

Provincial Council of Women of Manitoba & Council of Women of Winnipeg

Response to “Provincial Land Use Policies: Draft for Consultation”

Manitoba Intergovernmental Affairs, March 2009.

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“What is the single most important change we have to make to achieve sustainable communities?” Diane Wreford, CBC Radio interviewer, Winnipeg, 1997

“There are many things we have to change ... but if I had to choose just one it is land use planning – the way we build housing and where we build it.”

Mark Roseland, Director of the Centre for Sustainable Community Development,
Professor of Geography, Simon Fraser University, Burnaby B.C.

Introduction

The Provincial Council of Women of Manitoba and Council of Women of Winnipeg have observed and participated in land use planning issues, particularly in the Winnipeg region, during the past sixty years. We speak from policies that our federate and individual members have adopted through a system of resolutions (listed below).

Overview

Land use planning is a key factor, perhaps the key factor, in determining whether we can live sustainably on the earth. This spring’s 2009 review of the Provincial Land Use Policies (PLUP) causes us considerable concern.

The PLUP are intended to be a long term guide, yet they fail to recognize that over the period in which they would be in effect, peak oil and the need to reduce drastically our carbon emissions will have a significant impact upon the way we live. Although the draft guide does mention the need to address global warming, the picture it presents is one of “business as usual”. We need to ask whether it is responsible, given the looming crises of global warming and peak oil, to continue to build residential and commercial developments that are completely car-dependent, whether those developments occur within or outside major urban centres.

The policies contained in existing Regulation 184/94 recognize that different land uses have to be sustainable and that Manitobans want to have a real choice between urban and rural lifestyles.

In contrast, we submit that the March 2009 draft should more accurately be entitled, “Provincial Infrastructure, Servicing and Land Use Policies” as it moves away from the focus of sustainable land use planning and concentrates more on providing infrastructure and services to low density, scattered “urban centres”, rural residential and cottage development. This will promote urban sprawl, particularly in Winnipeg’s commuter-shed. This direction is unsustainable both environmentally and economically.

The March draft fails to address the need to promote denser, more compact development that will move Manitobans away from their vehicles and move them towards alternative modes of transportation, reducing our dependency on petroleum products, and decrease the large proportion of greenhouse gases generated by the transportation sector in Manitoba. The proposed policies do call for directing development to existing urban centres but the provision for additional rural residential lots; the broader definition of “urban centre” and the failure to address the issue of density within urban centres undermine that intent.

The pressure to extend water, sewer, roads, transit and other services and infrastructure will tax these services to an unsustainable degree. It could lead to the demand for major infrastructure expansion such as twinning the aqueduct from Shoal Lake that has a finite water supply. Winnipeg currently has a massive infrastructure deficit. To ask the city to spread its services and infrastructure throughout the region is simply not sustainable nor is it fair to the citizens who have for many years pursued policies of containment and revitalization in Plan Winnipeg, a plan that has been endorsed by the Province of Manitoba. We note that participants at the “Sustainability Symposium” organized by the Mayor of Winnipeg on April 25, reiterated their strong opposition to urban sprawl.

The city is being asked to ameliorate the accumulated results of many years of laissez-faire “land use planning” by the province of Manitoba and the surrounding municipalities without any regard to the long-term impact on its citizens.

Informed Public Consultation

To date, public consultation on this review has been completely inadequate. A number of our members attended the Winnipeg consultation. We all found that the level of information provided was poor. The draft policies and background were not available through the environmental registry or the public library system. It took a number of telephone calls, fruitless trips to libraries and several days to obtain a few hard copies of the draft. The hard copies ran out at the Winnipeg public consultation.

There have been eight consultations, seven of which were outside the city to cover one-third of the population of the province. There was only one public meeting for the remaining two-thirds of the population in the Winnipeg area who will be most adversely affected by the proposed changes in the policies. The equivalent level of public consultation would indicate fourteen consultations on the draft PLUP throughout Winnipeg.

There was no mention in the Manitoba Government press release, March 27 2009, of the new infrastructure and capital region policies that represent a ninety-degree change in direction from the current PLUP.

