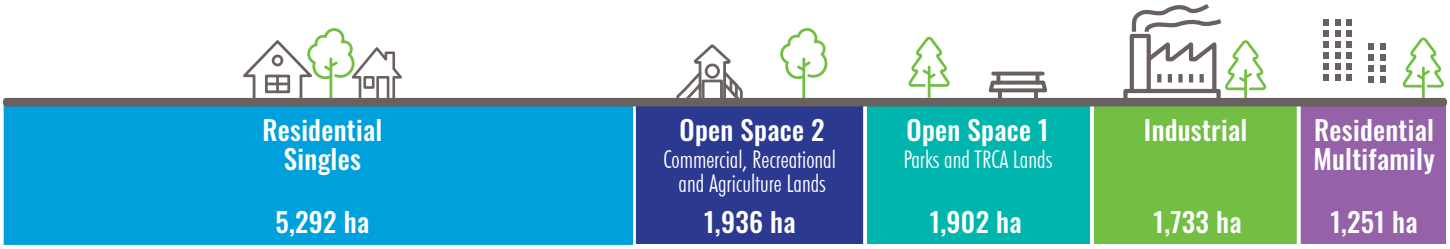
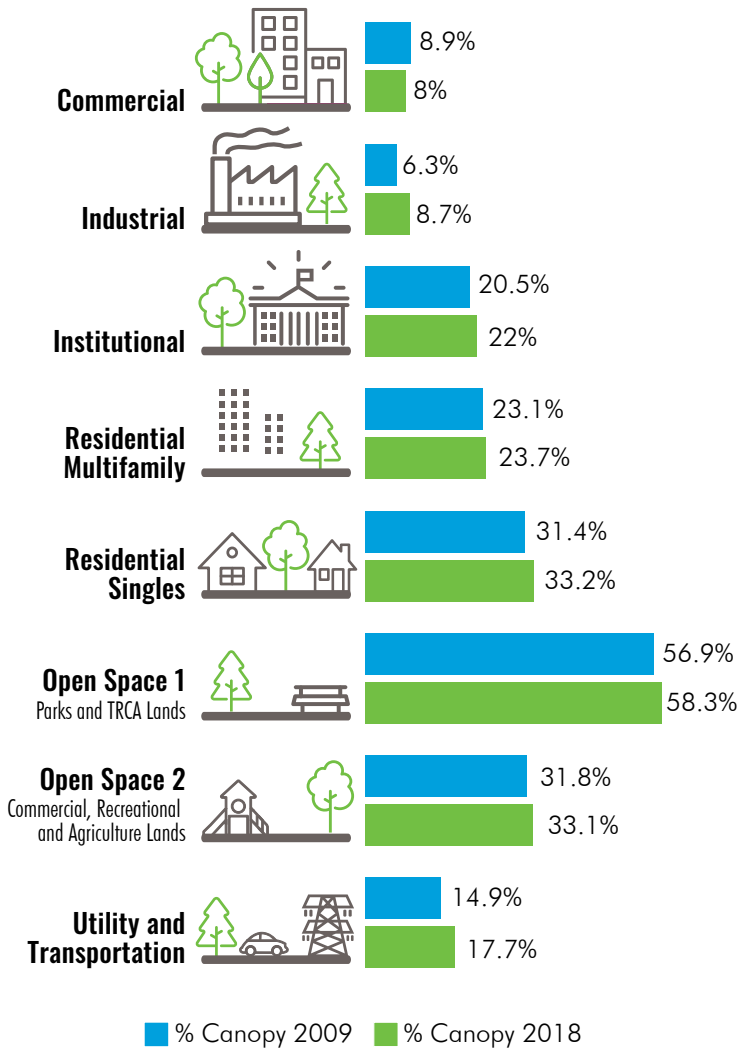



**FIGURE 13: Canopy Change by Land Use, 2009 to 2018**








## GROWING A RESILIENT URBAN FOREST

- Approximately 45% of the urban forest is found on publicly-owned lands.
  - o Toronto has planted over 1 million trees and shrubs since 2005. Approximately 120,000 trees and shrubs are planted on public land each year.
- Recognizing that 55% of the city's land area is privately owned, the City initiated a suite of grant and incentive programs to encourage tree planting and tree stewardship on private land. Since 2018, 27,000 trees have been planted on private land through these programs.

## WHAT YOU CAN DO

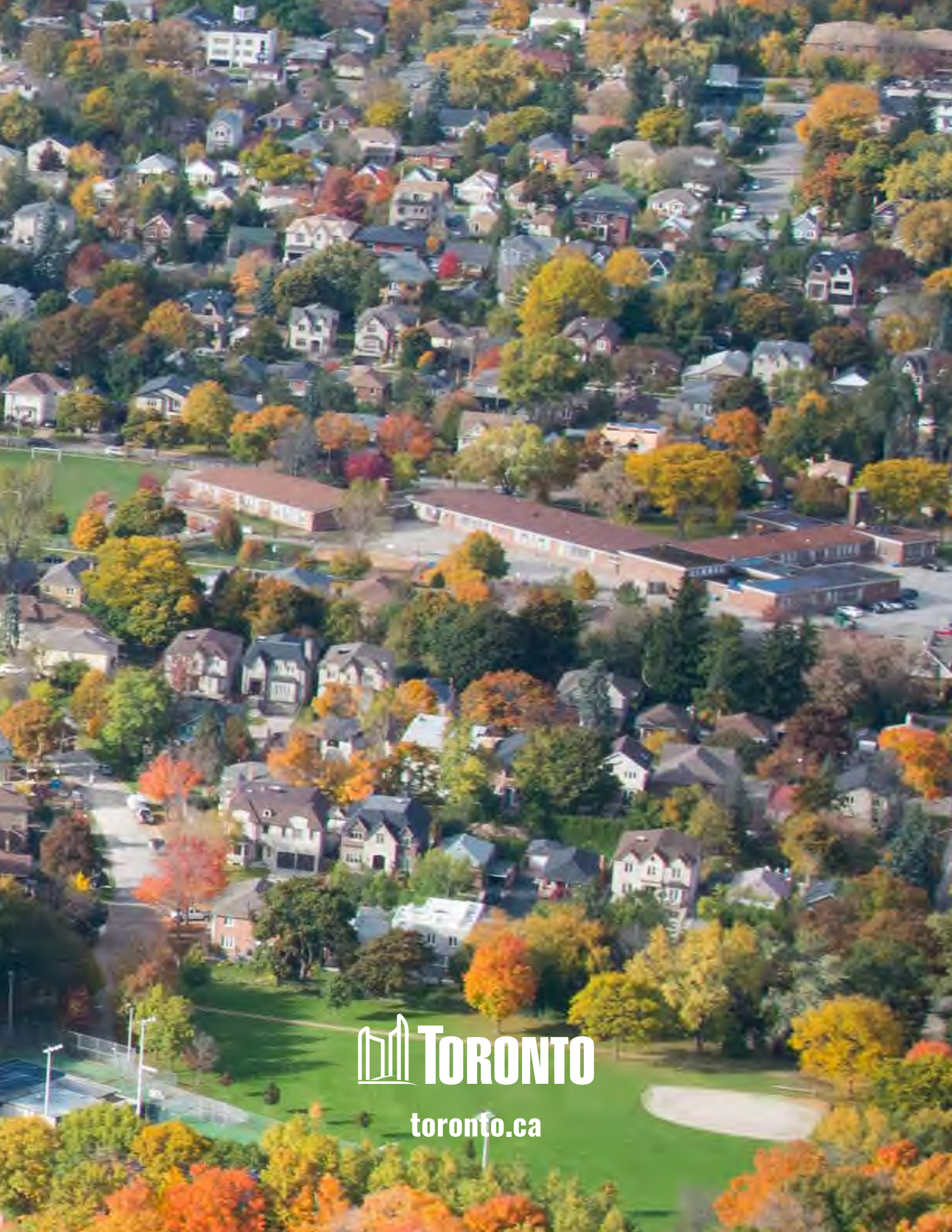
- Consider volunteering to plant and maintain the urban forest by checking out suggestions on Toronto's website.
- Become familiar with Toronto's tree protection bylaws and plan for tree and soil protection at the beginning of any construction project on your property.
- Request that Urban Forestry plant a tree on the road allowance in front of your home by contacting 311.
- When thinking of planting a tree on your property, it's important to choose the right tree for the right location. To maximize the benefits, select a large-growing native species as these trees make the most valuable contribution to the urban forest.

## NEXT STEPS

- Urban Forestry will continue to analyze the study data, sharing this analysis with other City divisions and local municipalities to develop potential responses and actions.
- Study findings will inform delivery of current Urban Forestry maintenance and operations activities.
- Urban Forestry will continue to promote the Community Stewardship Program which supports urban forest resilience through community tree planting and stewardship activities.
- Study findings will inform implementation of the second Strategic Forest Management Plan in addition to recommended actions related to monitoring and invasive species management in the Ravine Strategy Implementation.

For more information about Urban Forestry or the 2018 Tree Canopy Study, **visit: toronto.ca/trees**




TORONTO
toronto.ca

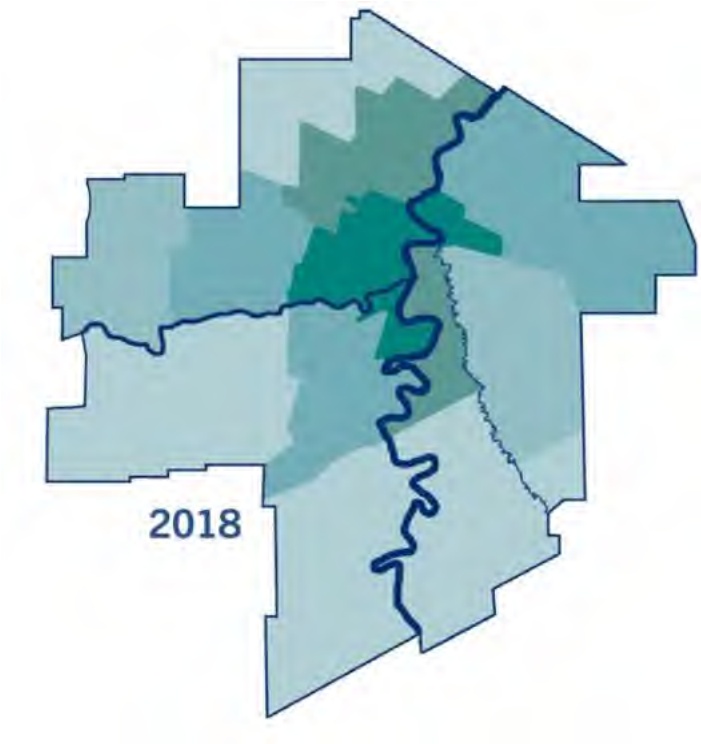



Image UM Rady Centre City Paramedics - Meth Calls 2018

# PARTICIPATORY GOVERNANCE FOR WINNIPEG

City of Winnipeg Governance Review Submission

The City of Winnipeg, since 1971, has been a coming together of communities around the junction of the Red and Assiniboine Rivers in Treaty 1 Territory. United Neighbourhoods of Winnipeg (uNOW) initiated in 2019, is building a collaborative network of resident and neighbourhood associations to ensure the City of Winnipeg fulfills its mandate to be a healthy and sustainable city.

unowpeg@gmail.com

This submission to the City of Winnipeg Governance Review is from United Neighbourhoods of Winnipeg, (UNOW). We attempted to gather the input of as many resident associations, neighbourhood groups, and community organizations in Winnipeg as possible for a submission to the City of Winnipeg Governance Review. The submissions are due Feb 19, 2021 only allowed about 2 weeks to design, distribute a survey, review the results, and write the report, all during a pandemic. We targeted Valentines Day, for the survey and we want to show some love for our city.

**What is UNOW**

UNOW began organizing in 2019 developing a vision and mission, goals, and objective, as well as our own governance structure to bring together and forge unity on issues affecting our communities. Issues driving the group were infill, loss of trees, contaminated sites, and traffic safety. Many neighbourhoods working on issues had a similar experience when bringing their concerns to the city. Organizing stopped when the pandemic was declared. Many resident associations remained active, meeting and addressing issues during the pandemic but UNOW did not meet or get active until this governance review. Organizers saw it as a good opportunity to bring neighbourhoods from across the city together to see how much agreement we can forge across Winnipeg for a more participatory or bottom up governance model that better engages residents and resident groups as stakeholders.

UNOW has identified __ resident and neighbourhood groups in our city. While there was not time to reach out and connect with all of them. There is a broad consensus from the inner city and downtown, to older shoulder neighbourhoods to older suburbs as well as brand new suburbs, that Winnipeg needs this governance review and we need a more transparent, accountable, and inclusive governance model.

**What is Participatory Governance**

The models that will ensure this are participatory governance. That employ more participatory planning, participatory budgets and participatory decision making. The methods and tools grow from community development approaches that empower residents to collaborate with city officials and industry to find common ground and solutions to the serious challenges and wicked problems we face as a city.

https://www.civicus.org/index.php/es/centro-de-medios/recursos/manuales/611-participatory-governance-toolkit

See appendix for models.

**Results Summary**

Many resident groups want more meaningful and fair access city decisions and services that affect our lives, and for the city to operate in a transparent and accountable way. The results of this survey will not be shared directly, the results are gaging support for participatory governance to draft a submission to the governance review. For more about participatory governance visit.

This survey had 16 questions using Survey Monkey, with a thumbs up scale, of 1 to 10 thumbs up. One thumbs up shows weak support, and 10 thumbs up shows strong support. Comments were encouraged to show or explain answers, and to indicate disapproval in the comments. The report turns the questions into recommendations showing the average support out of ten with comments from for each listed below each recommendation.

**Survey Responses and Recommendations**

1. The public and community groups are invited to participate in many public engagement meetings about city plans like this governance review, the Transportation Master Plan, the Urban Forest Strategy, the Density Strategy, etc. This public engagement takes a lot of time but often does not have an impact on the implementation of policy or decisions by Council and administration. **8.9/10 Support new governance structures and methods to ensure public policy guides the development decisions by the City of Winnipeg.**

**Comments Question 1**

a) Citizens need more meaningful input into development in the City
b) Accountabilities need to be built into every plan!
c) Engagement is too token at current, residents need to feel and be empowered that their input will be meaningfully considered and will actually help shape public policy. Too often consultations feel like they are designed to validate a foregone conclusion.
d) Glenwood area is seeing ridiculous amounts of lot splits being passed through by mainly Allard and Browaty. Pathetic.
e) Absolutely support new governance mechanisms that engage more diverse and representative communities and go beyond an advisory role. Public input must be translated into public policy.
f) I don't even bother engaging at the public engagement events anymore. I wait until they go to council and engage then.
g) support methods to get public input such as the ones held for the bike lanes
h) It really depends on what those structures are. e.g. If all the new governance structures had to be in person it would not be acceptable. Or if they had to be virtual it would not be acceptable.
i) I think that the Office of Public Engagement has clearly done important work improving systems. I wonder how we can build upon that, change governance structures so that the public feedback is actually implemented in decisions?
j) Yes. Respect is the key - and must be reciprocal. That said, citizens need to do due diligence when they present. neighbourhood councils - that can collate and prepare relevant presentations - with GRANTS form the City to support these largely volunteer efforts are a must.
k) One councillor in particular, is pro-infill and I overheard a construction businessman ask when they will do lunch together. This bias position works against the residents receiving a fair hearing in appeals. This shows that some council members are working toward their own gains.
l) Yes, I do. I often feel that consultation processes are just rituals that have no impact on the outcome of decisions made by the city.
m) City of Winnipeg policies are weak and very few guidelines for implementation of these policies. Urban Forest Strategy.....does it exist or has it never been used. Local urban forest has been decimated by 25 percent and there are more variances looming.
n) decisions should be made as a group
o) First the public must have a chance to understand the issues at stake. Town halls with city experts and local councillor would help.
p) This can lead to the loudest voice influencing the decision and not the best voice or the majority of the community.
q) Participatory governance structure examples are in the appendix.

2. The mayor in Winnipeg appoints the Executive Polity Committed (EPC). This is like a city cabinet of the Chairs of Standing Committees plus two councillor appointees. Mayor Bowman made an election promise to change this governance structure since it leads to an inner circle on council with non-EPC Councillors having no rights. It also has meant the mayor has huge influence on council since he/she/they can remove people from EPC who challenge them or don't tow the line to give the mayor a majority of votes on council. **8.8/10 level of support for the amending the City Charter to ensure EPC is once again elected by councillors rather than appointed by the mayor.**

**Comments Question 2**

a) Mayor is elected by the people, and thus should how majority of power and not the councillors who represents a segment
b) That Bowman was elected partly on this promise on this matters to citizens.
c) This model takes the "strong mayor" system to extremes.
d) This needs to change now! Bowman has realized the convenience of the EPC model in pushing his agenda forward, as have the federal liberals and electoral reform.
e) However not sure why EPC is needed. Seems to be so many committees which result in a disconnect with the community and people impacted
f) It is extremely important to divest so much power from the Mayoral-ship and spread the power via election rather than appointment by the Mayor. This will strengthen democracy.
g) don't support this as thing now stand, the mayor can appoint inner city reps; they get shut out when EPC is done by election
h) Councillors should elect the EPC members
i) I indicated a low level of support, since I also wonder about the need for EPC at all. Could that strong mayor/inner circle be eliminated through just having City Council take on the work of EPC? Would like to learn more. Aaron Moore (UW Prof) would be a good resource.
j) ELECT EPC - get rid of the "boss". model.
k) I fully support this change in process.
l) There should be no EPC
m) Democracy works. Give it a try.
n) EPC should be abolished and all of council equal.

3. Similar to the consultation on public policy development process, there is currently a disconnect between Winnipeg's city budget and public policy. The budget allocations do not match up with policy goals for Complete Communities, the Active Transportation Strategy, Poverty Reduction Strategy, and many other policies. **8.9/10 support an accountability tools like a budget check-list with policy progress indicators to align the budget with the many city master plans and policies.**

**Comments Question 3**

a) Actions speak louder than words, and currently use language that has no connection to our fiscal reality.
b) The City needs a strategic plan that comes out of a consultation process with goals and targets that are updated annually. (See Vancouver)
c) Absolutely. The City’s Budget must be aligned with policy goals and a budget checklist with policy progress indicators is a sensible way achieve alignment.
d) support this

e) Arlington bridge is an example of the disconnect
f) Policy is policy. It is not necessarily the same as a a budget allocation.. A high priority for policy implementation may cost little or a lot. This question is not helpful
g) absolutely!
h) Yes. Last year. in 1982 actually - by now we would be efficient in human kindness.
i) Yes. I believe that accountability tools would actually help busy councillors to keep track of the impact of their decisions on their policy goals. This is not an intuitive process. It takes time, and any strategies that track the alignment of policy goals with council decisions would be most welcome.

4. The current public engagement (PE) methods are weak, often PE does not engage stakeholders in working together to find solutions that actually form the plans for the city. For example, the survey for this governance review asks only for your input into defining the problems it does not gather your ideas for governance solutions. https://engage.winnipeg.ca/governancereview?tool=survey_tool#tool_tab **9.1/10 support improving public engagement methods that ensure more collaboration between community groups, industry stakeholders and city staff.**

**Comments Question 4**

a) Yes! The most innovative ideas often come from the least expected places, and we need our city to listen and be willing to change.
b) Yes, absolutely. There must be collaboration between stakeholders, community groups, and city staff in devising solutions not simply defining problems. Problem indemnification is only the first step and insufficient by itself. Community groups, stakeholders and city officials then to collaborate and NEGOTIATE with one another in a solution-focused process. This strengthens the legitimacy of the process and the legitimacy of outcomes.
c) any efforts for increase public engagement are an improvement
d) often the public engagement groups feel like lip service
e) Yes. Also move to more co-creation models, than just consultation. The Newcomer Welcome & Inclusion Policy and Poverty Reduction Strategy are moving in this direction. More on this in this CCEDNet policy resolution: https://ccednet-rcdec.ca/sites/ccednet-rcdec.ca/files/ccednet/pdfs/2021-10_increasing_value_in_programming_policy_through_co-creation_consultation.pdf
f) Of course.
g) Yes.

5. The current city public engagement spends millions of dollars each year on consultants, often from outside of Manitoba. These consultants act as intermediaries between the city, residents, and community groups. For example, the contract for this public engagement and governance review is $175,000**. 8.9/10 support at least some these funds staying in Winnipeg communities and going directly to community groups so Winnipeg citizens can let the city know, directly, our experience with city governance and other matters.**

**Comments Question 5**

a) Rather than using outside consultants, community leaders and groups can be supported by local professional consultants' skills to provide meaningful input to the City.

b) I would prefer to build a more robust "in house" engagement department at the City.
c) Yes! Or at least use Winnipeg or Manitoba-based consultants, of which there are many to choose from.
d) Of course. It's insulting that we would pay ridiculous amounts of money for in many cases non-resident "experts" and not pay consulting fees to the many community groups with direct knowledge of their own needs. We need to invest in our own city and there are plenty of experienced experts here. Solutions have to be local.
e) consultants are ok, they can bring in new ideas
f) grass roots input, ideas and solutions are usually by far the best
g) The opinions of citizen groups should be heard. This should be addressed in the terms of reference for the consultants. ie. citizen groups should be involved in asking the questions.
h) This could be a way for a social procurement policy to take effect - RFPs/EOIs could include a community benefit clause even for consulting.
i) Use local talent - we have brilliant committed minds right here.
j) All the money should stay here.
k) Yes. I believe that there is expertise within the City of Winnipeg to provide these services. I imagine that conflict of interest might be a problem from time to time.
l) yes, although, sometimes it is good to have an outside point of view. Case in point, an outside consultant suggested we put street names not just the route number on our signage to make navigating around easier. This should have been implemented.

6. Before the changes in 1997 there were 29 councillors in Winnipeg with wards half the size. Now Winnipeg councillors represent over 43,000 people per ward in Winnipeg. In Regina this number is about 22,000 per ward. Councillors with large wards have a more difficult time effectively representing all of the people and communities in their ward, they often seem overwhelmed and do not respond to resident emails, requests for meetings, phone calls, and inquiries. **6.9/10 support reducing the size of city wards and increasing the number of city councillors to ensure better access to councillors and better representation.**

**Comments Question 6**

a) No, definitely not. The wards are not too big. It would be better to invest in the appropriate support staff required for councillors.
b) If they actually listened to their area residents I would say yes but not for them to ignore and plié through with personal agendas... we don't need to pay more of them to do that.
c) Difficult problem, the Councillor for my area does not respond to email unless they are positive (according to her). It will be difficult to make someone a good Councillor if they only need positive media attention to get re-elected.
d) I am in Ft. Rouge East Ft Garry which includes Wildwood, South Drive, Riverview and....downtown! Ridiculous!
e) Yes. It is reasonable to assume that the larger populations in some wards will and does lead to difficulties in properly representing people. It's unfair to have such variance so increasing councillors makes sense.
f) wards are too large: inner city always gets chopped into little bits and attached to suburban areas

g) two times nothing is still nothing, when it comes to representation of the neighbourhoods' values.
h) good idea
i) City councillors currently represent more people than Manitoba MLAs. This does not make it easy for councillors to respond to issues in these large wards.
j) would need to learn more.
k) I'm unsure as I'd rather see $ spent on people/communities not for more salary at city hall
l) Clearly.
m) We need great representation first and foremost
n) Yes. I communicate with my councillor regularly (and the mayor), but do not often receive responses to my emails. This is very frustrating and makes me feel like citizen input isn't welcome and doesn't matter. I must say, however, that my former councillor, Janice Lukes, ALWAYS responded. So the problem of lack of response must be partly the motivation of the councillors.
o) My worry is the extra costs of a bigger Council
p) 311 is an issue in governance since access to information and staff with information is so important to good governance. Citizens calling 311 often are not assisted effectively, the issues are not followed-up. For simple things like calling to get a dead deer picked up, the tracking number is given, but weeks later the deer is still there, decomposing, even after repeated calls. And for more complex issues like getting in touch with the right staff on input on decisions affecting our neighbouhood like traffic infrastructure changes to address speeding.
q) The large size of wards also contributes to the incumbent advantage in a few ways. Large wards require more costs during election which means those already elected with an election organization in place have a large advantage. A few time incumbents retiring from council have been replaced by their assistants who also have the advantage of knowing the councillor is retiring, giving them more time to prepare. This longer window for a councillor's assistant to prepare for he election is a huge undemocratic advantage. The mayor and finance chair prior to the last election also attempted to remove the tax rebate for election donations, this would have contributed to the democracy deficit by further advantaging people with more private personal wealth or more support from wealthy private interests from having a further advantage. Getting private wealth out of politics is one of our greatest current challenges to ensure democracy really is about the will of the people. These are governance issues not addressed in the preliminary governance report for this review. People often focus and personalize their frustration at the lack of response and engagement with their councillor and blame the councillor when it is the structure and demands that make the job almost impossible to do well. Many people than develop a cynicism about politicians in general and think the fewer the better. But the fewer elected officials the less democratic representation. The fact is democracy costs money, and democratic governance take investment of resources. Dictatorial government and autocratic governance structures are cheap, but not democratic, inclusive or participatory.

7. In the governance review preliminary report seven principles of good governance are included:

- ✓ accountability

- ✓ transparency
- ✓ efficiency
- ✓ effectiveness
- ✓ inclusivity
- ✓ impartiality
- ✓ learning

Not included are collaboration and participation as principles of good governance. Participation is different than inclusivity. Participation means active citizens are more like partners in governance, so rather than being merely informed or consulted we are collaborators. This requires better methods of engagement and collaborative decision making that it seems city officials are not familiar with. **8.9/10 support including participation and collaboration as guiding principles for good governance.**

**Comments Question 7**

a) We elect representatives but the structure allows councillors outside wards to override a councillor who actively represents their constituents. On the city website it says that councillors are to listen to the public voice which is NOT elected representation.
b) Absolutely. And I would emphasize the importance of public participation as a guiding principle above all. My own thesis research was a concept analysis of public participation in health governance found that most uses are spurious or contradictory because the term leaves out constituency or community interests and representation as an accountability system, leaves out open negotiation, has difficulty admitting conflict and dissent as indicators of a healthy functioning, does not privilege the interest of those most in peril (the interests of the poor), and is not tied to public policy processes. Sherry Arnstein's seminal article "A Ladder of Public Participation" situated her work in a political dimension necessarily entailing a transfer of power to those without power. Her ladder of citizen participation had 3 general types: 1. citizen power/active participation 2. Tokenism and 3. Non-participation. Most forms of public participation today are token or symbolic forms. Participation must be active about decision negotiating and making. Definitely start by including participation as an absolutely necessary guiding principle.
c) yes
d) great idea and meaningful distinction
e) And co-creation.
f) This needs careful balancing - rather than a general power push to the hoi polloi - make a structure wherein there is better accountability - bad managers get fired; god managers rewarded BUT the bar of "goodness" is not "efficiencies but the PUBLIC GOOD - humane living for all - health for all - access for all etc.
g) Yes.

8. The current powers of council include; the budget and by-law creation, staffing and appointing statutory officers. They says noting about a requirement to engage the public in issues that affect our communities. A principle of democracy is people have a hand in making the decisions that affect their lives, this goes beyond voting in an election every few years. **8.8/10 changing the City Charter to add a requirement for meaningful and effective public engagement.**

**Comments Question 8**

a) Democracy is not just elections every four years. Democracy includes daily governance of institutions in between elections. It is imperative that the City of Winnipeg strengthens it's Charter to add meaningful, effective, and prudent public participation as the means of creating a culture of participation, otherwise disenfranchised groups can be manipulated and turned against city officials or experts as we see with the COVID crisis where small unrepresentative groups are refusing the authority of health officials. We're in the midst of many crises that cannot be solved without active participation of those most affected.
b) yes
c) No. not really. There are many decisions that council makes that either don't need or are not appropriate for public engagement. The other challenge is who gets to define meaningful & effective engagement?
d) I do not believe that would be a useful statement to put in a city charter. It is too nebulous and too subject to interpretation in ways that could cause conflict.
e) These people are elected to work for us {the public} and should be held accountable to the public As it stands we are being ignored in decisions being made by public officials. I am referring to the ever present problem of infill.
f) Yes - but this is also a big ask that needs a good structure of accountability. Get Arthur Shaffer involved; Laurel Repski; Kevin Chief.
g) Yes.
h) Every election there should be major issues to vote on that make a huge impact on our communities. Individual votes on issues will give our counsellors a better look at what the voters want. This can be done right at the polls instead of emails and paper communications that people might not even take notice of.
i) It seems like the residents of neighbourhoods where infill is happening rapidly, have no voice in how these infills should be done

**Additional recommendations to improve the work of the Office of Public Engagement include.**

The City of Winnipeg has continued a public engagement processes on a variety of issues throughout the pandemic. It is admirable that the business of our city continues, and the public is included however there are a number of improvements in citizen or public engagement that are necessary during the pandemic and beyond. During the pandemic there have been more online methods and no in person methods which demonstrates a willingness to adapt and be pro-active. It is important to ensure as the Public Engagement Policy, approved in 2016, is strengthened by a Public Engagement Framework that we learn from our experience, evaluate the impact of the public engagement so far.

**1-Engagement Process Notice Provisions**

Currently community groups are notified of a new public engagement process the day it begins. This offers groups no time to do outreach, promotion of meetings or surveys. Currently about two weeks notice is give prior to meetings and the public has three weeks to learn about and review documents, ask questions and receive answers, draft responses with their membership, communicate with members/clients, complete surveys etc.

**1-a) Recommendation** for public engagement processes to have a 30 day notice period before the beginning of the public engagement process.

Currently various City departments can contract with the Office of Public Engagement, but the Office does not share an annual plan for public engagement. Sharing an outline of planned and potential engagement will allow people and groups to be prepared. To ensure the engagement is built into the communication and community meetings schedules of stakeholder groups. This will enhance engagement and participation.

**1-b) Recommendation** that the Office of Public Engagement share their annual calendar for potential and planned engagement opportunities by issue and by date.

**2-Engagement Document Sharing**

Currently members of the public do not have access to power points or other materials prior to public meetings. Since this is public information, often details, and hard to see on a computer screen during an online meeting and it would benefit participation of interested residents could review them prior to the meeting.

**2-a) Recommendation** to share public information that will be referenced during the public engagement prior to the meetings.

**3-Levels of Engagement for Stakeholder Process**

The Office of Public Engagement is using the popular 5 levels of public engagement: Informing, Consulting, Involving, Collaborating and Empowering as part of its policy. However so far there has been little engagement beyond the level of consultation. Engagement methods at the individual public level are suitable at the consultation level but community organization and other stakeholders must be engaged at the collaboration level where real grappling of the complex issues and their solutions that face our city are not only discussed but methods are used to find common ground, and agreed to strategies. And that these engagement processes lead to decisions this requires staff in the office of public engagement training, experience, training and expertise in adult education, superior skills in facilitation and dispute resolution, including process design for finding common ground. Working on document to share with the OPE. Show book for staff and the consultants who are hired.

**3-a) Recommendation** a stakeholder policy must be developed that recognizes the power imbalance of current city influence between various stakeholders and the engagement process must level this imbalance of power by ensuring equal access to information and resources.

**4-Engagement Methodology**

Engagement is about inclusion and participation in the decisions that affect us in our community. Engagement methods must ensure inclusion of marginalized people and groups who may have issues with English and French as official languages, and additional languages for people who are new to Winnipeg and EAL or access to a computer or transportation to attend meetings, or education to understand the documents and issues.

**4-a) Recommendation** Office of Public Engagement **use methods to seek out the input of groups who** have barriers to participation. And support community groups to do this outreach and engagement.

Engagement methods that offer opportunities for dialogue and questions are preferable. Recent research also suggests that solutions focused messages rather than problem focused messages are more likely to engage and promote action.

**4-b) Recommendation** generating solutions and discussing solutions to interconnected issues is important in community engagement.

Engagement methods like surveys and questionnaires can have inherent bias, leading questions and assumptions that make them problematic for finding solutions to complex problems. These methods of engagement unnecessarily and unrealistically force the public to prioritize values, issues and services against each other in a way that sets up false dichotomies or false choices in municipal services and urban development.

**4-c) Recommendation** surveys and questionnaires are reviewed by stakeholder advisory groups prior to distribution to the public to reduce the chance of bias, assumptions, and polarization, etc.

**4-d) Recommendation** the Office of Public Engagement focus on developing engagement tools that are open ended and allow for the generation and contribution of ideas and solutions.

Public engagement does not replace research and is not about the majority opinion or majority rules. At a recent meeting a member of the public claimed that because more Winnipeg residents drive cars for transportation that this means vehicle infrastructure should continue to have the priority for funding, and investment. This is incompatible with the realities of the climate crisis and stated public policy at all levels of government. Asking for public input on issues they know little about and using this to guide public policy will take us down a road we don't want to go down. Some things are not a matter of opinion.

**4-e) Recommendation** public engagement requires methods like deliberative polling which inform and educate members of the public with research evidence and context about the issues before they are polled.

**5-Accountability to City policy based on public engagement**

Many of the current public engagement opportunities in Winnipeg have been about master plans and visionary documents like Our Winnipeg that often are ignored during the budget making decisions at Council. This often makes the hours and weeks of public engagement seem like a waste of time and money. Council must be bound to public policy and tools, methods for this accountability to the public are required as part of the process.

**5-a) Recommendation** for a budget check-list that shows public policy in each budget area and the cost for those policies must become part of the budget process. A similar by-law and motion check-list can come with motions to Council so it is clear when they are making decisions whether those decisions are inline with policy or in violation of their policy.

**6-Partnerships and Transparency**

Not for Profit groups, resident associations and other community based stakeholders require some infrastructure to participate effectively in public engagement with municipal government. Winnipeg used to have a Resident Advisory Group structure prior to the current Winnipeg Charter. Other

municipalities have similar structures. Winnipeg has a variety of resident and community groups at the neighbourhood level that work on everything from trails, gardening, libraries, recreation, etc.

**6-a) Recommendation** funds for these groups to engage well are required.

**6-b) Recommendation** the policy must include partnership guidelines for working with resident groups that includes some of the recommendations here and a terms of reference for engaging and working well with community groups.

9. The interim governance report in "areas of opportunity" (for improvement) includes 7 areas.

- Strategic Plan
- Flow of information / recommendations to Council
- Development application review process
- Mayoral appointments
- Council orientation and training
- Elected official requests for information
- Ease of access to information on Council budgets

Missing is how the city enforces it policies, in particular planning policies and strategic plans. **9.2/10 support adding policy and budget alignment and coordination, implementation of master plans and tracking progress on policy goals as a key area for the city to improve.**

Comments Question 9

a) Yes!
b) Yes.
c) thanks for this. Only those with an inside view of city hall even know this!
d) I am not well enough informed to answer this question. "Enforcement" is a problematic word for implementation of policies and plans.
e) the city currently does not have the muscle to enforce its policies, guidelines etc.
f) Of course - required.
g) Yes.
h) Theoretically I support but in practice I fear that enforcement involving fines might disadvantage groups of people and yet enable bullying groups—very tricky balance.
i) absolutely, more transparency is needed.

10. The interim governance report indicates The City of Winnipeg Charter Act is the primary provincial legislation governing the City of Winnipeg. It establishes the general purpose of the city:

- To provide good government for the city
- To provide services, facilities or other things Council considers necessary for all or part of the city
- To develop and maintain safe, orderly, viable and sustainable communities
- To promote and maintain the health, safety and welfare of the inhabitants.

**4.8/10 think the City is in compliance with these governance goals, and is meeting its mandate, in particular to provide good government, maintain a healthy safe city for all inhabitants, or maintain safe, sustainable communities.**

**Comments Question 10**

a) I think they are particularly weak with regards to #3 & 4!
b) My experience with Parker Forest exposed the reality that the city admin does not follow and/or enforce charter rules and protocols and all processes resulting from the charter.
c) The City is not meeting this mandate as is.
d) there needs to be better collaboration between the Province and the city
e) Health & Safety concerns re: old Springfield garbage dump (now Kilcona Park). City dumped hazardous materials in a dump licenced for only "non-hazardous material", then stopped checking for those hazardous material in the neighbours' well water. Then the province placed responsibility for hazardous materials leaking from all garbage dumps, onto the dumps' neighbors.
f) we need to work on our huge issues with poverty, addictions, racial tensions, safety and homelessness
g) As good as the province is in compliance with its governance goals.
h) Our city continues to focus on outward expansion, rather than taking care of currently existing communities.
i) They do a good job but improvement is always possible and an opportunity
j) The number of dispossessed - through su=sytemic poverty and racism and othering is NOT being addressed - and could easily be remedied by involving the communities from which the dispossessed come. Get Sel Burrows.
k) I'd say the goals are only partially achieved. Of course, they are so linked that if the city falters in achieving one goal - e.g. good government - the negative impact on other goals is immediate.
l) To some extent they think that they are accomplishing these tasks very well. We are now a city closing in on a population of 900,000. There needs to be an increase to use public groups that can help with safety and more community based input to address each community's needs.
m) Huge gaps in public health and in support for public parks.
n) No.

11. The interim governance report does not seem to address the experience of many Winnipeg citizens who attend hearings with bodies like the Board of Adjustment for zoning variances, development proposal approvals, etc. including appeals. Often decisions are not followed and approval requirements for development are not followed, the buildings are not built as required. **9.0/10 support for the governance review to ensure more transparency, accountability, effectiveness, etc. in this area of development approvals and appeals by the Board of Adjustment and other bodies.**

**Comments Questions 11**

a) That should all be administrative and not council governance issues. Having clear lines of delegated authorities & discretion is important. It doesn't appear that is done very well.
b) Yes! All of this is so frustrating!
c) Hell to the yes!!!!!!
d) I support the governance review to ensure more accountability. City operates like a secret cabal of insiders. This is bad for the long term viability of a city.
e) definitely support this as citizens find the inout process into these bodies is confusing; un-elected people end up making decisions that affect neighbourhoods
f) developers and business seem to always get their way -- and their profits

g) In terms of zoning variances the meetings appear to be transparent. It is the decision that people disagree with. The way to change this is to have more community member involvement in neighbourhood planning and local guideline development.
h) I'm not sure.
i) Required for meaningful compliance.
j) sorry, I don't understand this question.
k) I support this.
l) Residents are ignored in the appeal process. Some city councillors even bully residents in the appeals.
m) All of the above bodies do as they will. Very few public requests are passed or even addressed, or they are addressed and dismissed over and over again.

12. The interim governance report does not address the fact that the current legislative framework for Winnipeg's exempts the city development from requirements for environment EIA and health impact assessments HIA. For example, a bridge requires an environment impact assessment but building an entire new sub-division, which will require more roads, and other infrastructure does not require an EIA or HIA. The full cost accounting of development is not happening, and there are assumptions in the formulas for property taxes and frontage levies that are not part of this review but have a large influence on how our city will grow and develop. **9.2/10 support ensuring this governance review addresses the governance of these fiscal issue of ensuring money invested into infrastructure and developments is based on evidence and not assumptions, and having fully assessed social, health, environment and economic impacts prior to approvals or funding for development in the city of Winnipeg.**

**Comments Question 12**

a) Not sure if this work belongs in a governance review, but it definitely needs to be done.
b) Yes!
c) YES
d) Yes absolutely I support the requirements of an EIA and HIA's for developments. What's the point of having these tools if we're not going to use them? More importantly, they are accountability mechanisms for the public good. There's no public good by exempting the City from these requirements. Again, the result of the exemption is less democratic legitimacy.
e) this issue needs to be addressed as existing older areas of city end up subsidizing new developments
f) especially where new developments place higher tax, and development expense costs on existing homeowners
g) wow, I didn't know that either. This is very educational and informative (small typo in line 2: 's )
h) Required.
i) Yes.

13. Research comparing cities in Canada, showed Winnipeg, with its new four year budget, has the least public engagement and input into the budget process of any city in Canada. This past December the $1.25 billion budget, with a $7 billion infrastructure deficit was passed in 15 business days, with no draft budget presented to the public or non-EPC councillors for review. **8.7/10 support amending the City of Winnipeg Charter to require a participatory city budget that engages all stakeholders in an effective**

**process along the lines of the Brazilian model?** https://www.jstor.org/stable/27733620?seq=1 https://www.tandfonline.com/doi/full/10.1080/19463138.2019.1570219

**Comments Question 13**

a) I agree to the principle, however I have not read the reference so wish to remain neutral on the Brazilian model.
b) YES!! This may be the single most important issue here. Such participation encourages much more buy-in from citizens because they see that they have effective input rather than the mere lip-service Winnipeggers have now.
c) I think for sections of the budget, but maybe not the entire budget.
d) Yes. This year's engagement was a sad farce. We need to do better.
e) YES
f) Absolutely I support a participatory budget! The City would do better to have buy in from Winnipeg residents.
g) I would rather see an outcome based budget, see: City on the Line by Andrew Kleine
h) budget process does not work well
i) I support sharing the information...but the Brazilian Model should not be adopted in whole--just the applicable parts.
j) I was not aware of that either.
k) If every stakeholder is involved in a budget development it is unlikely to be effective or efficient. We have a representative democracy. It is the responsibility of our councillor to represent our interests and to participate in the budget development. Are other cities more effective? What do they do. Is Brazil a good example of citizen engagement given their approach to the COVID-19 pandemic.
l) Too much work for this survey.
m) Yes.

14. Integrity commissioner role is to ensure councillors follow the code of conduct and operate free of conflict of interest, bribery, or influence peddling. There has been a concern that industry and people with deep pockets have too much influence on council decisions. Governance changes here may have implications for election financing rules. **9.3/10 agree that the integrity commission's role as well as other governance structures and policy needs to be improvement to ensure that all stakeholders have transparent access to councillors and election donors, or powerful interests don't have increased influence on city decisions.**

**Comments Question 14**

a) I think that campaign finance reform, and disclosure of all donors during the campaign, needs to happen. I am not sure if campaign finance reform would fit under a "governance review" umbrella.
b) YES
c) Need clear criteria for decisions to avoid the appearance of conflict. For example, the test for a variance in Winnipeg (bias towards developer) is unique and different from anywhere else in Canada. See Edmonton's report, https://www.edmonton.ca/city_government/documents/08NotificationsAndVariances.pdf

d) Yes. Cynicism and hatred breed when only well funded special interest groups get their way; This is corrosive to democracy, to citizens trust in officials, to our physical city itself (notice the underdevelopment of inner cities to suburban areas?)
e) Yep, tired of feeling like lobbyists are respected "partners" when in delegation, while us volunteers are often treated with disdain & dismissed as extreme/fringe/minority 'special interest group'
f) a few typos in this one, perhaps it's too late to edit them :)
g) I do not know the role of the integrity commissioner. It should have some teeth and greater acceptance by the mayor and councillors.
h) Yes.
i) yes definitely! I have observed this conflict of interest/bias personally!
j) Undue influence by powerful interests has been part of this city's problem since its beginnings. This is a huge problem that needs to be effectively addresses.
k) The Integrity commissioner has not felt it necessary to discipline any councillors in the last 4 years.
l) Put a cap on donations to candidates in municipal elections.
m) Corruption is a huge problem, as the current administration operates like they don't answer to public.

15. Prior to the 1997 City Charter there were Resident Advisory Groups that worked with Community Committees in Winnipeg. Other cities have municipal support for resident associations. https://tango.to/ Research on what is required for sustainable communities shows that structures such as this for grassroots public engagement are needed to support and drive the shift to sustainable, healthy communities and action on climate and equity. **9.2/10 support for resident advisory committees and a governance model that includes support for resident, neighbourhood, community associations.**

**Comments Question 15**

a) Yes - but these associations need more support from government to be able to exist, function and serve their communities.
b) RAGs would be better than our current system. Example of Councillor support in our area, "The failure to for council to recognize the importance of green space in the City can be demonstrated by examining a decision made a recently committee meeting. At the Committee on Property and Development, Heritage and Downtown Development, a property that was being used as a parking lot came up for a declaration of surplus, and residents from that community requested that lot become a park. That area's councillor stated during the committee meeting, "My ward residents would want me to say this, that the highest and best use would be a park, that is what they would want me to say, and so there you have it Madame speaker…. But like many of the surface parking lots in Osborne City, it does not reflect that vibrancy of the neighbourhood, the greening of the neighbourhood and so Madame speaker, I want to state that I am supportive of this declaration of surplus of City owned property located at 145 Osborne St." Osborne Village covers 231 acres (93 ha) and has a population of approximately 12,745, making it the most densely populated neighbourhood in Winnipeg, and using the WHO standard, it should have a minimum of 19 hectares of green space; it has less than 4 hectares of green space. One hundred forty-five Osborne Street will now be sold to a

property developer. This interaction demonstrates the need for targets to be met on a yearly basis because simple need and community health is not enough to motivate Council to make decisions that will "promote and maintain the health, safety and welfare of the inhabitants."

c) Maybe. Maybe if the parameters are set very tightly. The challenge is that all communities are not created equal, and a lot of times it is to the few who show up. Why would the 20 people who show up at a resident's association have such a greater say? I believe there be dragons going down this route.
d) I totally support resident advisory committees, and a means for neighbourhood and community associations as a logical starting point for public participation in city governance. Financial and perhaps logistical support to existing local apparatuses makes sense, and connect to policy apparatus, to decisions. So information is two way, from the ground up and from up down, with some shared power in problem and solution identification and shared decision making on actions.
e) I was on a resident advisory group and it really did not work all that well. Appointees were non non-partisan and there was a lot of fighting.
f) We do not know what a resident advisory committee is. This sounds like another level of governance with another layer of bureaucracy or support required. Citizen advisory groups should be able to get support, including financial support from their councillors on an issue by issue basis.
g) Manifest it and changes and stability will come.
h) Total support.
i) The closer a governing body is part of a specific community, the better that community is governed and reflects what the people want in that community.
j) Resident groups need training and practice to work well. The skills in effective respectful discussion, fair and collaborative decision making, conflict resolution, volunteer coordination, community organizing are learned through getting involved and through training programs.
k) In many Cities in Canada resident and neighbourhood groups receive funding, like community clubs and other groups. There are program and structures Winnipeg could learn from. The reality is healthy communities have engaged citizens.

**16. What comments would you like to add? What issues did we miss?**

a) As a published author and professor of creative writing, I'd like to see recognition of the role that the arts can play in re-envisioning how a city might be governed and how the arts play a vital role in contributing to vibrant, healthy, sustainble communities. They can also play a role in fostering citizen participation. See International Centre of Art for Social Change at Simon Fraser University, icasc.ca
b) Criteria used in Winnipeg for approving variances is different from anywhere else in Canada. This leads to anger with the City and poor decision making that adversely affects the community.
c) Facilitators of Resident Advisory Committees or Health Advisory Committees should be trained or predisposed to handle conflict and dissent as normal, natural and indicative of a healthy democratic culture. Techniques to control expressions, tone, and substance can be stifling to the exchange of ideas and the building of group solidarity/commonality of purpose.

d) How does the city charge-back a company who provides an obviously flawed report? There seems to be no responsibility for poor/improper recommendations and improper costing, of unneeded options (that cater only to special-interest groups).
e) great job!
f) The questions are too complex to answer in a simple survey. Some also required a significant degree of knowledge in a very specific area of city operations.
g) Loss of all trees on properties to infill
h) Green space in City land use planning: take back the green space - priorize it over development.
i) I appreciate having input, thank you
j) counsellors need to drive through the city's residential areas prior to variance and appeals hearings so that they see firsthand what the issues are and do not just rely on limited Google maps views when making decisions on residential building hearings.
k) Limitation on the number of times the same person can hold the office of councillor.
l) Unprofessional conduct in meetings by city councillors.
m) Most of the City Council should be replaced.....
n) Urban forestry conservation a must.
o) public service more transparent with councillors
p) Bylaws that protect trees on private property are needed.
q) City is not accountable for decisions they make. IE sewer in rivers, parking rules and infrastructures
r) the city needs to come up with a green plan
s) There are no term limits for the Board of Adjustment members and there needs to be term limits set for sitting on the Board.
t) Should a Councillor or city department representative be obligated to at least provide a read receipt for questions asked?
u) We greatly appreciate the tireless efforts of our Neighbourhood Committee to address concerns in our neighbourhood.
v) Issues with old infrastructure that cannot support infill housing
w) City Planning Department - inspectors, permits. What a disaster. Inspectors seem to make requirements up as they go along. The process at Oak Table is one example. Ridiculous.
x) City seems to be boggled discussing issues which have been dealt with before!
y) Development of old, derelict and commercial buildings in Winnipeg.
z) Climate resilience and public health must be considered for every new development involving housing.
aa) Parking issues due to infill
bb) Use as many volunteer organizations that you can. Cost = 0 and they usually know what their community needs best. Unity
cc) More support for Winnipeg Animal Services.

**Examples of governance gone wrong**

**Somerset School –** Across from the HSC it is a heritage school that community was trying to save for housing and a child care centre. Groups were told it was going to be a pharmacuitcal company office building, and that a lot of jobs were at stake. It is now a Shoppers Drug Mart with a large parking lot.

**Home Depot on St. Anne and Bishop Grandin –** Over 20 units of Manitoba Housing were demolished to make parking lot for the new Home Depot. The tenants were moved out.

**Atwood Street infill housing** – One developer put in a proposal for about 20 homes and were given a number of requirements like a front street, back lane, etc. that added costs making the development unviable. The company withdrew the application and the next day another company submitted the same proposal and were not given any additional requirements. They got the land and built the homes. The first developer felt they had no recourse, if they took action, there would never get any land in the city again for housing development.

**Neighbourhood Groups participating**

1. Bourkevale
2. South Valour Resident's Association
3. Luxton Residents' Association
4. Corydon Osborne Resident Assoc.
5. Luxton Neighborhood
6. West Alexander Residents Association Inc.
7. Robertson-Mynarski Resident Association
8. Norwood Flats Residents Association
9. Little Mountain Park Conservancy Group Inc.
10. West Broadway Community Organization
11. Glenwood Neighbourhood
12. Glen Elm Neighbourhood Association
13. Fort Richmond/University Heights Neighbourhood Association

**People from other neighbourhoods responding**

1. St James
2. Chalmers
3. Elmwood
4. Old St. Vital
5. Wolseley
6. West End
7. Maples
8. Niakwa Place
9. Ft. Richmond
10. Area B of Waverley West
11. Harbourview Neighborhood Association

**Community Organizations**

1. Bike Winnipeg
2. Parker Forest/Wetlands Reclamation
3. Safe Speeds Winnipeg
4. OURS – Outdoor Urban Recreation Spaces

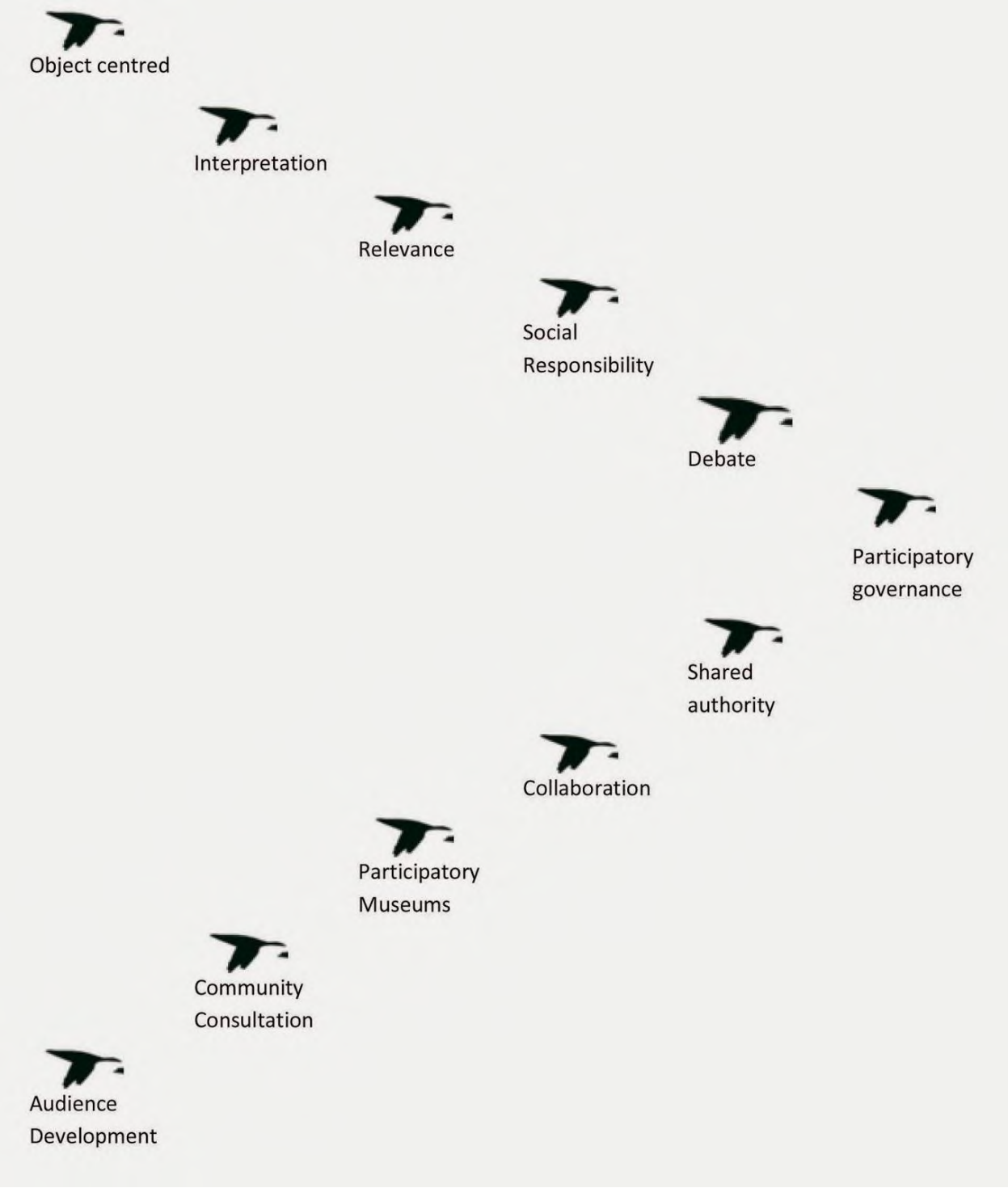
**Individual**

Lorna Paulette Parashin

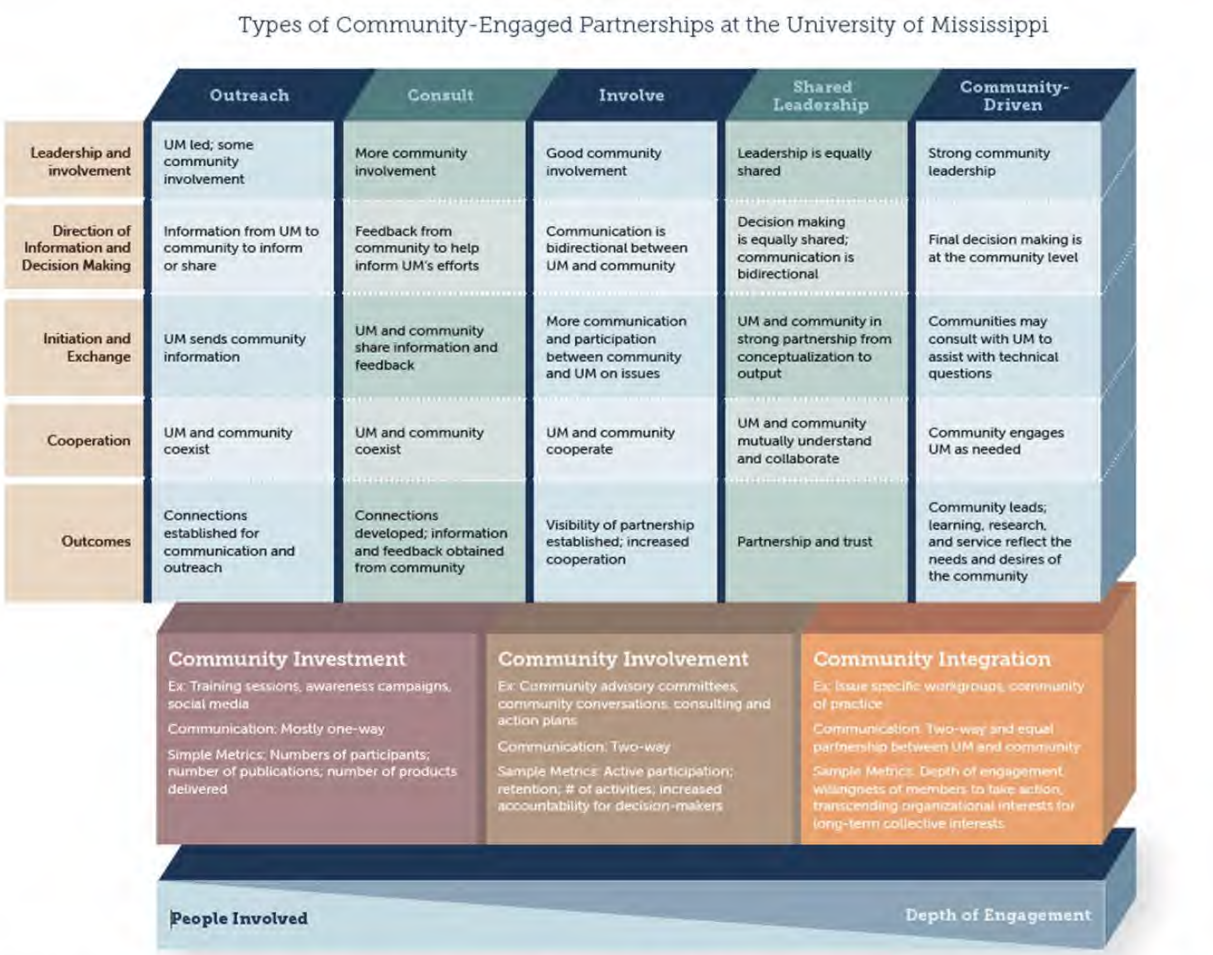
**Appendix -** Participatory governance models

For more information or questions please contact unowpeg@gmail.com

Appendix – UNOW Submission - Participatory Governance Models

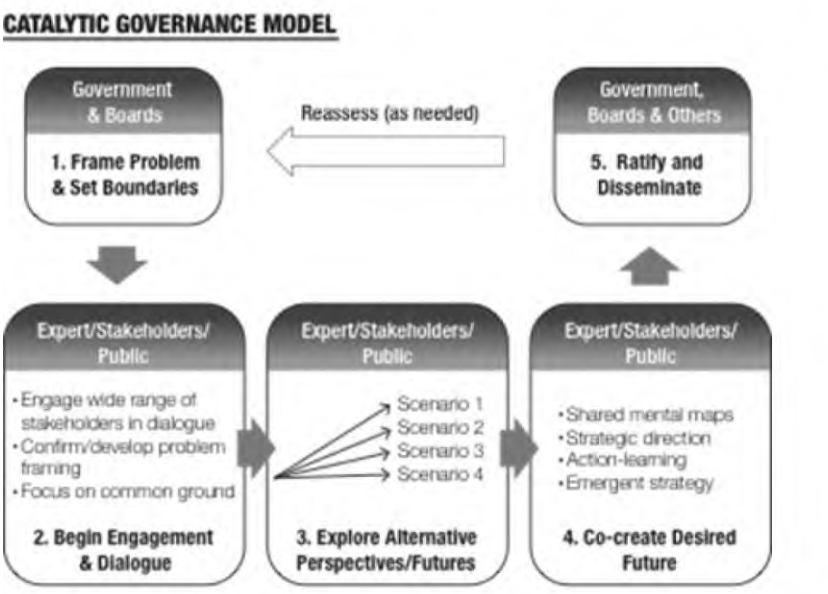


Appendix – UNOW Submission - Participatory Governance Models




Adapted from Community-Campus Partnerships for Health. Linking Scholarship and Scholarship and Communities: Report of the Commission on Community-Engaged Scholarship in the Health Professions, 2005.

**Figure 1**
**The catalytic governance model**




Meredith Catalytic Governance Model

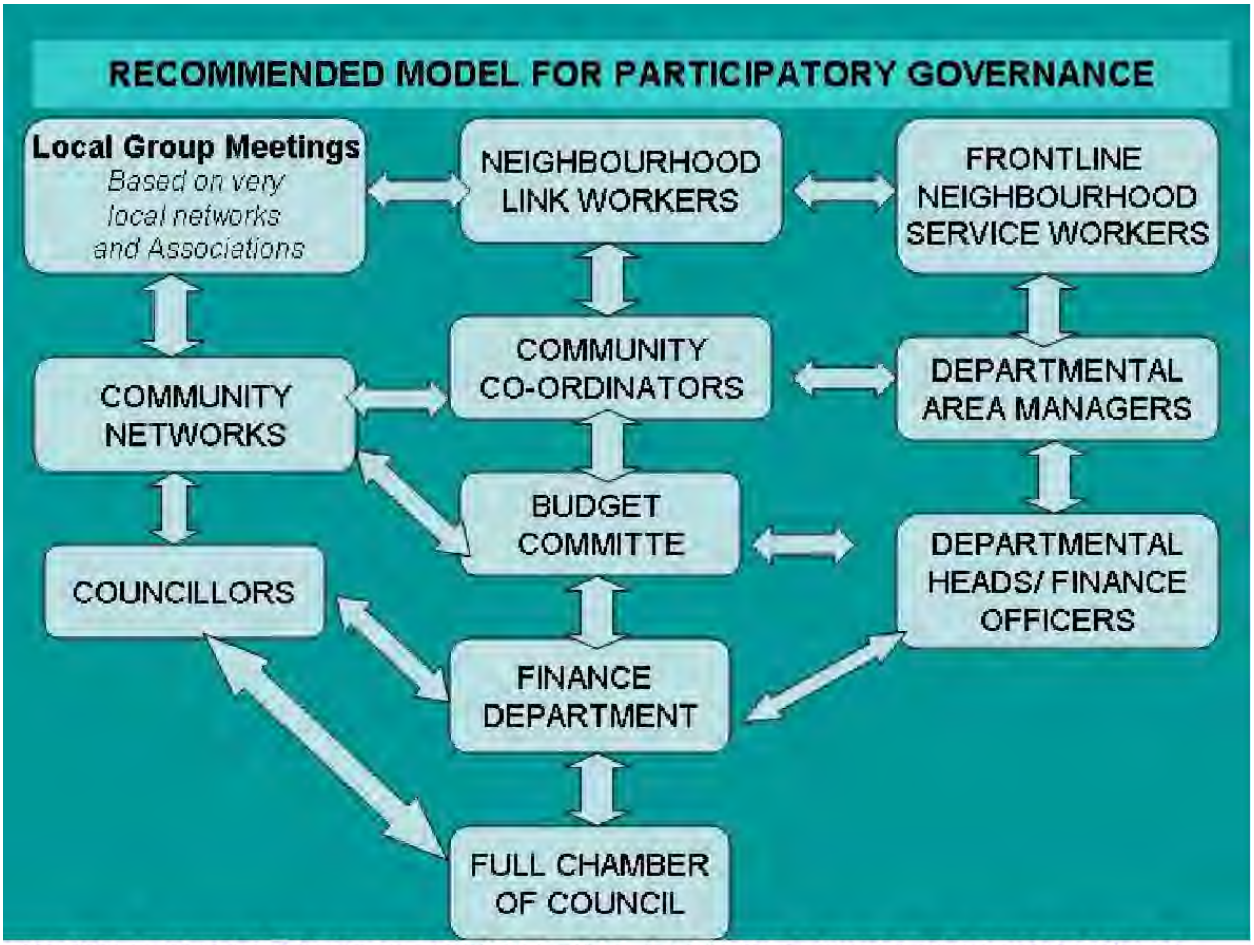
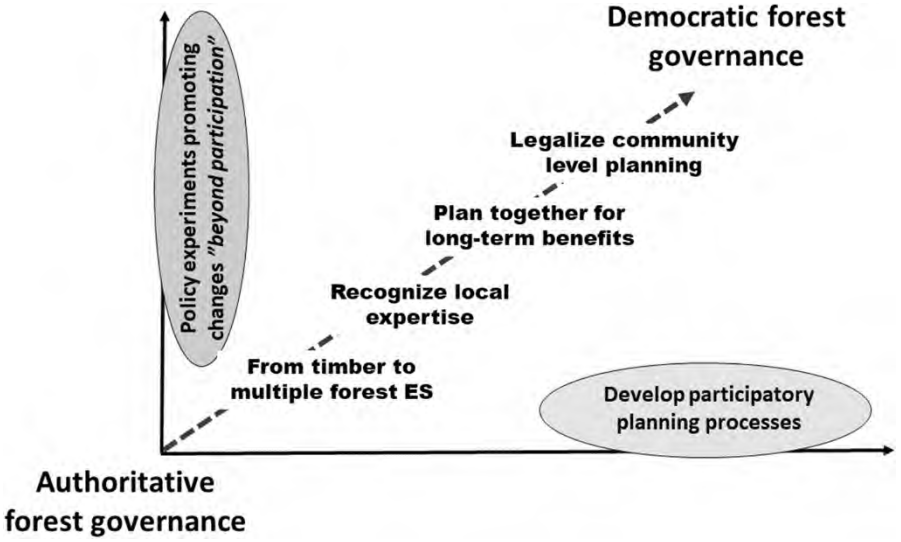
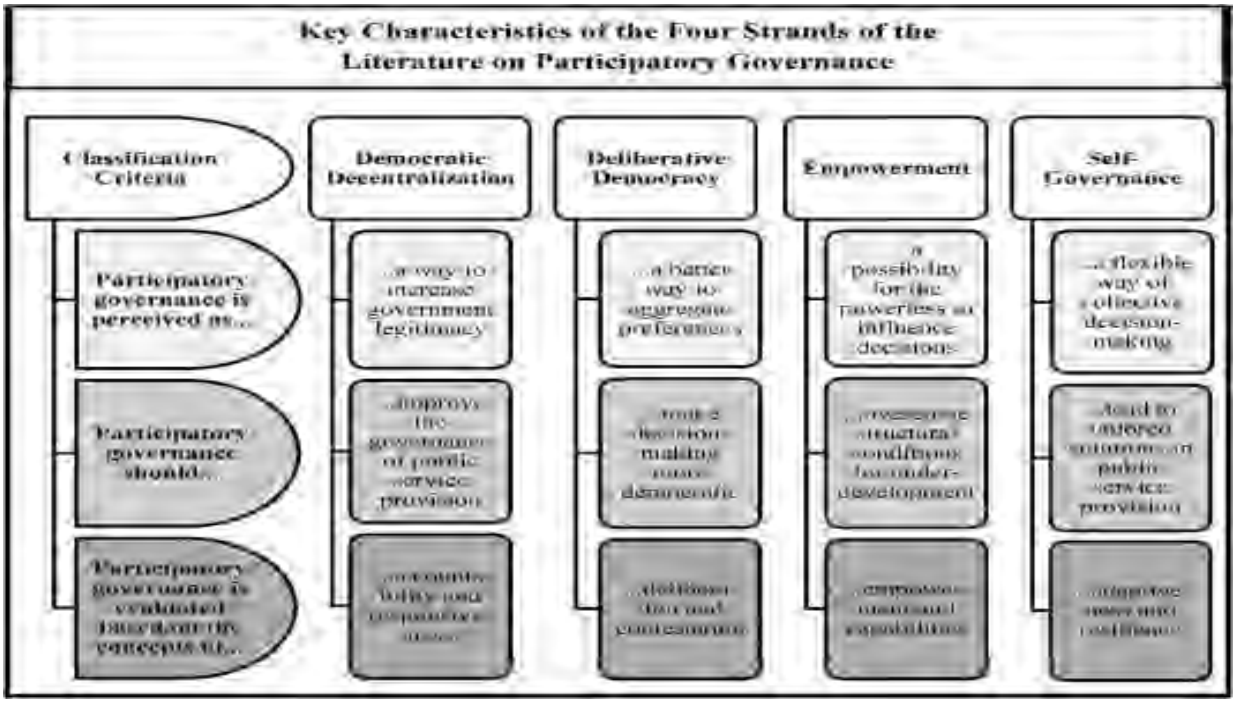



FIGURE 3: RECOMMENDING MODEL FOR PARTICIPATORY GOVERNANCE IN



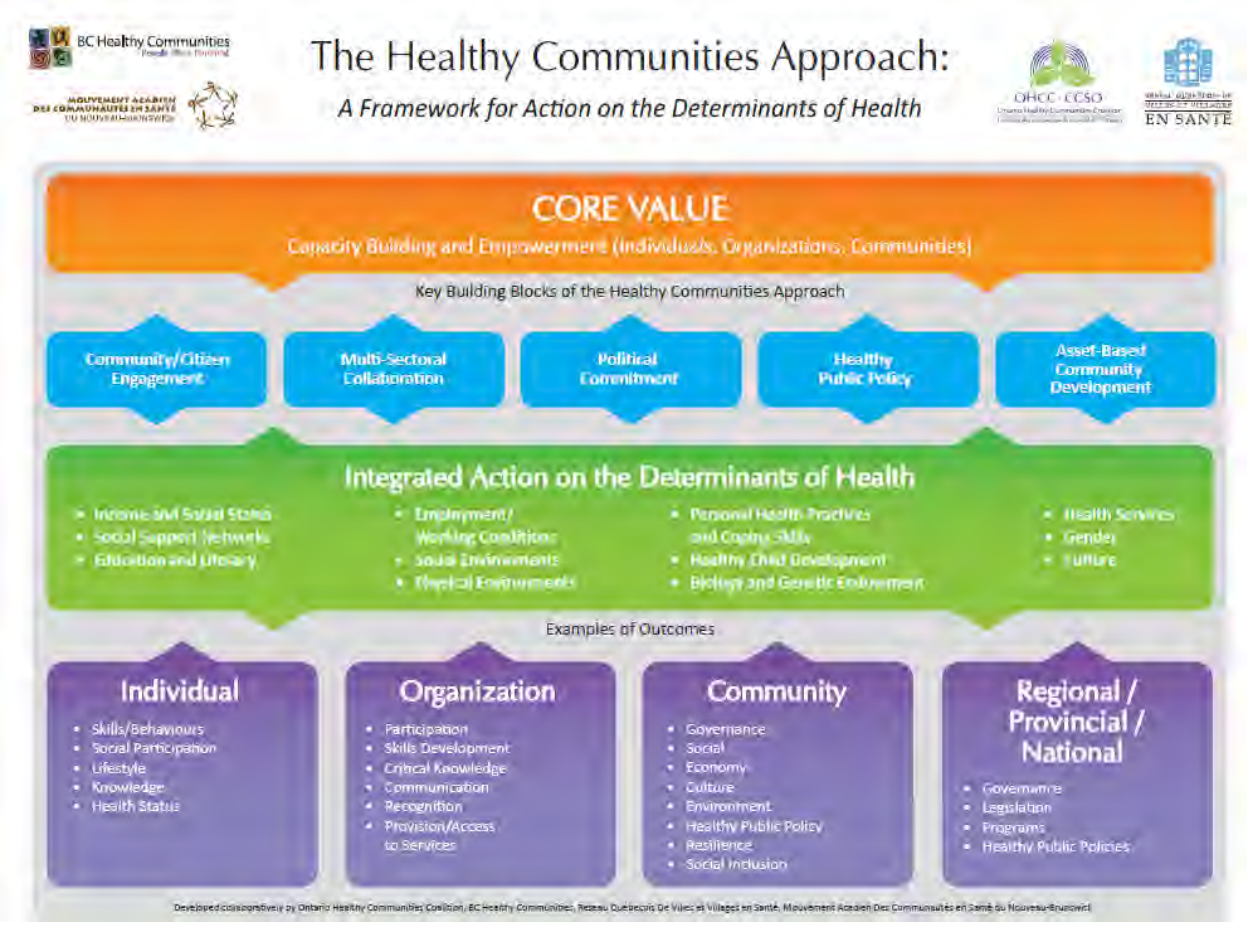


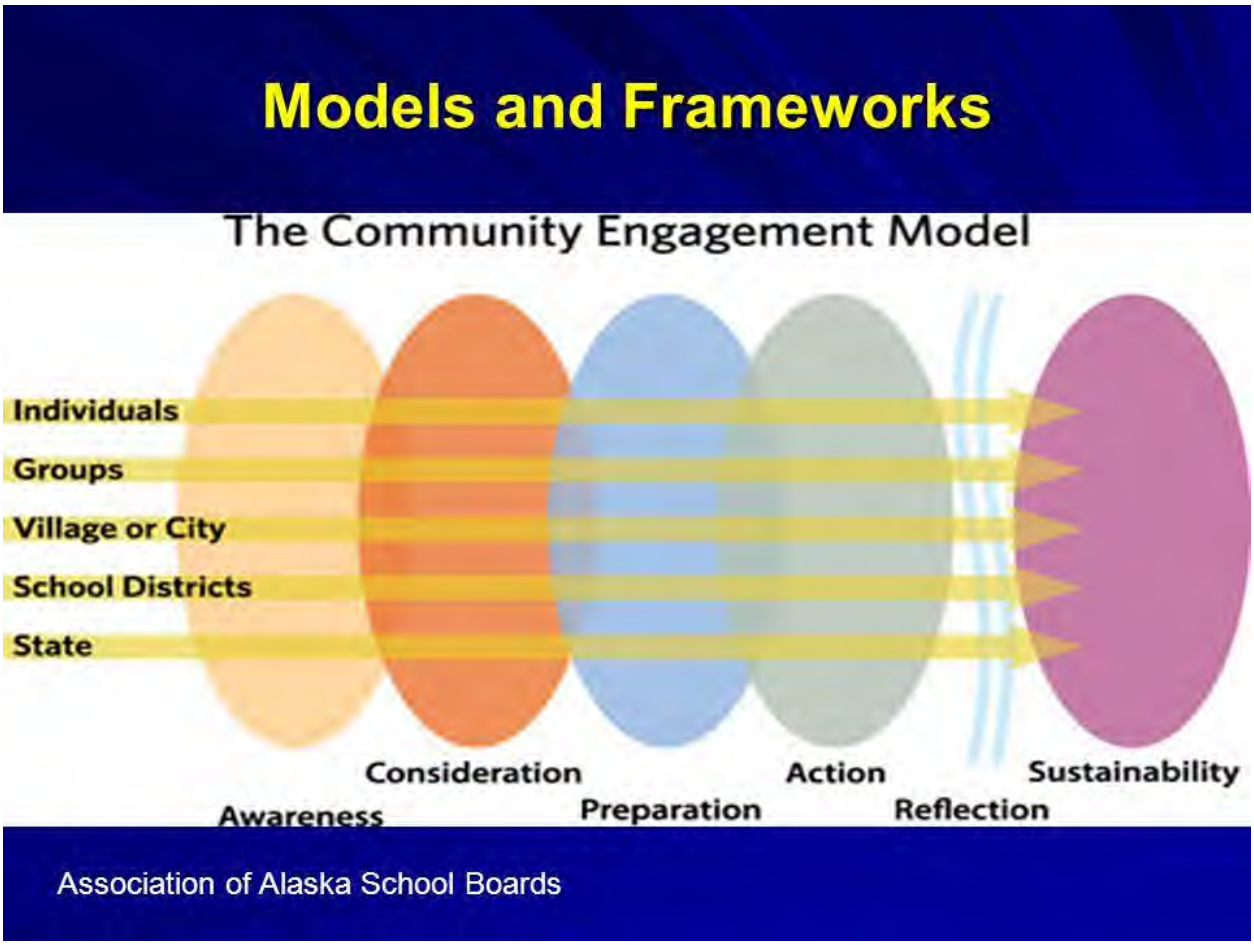




**Public Engagement Models**

Appendix – UNOW Submission - Participatory Governance Models




Models and Frameworks
The Community Engagement Model
Individuals
Groups
Village or City
School Districts
State
Awareness
Consideration
Preparation
Action
Reflection
Sustainability
Association of Alaska School Boards


Social Change Wheel
PHILANTHROPY
increasing the well-being of humankind by charitable aid or donations
COMMUNITY & ECONOMIC DEVELOPMENT
action taken locally by a community to provide economic opportunities and improve social conditions in a sustainable way
COMMUNITY-BUILDING
strengthening the capacity of neighborhood residents and associations to identify priorities and opportunities to work, individually and collectively
VOTING & FORMAL POLITICAL ACTIVITIES
voting, running for public office, acting on behalf of a candidate, writing to an elected official
INFORMAL ASSOCIATIONS
(mutual aid)
unpaid, collaborative work by citizens with a common passion and vision to improve their collective quality of life
PROTESTS & DEMONSTRATIONS
visible, non-violent, public disagreement with a situation or policy
SOCIALLY RESPONSIBLE DAILY BEHAVIOR
acting on your values, doing what is right, as opposed to what is easy, in one's personal and professional life
SOCIAL ENTREPRENEURSHIP
using entrepreneurial principles to organize, create, and manage a venture to make social change
CHARITABLE VOLUNTEERISM
good deeds or lending a hand - most often through social service agencies, churches or schools
COMMUNITY ORGANIZING
bringing people together into an organization that acts in their shared self-interest
ADVOCACY
active support of an idea or cause through public and private discourse - includes the collection of evidence to support one's position
COMMUNITY-BASED PARTICIPATORY RESEARCH
research conducted as an equal partnership between traditionally trained "experts" and members of a community, and intended for community improvement

ITHS
Institute of Translational Health Sciences

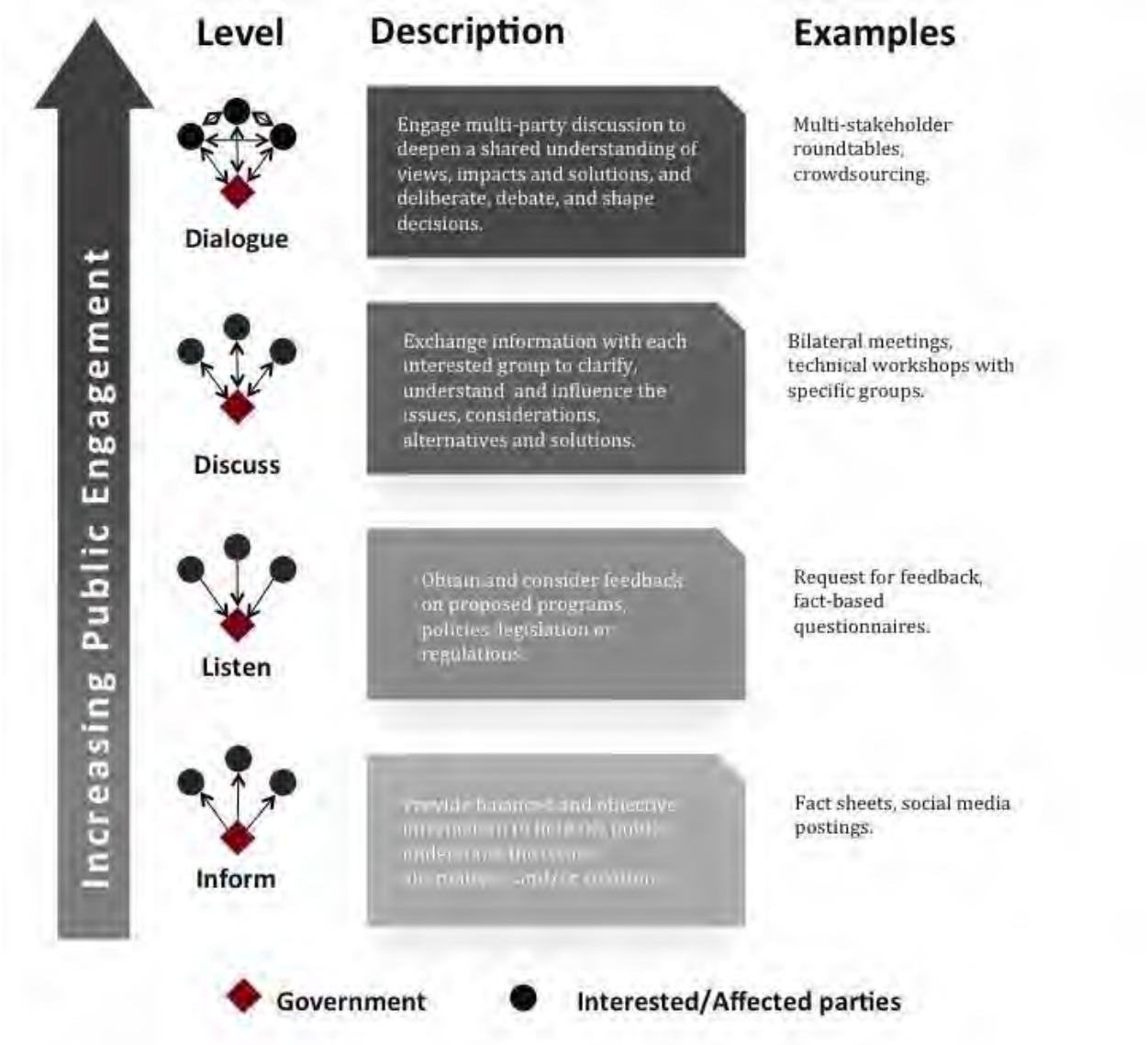
# Community Engagement Continuum

**Increasing Level of Community Involvement, Impact, Trust, and Communication Flow**

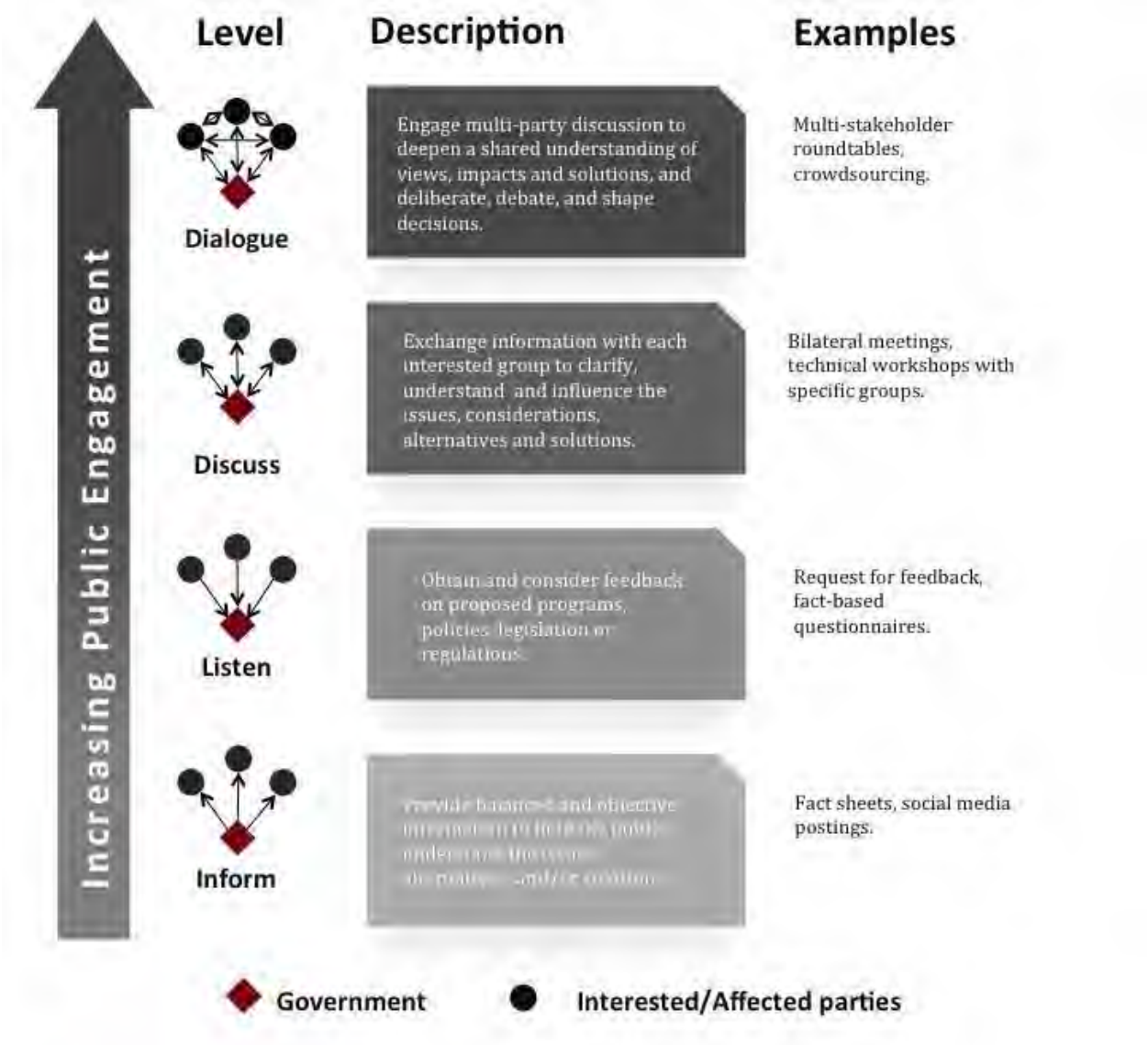
| *Outreach* | *Consult* | *Involve* | *Collaborate* | *Shared Leadership* |
|---|---|---|---|---|
| *Some Community Involvement*<br>*Communication flows from one to the other, to inform*<br>Provides community with information.<br>Entities coexist.<br>Outcomes: Optimally, establishes communication channels and channels for outreach. | *More Community Involvement*<br>*Communication flows to the community and then back, answer seeking*<br>Gets information or feedback from the community.<br>Entities share information.<br>Outcomes: Develops connections. | *Better Community Involvement*<br>*Communication flows both ways, participatory form of communication*<br>Involves more participation with community on issues.<br>Entities cooperate with each other.<br>Outcomes: Visibility of partnership established with increased cooperation. | *Community Involvement*<br>*Communication flow is bidirectional*<br>Forms partnerships with community on each aspect of project from development to solution.<br>Entities form bidirectional communication channels.<br>Outcomes: Partnership building, trust building. | *Strong Bidirectional Relationship*<br>Final decision making is at community level.<br>Entities have formed strong partnership structures.<br>Outcomes: Broader health outcomes affecting broader community. Strong bidirectional trust built. |

Reference: Modified by the authors from the International Association for Public Participation.

Appendix – UNOW Submission - Participatory Governance Models



Appendix – UNOW Submission - Participatory Governance Models




Social Change Wheel
PHILANTHROPY
increasing the well-being of humankind by charitable aid or donations
COMMUNITY & ECONOMIC DEVELOPMENT
action taken locally by a community to provide economic opportunities and improve social conditions in a sustainable way
COMMUNITY-BUILDING
strengthening the capacity of neighborhood residents and associations to identify priorities and opportunities to work, individually and collectively
VOTING & FORMAL POLITICAL ACTIVITIES
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(mutual aid)
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# Community Engagement Continuum

**Increasing Level of Community Involvement, Impact, Trust, and Communication Flow**

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## Organizations that Participated in a Focus Group for the City of Winnipeg Governance Review

Abilities Manitoba
Armstrong Point Resident's Association
Bike Winnipeg
Canadian Manufacturers and Exporters, Manitoba
Exchange District Biz
Residents of the Exchange District (R:ED)
General Council of Winnipeg Community Centres
Manitoba Association of Seniors Centres
Manitoba Heavy Construction Association
Manitoba Home Builder's Association
Norwood Flats Resident's Association
Save our Seine
Social Planning Council of Winnipeg
Spence Neighbourhood Association
Transcona Biz
Urban Development Institute
West Broadway Community Organization
Winnipeg Chamber of Commerce
Winnipeg Real Estate Association
Winnipeg Trails Association
Wolseley Resident's Association

# Appendix F – Promotional Materials

*Facebook Ad*




*Facebook Post*



# Appendix F – Promotional Materials

*Twitter post*




*Twitter post*



# Appendix F – Promotional Materials

*Media Release*

https://winnipeg.ca/cao/media/news/nr_2021/nr_20210111.stm#3

News Release – January 11, 2021

## Residents encouraged to get involved in City of Winnipeg governance review

Released: 11:13 a.m.

Winnipeg, MB – The City of Winnipeg is inviting Winnipeg residents to get involved in its governance review. Governance is all about leadership and responsibility for the City to the citizens of Winnipeg. It includes understanding citizen needs and making decisions in the best interests of the City.

We are building a City Hall that works through openness and transparency, where elected officials and staff collaborate and work towards the best interests of residents. The City's governance structure and systems should support these goals.

The governance review's goal is to establish modern, clear and effective governance structures and systems that support transparency and public confidence, timely decision-making and communication, and an overall culture of innovation.

Public input is important for this review. Winnipeggers can get involved by completing an online survey or attending a virtual public event. To gather detailed feedback, the project team will be meeting with organizations with an interest in governance. In addition, the City will be collecting feedback from a representative sample of Winnipeggers through a brief telephone survey.

Residents are invited to read about the City's current governance processes, complete the survey, and share ideas for citizen participation in Council decision-making.

For those who wish to discuss in a group setting, virtual workshops are also planned to encourage residents to share experiences with the City's governance systems and to help us understand how Council's oversight of the City could be improved. Each session will include a brief presentation and facilitated break-out discussions.

**Date:** Thursday, January 28
**Time:** 1 p.m. to 2 p.m.
**Location:** Zoom
**Date:** Wednesday, February 3
**Time:** 1 p.m to 2 p.m.
**Location:** Zoom
**Date:** Monday, February 1
**Time:** 7 p.m. to 8 p.m.
**Location:** Zoom
**Date:** Tuesday, February 9
**Time:** 7 p.m. to 8 p.m.
**Location:** Zoom
Feedback is being accepted until February 19, 2021.

Residents can register for events and learn more at winnipeg.ca/governancereview.

*Canstar newspapers advertisement – January 27*



**City of Winnipeg Governance: Have your say**

**The City of Winnipeg is undertaking a review of its governance structure and processes. Governance is all about leadership and responsibility for the City to the residents of Winnipeg. It includes understanding resident needs and making decisions in the best interests of the City.**

- **Take a survey**
- **Share your ideas**
- **Attend a virtual public event**

1. **Date: Thursday, January 28**
   **Time: 1 – 2 p.m.**
   **Location: Zoom**
2. **Date: Monday, February 1**
   **Time: 7 – 8 p.m.**
   **Location: Zoom**
3. **Date: Wednesday, February 3**
   **Time: 1 – 2 p.m.**
   **Location: Zoom**
4. **Date: Tuesday, February 9**
   **Time: 7 – 8 p.m.**
   **Location: Zoom**

**To learn more or to register for an event, go to:**
**winnipeg.ca/governancereview**

**Feedback is being accepted until February 19, 2021.**

**If you have questions or require alternate formats to participate, please contact COWgovernance@mnp.ca or 204-336-6108.**

Winnipeg

**www.canstarnews.com**

## Survey

We are seeking citizen input regarding what is working well and where improvements could be made, particularly on transparency, accountability and how citizens are able to participate in City decision-making.

This survey will take approximately 10-15 minutes to complete and will be available until **February 19, 2021**.

**Introduction**

The City of Winnipeg is committed to building a City Hall that works through openness and transparency, where elected officials and staff collaborate and work toward the best interests of the city as a whole and where positive relationships are built with stakeholders and the public. The City's governance structure and systems should enable and support these goals.

The City is currently conducting a review of it's governance by-laws and practices. As part of this review, we are seeking citizen input regarding what is working well and where improvements could be made, particularly on transparency, accountability and how citizens are able to participate in City decision-making.

This survey will take approximately 10-15 minutes to complete and will be available until **February 19, 2021**. All responses will be kept confidential. Only overall results, without individual identifying information will be shared.

If you have any questions about this survey, please contact the project team at COWgovernance@mnp.ca.

**Section 1: Please help us understand our survey respondents**

Please select the category that includes your age.

(Choose any one option) (Required)

- [ ] Under 18
- [ ] 18 to 24
- [ ] 25 to 34
- [ ] 35 to 44
- [ ] 45 to 54
- [ ] 55 to 64
- [ ] 65 or over

What is the highest degree or level of school you have completed?

(Choose any one option)

- [ ] Some high school
- [ ] High school diploma or equivalent
- [ ] Some college or university, but no degree
- [ ] Bachelor's degree / college diploma
- [ ] Master's degree
- [ ] Doctorate
- [ ] Other (please specify)

What is your total annual household income?

(Choose any one option)

- [ ] Up to $40,000
- [ ] $40,000 – $59,999
- [ ] $60,000 – $84,999
- [ ] $85,000 to $124,999
- [ ] $125,000 and over

What gender do you identify with? (please select one)

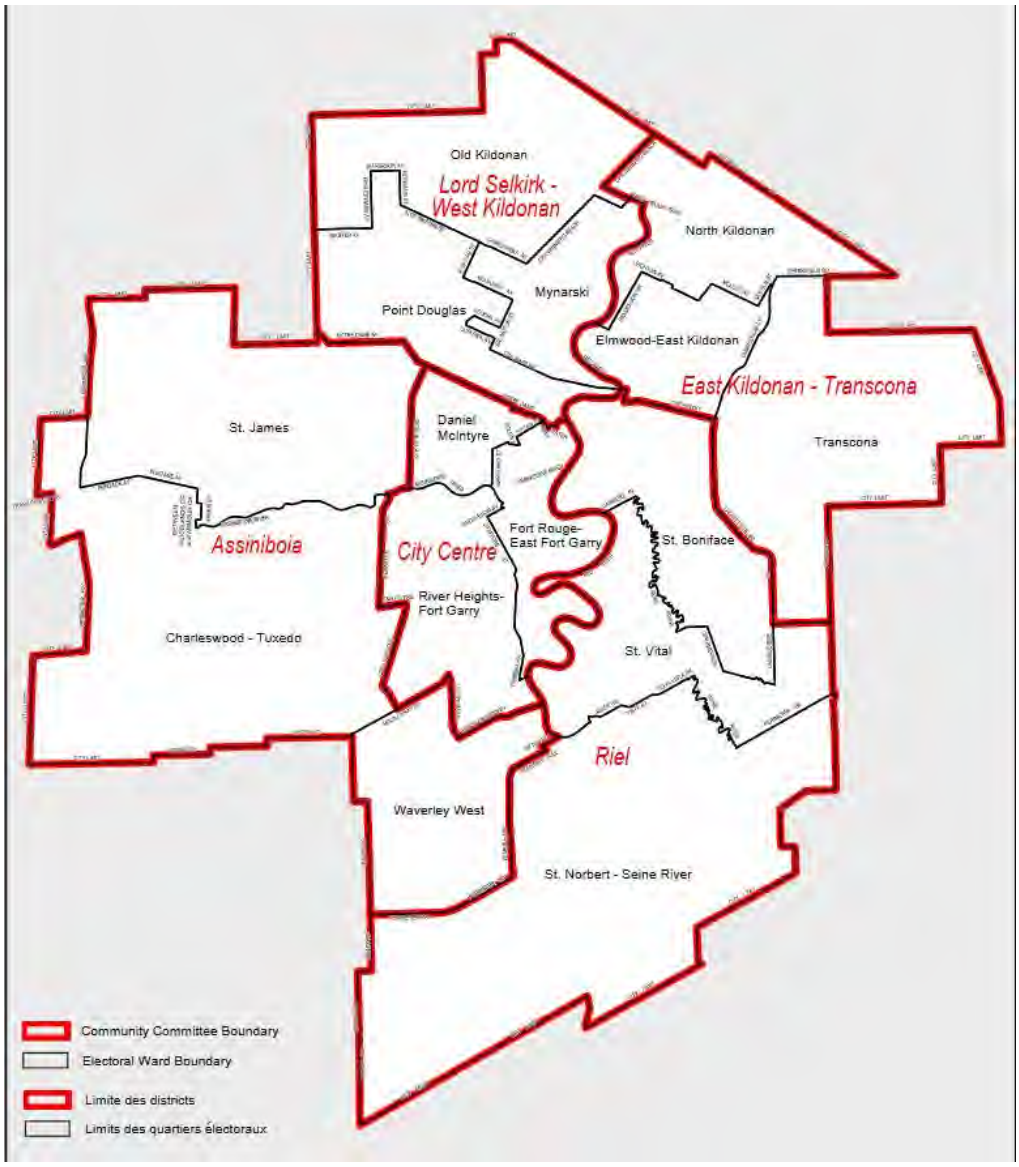
(Choose any one option)

- [ ] Male
- [ ] Female
- [ ] Transgender
- [ ] Non-binary
- [ ] Prefer not to disclose
- [ ] Prefer to self-describe (please describe)

Do you consider yourself part of a marginalized group?

(Choose any one option)

- [ ] No
- [ ] Yes. Please explain if you wish or enter n/a




Please select the area of the city you live in.

(Choose any one option) (Required)

- [ ] Charleswood – Tuxedo
- [ ] Daniel McIntyre
- [ ] Elmwood – East Kildonan
- [ ] Fort Rouge – East Fort Garry
- [ ] Mynarski
- [ ] North Kildonan
- [ ] Old Kildonan
- [ ] Point Douglas
- [ ] River Heights – Fort Garry
- [ ] St. Boniface
- [ ] St. James
- [ ] St. Norbert – Seine River
- [ ] St. Vital
- [ ] Transcona
- [ ] Waverley West

**Section 2: City of Winnipeg Governance**

Please review each of the following statements and select your level of agreement or disagreement.

| Questions | Strongly agree | Agree | Neutral | Disagree | Strongly Disagree |
|---|---|---|---|---|---|
| **I understand how I can communicate with Council on issues I'm concerned about.** | | | | | |
| **The background information made available helps me participate effectively in City of Winnipeg public engagement initiatives.** | | | | | |

Have you personally appeared before the City Council or a Committee of Council?

(Choose any one option)

- [ ] Yes
- [ ] No

Please review each of the following statements and select your level of agreement or disagreement.

| Questions | Strongly agree | Agree | Neutral | Disagree | Strongly disagree |
|---|---|---|---|---|---|
| **My experience in appearing before Council or a committee was constructive and worth my time.** | | | | | |
| **I believe my interests and concerns were heard and given consideration.** | | | | | |
| **I was treated respectfully.** | | | | | |

Please review each of the following statements and select your level of agreement or disagreement.

| Questions | Strongly agree | Agree | Neutral | Disagree | Strongly disagree |
|---|---|---|---|---|---|
| **Information on issues that are being considered by Council or a committee is easy to find.** | | | | | |
| **Information on issues that are being considered by Council or a Committee is useful and easy to understand.** | | | | | |
| **I believe Council is effective in ensuring the City uses resources as approved in the budget.** | | | | | |
| **Council provides effective oversight of City performance.** | | | | | |
| **Appeal processes ensure City decisions are fair and consistent with policies** | | | | | |

Please review each of the following statements and select your general level of agreement or disagreement.

| Questions | Strongly agree | Agree | Neutral | Disagree | Strongly disagree |
|---|---|---|---|---|---|
| **Matters to be considered by Council or its committees are dealt with in a timely way.** | | | | | |
| **Matters to be considered by Council or its committees are dealt with efficiently.** | | | | | |
| **Council ensures the City addresses citizen priorities.** | | | | | |
| **Council ensures the City is focused on the right things.** | | | | | |
| **I believe Council overall makes decisions based on what they believe is in the best interest of the city.** | | | | | |

On a scale of 1 to 10, with 1 being the lowest and 10 being the highest, overall, **how satisfied are you with the governance of the City**?

(Choose any one option)

- ☐ 1
- ☐ 2
- ☐ 3
- ☐ 4
- ☐ 5
- ☐ 6
- ☐ 7
- ☐ 8
- ☐ 9
- ☐ 10

The question below provides six principles of good municipal governance.

On a scale of 1 to 10, with 1 being the lowest, and 10 being the highest, **please indicate how much of a priority you feel it is for the City of Winnipeg Council to improve their current governance practices under each principle.**

| Questions | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
|---|---|---|---|---|---|---|---|---|---|---|
| **Inclusivity: citizens have a fair and reasonable opportunity to participate in decision-making processes** | | | | | | | | | | |
| **Transparency: information is openly available and easy to access and understand** | | | | | | | | | | |
| **Accountability: oversight and responsibility for the performance of the city, including appeal processes** | | | | | | | | | | |
| **Efficiency: timeliness and effective use of resources by Council and its committees** | | | | | | | | | | |
| **Effectiveness: achieving desired results and addressing citizen priorities** | | | | | | | | | | |
| **Impartiality: unbiased decision making that considers the best interest of the city** | | | | | | | | | | |

Please use this space to share any additional comments or concerns regarding Council's governance of the City of Winnipeg.

**Thank you for completing this survey!**

# WRITTEN SUBMISSION GUIDE FOR ORGANIZATIONS

The City is currently conducting a review of its governance structure, by-laws and practices. MNP (www.mnp.ca) has been engaged as an independent third party to conduct this review. We will be providing recommendations to the City to help them achieve the following goals:

- Develop a clear and effective governance structure and operational framework.
- Improved organizational performance resulting from process changes or improved decision-making and communication channels.
- Improved utilization of existing resources allowing a greater focus on strategic priorities and pro-active planning and administration.
- An organization-wide culture of continuous improvement.

As part of this review, we are seeking input from organizations and individual residents regarding what is working well and where improvements could be made, particularly regarding transparency, accountability and how these stakeholders are able to participate in City Council decision-making.

Background information on the Governance Review project, including a Preliminary Report can be accessed at winnipeg.ca/governancereview.

**Organizations may wish to provide information in writing, which may include more background or detail than possible through the focus groups. Questions to help guide written input are provided below.**

**CONFIDENTIALITY**

Individual written responses will be provided to the City of Winnipeg in whole, identifying you or your organization as the source, **unless you specifically instruct otherwise.** In that case, your submission will be included in summary form as part of the information collected for the project.

## SUBMISSION GUIDELINES

The following questions are provided to help guide your submission. We would appreciate your input on any or all of these questions or on any additional topics related to the City of Winnipeg Council's governance structure and practices.

1. How is your organization or its members typically involved in interactions with the City Council or a committee of Council?

2. Do you feel there is reasonable access and opportunity for organizations/citizens to participate in the decisions before Council? What barriers may exist?

3. Is information on issues being considered by Council or a committee easy to access? How would you describe the information that is available? What gaps might exist?

4. Have you participated in any of the City's hearings or appeal processes? What works well? What do you believe are priorities for improvement?

5. How would you describe Council's role in providing oversight of the City? What seems to work well? What do you believe are priorities for improvement?

6. Does available information meet your needs to understand City budgets or performance? Please explain.

7. In your experience, are matters to be considered by Council and committees brought forward and dealt with in a timely way? Efficiently?

8. How well does Council address citizens' priorities? Support the overall effectiveness of the city?

9. How confident are you in the rules and processes around Council conflict of interest?

10. Do you believe Council is effective overall in making decisions based on the best interest of the city? Please explain.

**HOW TO RESPOND**

The format of your response is entirely up to you. It can be a simple email or a longer document. Responses may be submitted by email to COWgovernance@mnp.ca until February 19, 2021.

# City of Winnipeg
## *Governance Review*

### Public Event – February 3, 2021 1pm to 2pm

- Welcome – the session will begin at 1:00 p.m.
- While you settle in, please check your audio and turn on your camera
- Please introduce yourself to the group in the chat – your name, and what brought you here today
- If you are having any difficulties, send us a message using the chat feature

MNP Wherever business takes you MNP.ca

PRAXITY Empowering Business Globally

KINCENTRIC Best Employer CANADA 2019

January 28, 2021 1pm to 3pm

# Welcome!

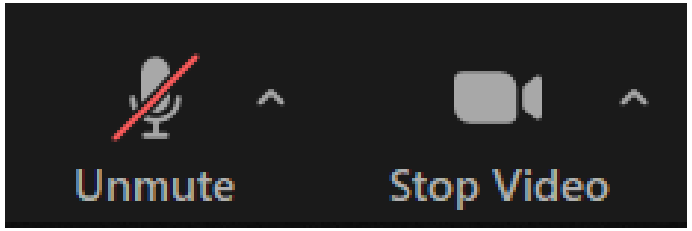
1. Introductions
2. Background Information (10 minutes)
3. Questions for Discussion (45 minutes)

# Meeting Instructions

## MUTING AND VIDEO SETTINGS

Throughout the session please:

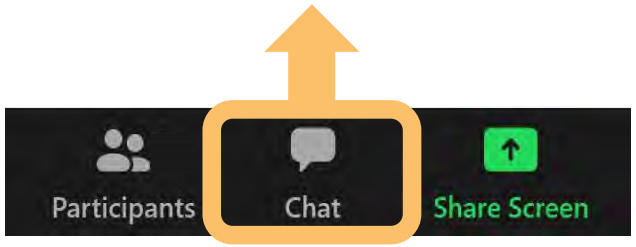
- Mute your microphone when not speaking
- Turn on your video




## ZOOM RELATED QUESTIONS OR ISSUES

Please ask technical questions by:

1. Clicking the "Chat" icon.
2. Selecting "Leonie Foelsing"
3. Typing your question into the chat function.




We will do our best to help you fully participate in the session!

# Introductions

- MNP
  - Yvonne Morrison
  - Ryan Catte
  - Leonie Foelsing

- Participants – please type in the chat
  - Your name
  - What you drew you to today's session

# Project Background and City of Winnipeg Governance Structures



MNP
Wherever business takes you
MNP.ca

# Background

## What is Governance?

Governance is about leadership and responsibility for the City to the citizens of Winnipeg. It includes understanding citizen needs and making decisions in the best interests of the City.

## What are We Doing Today?

The City of Winnipeg is undertaking a review of its governance structure and processes – the last comprehensive review was in 1997.  MNP has been hired as an independent consultant to conduct the review and provide recommendations for improvement.

We are seeking input from organizations and individual residents to help identify what is working well and where improvements could be made.  Today, we want to hear about your experiences and your opinions, particularly around transparency, accountability and how citizens can participate in City Council decision-making.

*Note: In MNP's report, your contributions and comments today will be included in summary themes only.*

# Regulatory Framework

## Legislation (Provincial Authority)



- *The City of Winnipeg Charter Act*
- *The Municipal Council Conflict of Interest Act*
- *The Municipal Act**
- *The Planning Act**

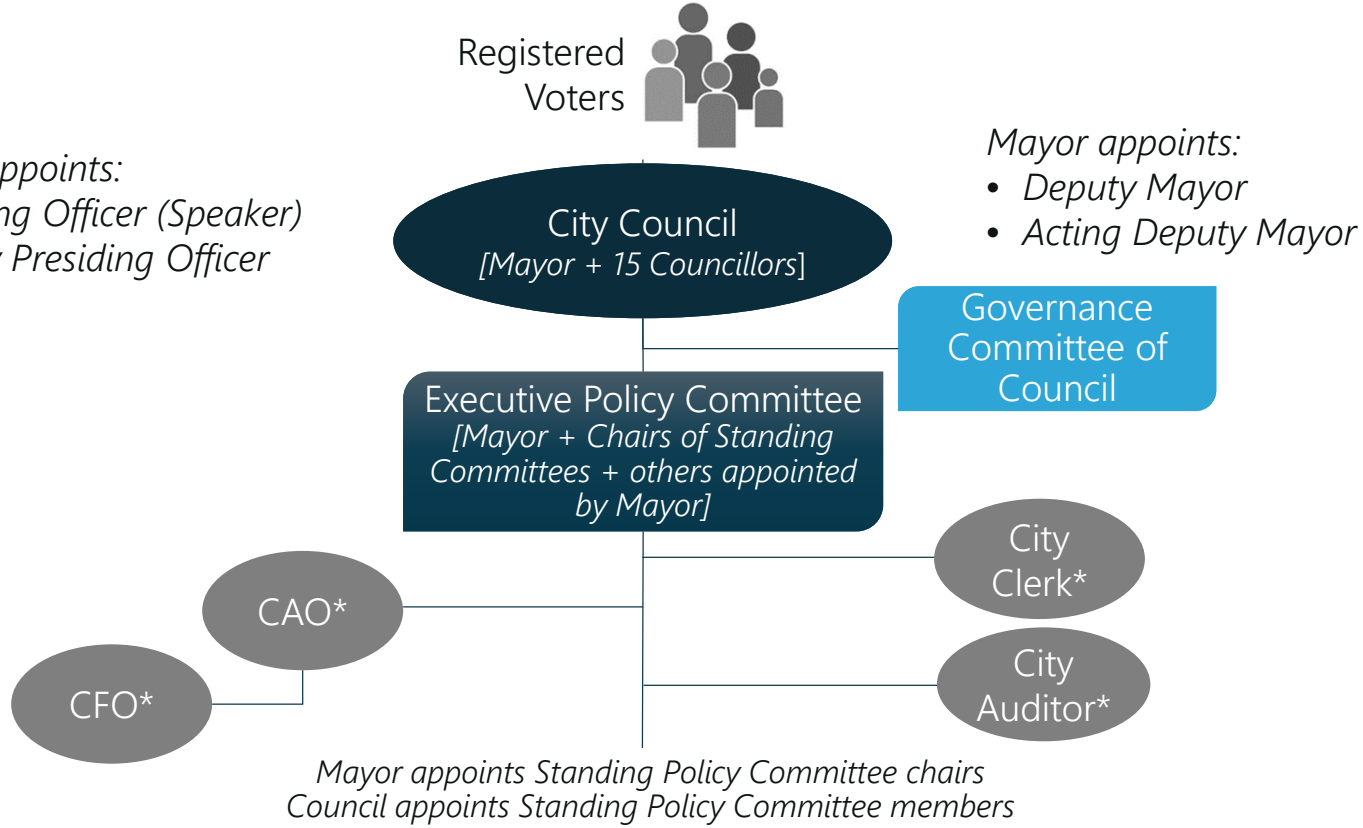
**Some sections replaced by the City of Winnipeg Charter Act*

## By-laws (Municipal Authority)



- City Organization By-law 7100/97 - *sets out the Council and administrative structure*
- Procedure By-law 50/2007 – *sets out the rules for meetings, hearings, appeals, passing by-laws*
- Development Procedures By-law 160/2011 – *approval procedures for development in Winnipeg*
- In Camera By-law 21/2011 – *specifies categories that can be considered privately in committee and council meetings*
- Members of Council Code of Conduct By-law 19/2018 – *ethical standards for members of Council*
- Board of Adjustment By-law 5894/92 – *a board that decides certain variance hearings*

# Current Governance Structure – the way City Council is organized




*Statutory officers appointed by Council

- Chief Administrative Officer (CAO)
- Chief Financial Officer
- City Clerk
- City Auditor

# Standing Policy and Community Committees

**Standing Policy Committees (4 members)**

- Finance
- Protection, Community Services and Parks
- Infrastructure Renewal & Public Works
- Innovation and Economic Development
- Property & Development, Heritage & Downtown Development
- Water & Waste, Riverbank Management and the Environment




Community Committees *[3 Wards represented per committee]*
*May make recommendations to a Standing Policy Committee or direct to Council*

**Assiniboia** – St. James, Charleswood-Tuxedo-Westwood, Waverly West

**City Centre** – Daniel McIntyre, River Heights-Fort Garry, Fort Rouge-East Fort Garry

**East Kildonan-Transcona** – North Kildonan, Transcona, Elmwood-East Kildonan

**Lord Selkirk-West Kildonan** – Mynarski, Point Douglas, Old Kildonan

**Riel** – St. Boniface, St. Norbert-Seine, St. Vital

*Community Committees approve community service and incentive grants for their respective wards, conduct public hearings on property matters in their respective areas, and may assign certain street names.*

# Flow of Decision-Making



# Opportunities for the Public to Communicate with City Council

### Members of Council
Citizens may contact any member of City Council. Contact information is posted on the Mayor's and individual Councillor's web pages.

### City-directed Public Engagement Processes
City staff may directly seek the input of Winnipeggers on various topics. The process may vary, depending on the topic, and is guided by the Engage Winnipeg Policy approved by Council.

### Delegation
A person or group who wishes to address Council or a Committee of Council with respect to a matter on the agenda for that meeting may seek permission from the City Clerk to appear as a delegation.

### Public Hearing
Citizens may convey their views on development applications or other matters under a City by-law at public hearings held for that purpose. Public hearings are open to all members of the public.

### Appeal
Each standing committee of Council acts as the Appeal Committee on a rotational basis to hear appeals of conditional use or variance orders by the Director, a Community Committee or the Board of Adjustment. Any person who may be affected by the result of a hearing and who wishes to make submissions, ask questions or register objections may request an appeal.

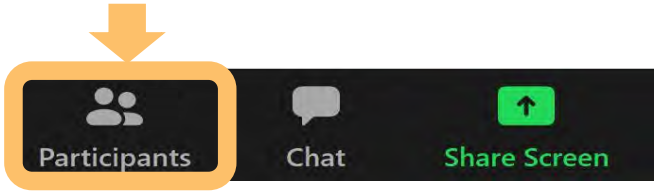
# Discussion



# Providing Feedback During Discussion

## WAYS TO PROVIDE FEEDBACK

- When you would like to provide input during a discussion, please raise your hand by clicking the "Participants" icon.




- Please keep your hand up until we get to you. We will do our best to capture everyone's feedback.

- You may also provide additional feedback through the "chat".

# Discussion

## One moment while we set up the break-out rooms



# Thank You!

# Next Steps

- More information is available on the Governance Review project webpage (Winnipeg.ca/governancereview)
  - Preliminary Report (full text)
  - 2-page summary of Winnipeg and other Canadian cities' structures and processes
  - Legislation, bylaws, other City information

- The online tools will be open until February 19.
- A Summary of Stakeholder and Public feedback will be published in the Spring
- MNP's Report of Recommendations will be submitted to Council in the Spring

**Public Event #3 – February 3, 2021**

**INSTRUCTIONS FOR INTERVIEWER -**

- 45 minutes allotted for small group discussions based on the questions below.
- Leonie will move us into separate rooms.
- Share question set in your breakout room

## Questions

**1.** **What interactions have you had with City Council or a committee of Council? What are your general impressions of this experience?**
*Probe – did you feel it was constructive and worth your time? Did you feel your interests and concerns were heard and given consideration? Were you treated respectfully?*

**Opportunities to Participate in Decision-making Process**

2. **Do you feel there is reasonable access and opportunity for organizations/citizens to participate in the decisions before Council? What barriers may exist?**
*Probe – the various opportunities ie. delegations at council or committee meetings, speaking at a public hearing or appeal, participating in public engagement.*

**Information on Issues Being Considered by Council**

***3.*** **Is information on issues being considered by Council or a committee easy to access? Is it enough to understand the issues? Is it easy to understand?**

**a) Are there improvements that could be made to the information available or communication/access to this information?**

**Effective Decision-Making**

4. **Do you believe Council is effective in making decisions that are fair, unbiased and in the best interests of the city? )** *Probe - Do the governance structures and processes support effective decision making?* (This is where participants may want to discuss EPC )

**Council's Oversight Role**

Council is responsible for providing oversight of the City. That is, developing policies, plans, programs and ensuring that the intended results are achieved. Oversight also includes reporting on the results to the public.

**5. How effective is Council in this role?**
**what works well, what are priorities for improvement**

**Other Governance Related Comments**

**6. Other Comments on City Governance structure and processes that weren't covered in the topics today.**

**OPTIONAL - These will be asked only if we have time.**

7. How well does Council address citizens' priorities? Support the overall effectiveness of the city?

8. Have you participated in any of the City's hearings or appeal processes? What works well? What do you believe are priorities for improvement?

9. In your experience, are matters to be considered by Council and committees brought forward and dealt with in a timely way?