Citizens in the Winnipeg region are being kept entirely in the dark about inter-municipal and inter-government communications. All minutes, including those of the Association of Manitoba Municipalities; the Association of Rural Municipalities (Winnipeg Region) and the Winnipeg – Manitoba Capital Region Partnership, should be placed on the public record as part of the PLUP review. Similarly, all responses to the PLUP review from “stakeholders” and the public should be being placed on the public record as soon as possible after they are received.

An analysis of the cost of the proposed infrastructure and servicing expansion being proposed should be placed on the public record as part of the PLUP review.

Recommendations

1. The focus of the PLUP should be land use. The new Policies #6: Infrastructure and #9: Capital Region should be removed (please see recommendation 7 for rationale).
2. “Scope and Application” says the PLUP will be more strictly applied in areas of more growth. Land use planning should be based on land use policies, not on politics.
3. Definitions of “air” and “land” are needed.
 - According to the Planning Act, ***“land” means land, messuages, tenements and hereditaments, whether corporeal and incorporeal, of every kind and description, whatever the estate or interest therein, whether legal or equitable, and all trees and timber thereon, and all mines, minerals, and quarries, unless specially excepted.***
 - It would better to base the definition of “urban centre” on the Statistics Canada and Municipal Act definitions, i.e. an area with at least 1,000 residents and a population density of at least 400 residents per square kilometre.
 - The “rural residential” definition needs a consistent definition of large lot size, preferably in metric measurements with a conversion chart showing square feet and acres.
 - All definitions need to be checked for accuracy and congruity with international, national and provincial definitions
4. Policy Area 1: General development. There is a need for much greater focus on reducing climate change and a much greater awareness of “peak oil”, i.e. more compact, less automobile-dependent land use. Much of the sprawl we see now is a result of an over-supply of designated land in development plans. A strong emphasis on channelling development into compact urban centres and reducing low density areas is urgently needed.

5. Policy Area 2: Settlement areas. This policy regarding urban centres depends entirely on the PLUP definition of “urban centres”. Again, the emphasis needs to be on reducing commuting.
We suggest a moratorium on designating more “rural residential” policy areas in development plans. The long standing over-supply has contributed to scattered development patterns in many parts of the province.
6. Policy Area 5: Water; C. Avoiding flooding and erosion. This policy needs to be re-examined in the wake of the 2009 flood. The goal should be zero flooding of buildings. We would like to see the internal, professional and technical advice on this year’s flooding put on the public record as part of the PLUP review.
7. Policy Areas 6: Infrastructure and 9: Capital Region should be removed. “Regional strategies” legislation is already in the Planning Act and there are provisions in the City of Winnipeg Charter. We would point out that while the ex-urban commuter into Winnipeg, from the moment he or she leaves the driveway, drives on roads mostly paid for by others. The city dweller drives the whole way on roads paid for primarily by his or her property taxes.
8. Public consultation. We recommend a second round of meaningful consultation on the second draft of the PLUP. Meaningful consultation includes having all of the information that we noted on page 2 and in Recommendation 6 that was missing on the first consultation available on the web and in the environmental registry at public libraries. There should be active engagement and education of Winnipeg citizens and city councillors with at least twelve well publicized meetings in Winnipeg. This should occur before proceeding with a review of Plan Winnipeg.

Planning Administration

Although it is not part of the PLUP review, we are keenly aware of the key role of the administration in land use planning. We have observed applicants at municipal council meetings pressing for development of their land. Sometimes a councillor, the reeve, mayor or the whole council will be in support. The province’s regional planning staff work so closely with the municipalities and planning districts that they may find it very difficult not to support the application, too.

It is critical for good planning that the Provincial Planning office and intergovernmental review teams are well staffed with fully qualified, respected professionals working in the long-term public interest. They should be independent enough to examine development plans, plan amendments, subdivision applications, etc., from a professional and technical point of view without fear or favour. We are concerned about reports of inadequate staffing levels and more planning responsibilities being moved out to the provincial regional planning offices.

We are also aware that levels of inspection and enforcement are more problematic and may be neglected in smaller jurisdictions. The province needs to assist in maintaining standards throughout the province.

The PLUP regulation has policies on avoiding flood prone lands yet we see buildings (some new) flooded, families displaced from their houses and businesses and emergency measures personnel placed in risky situations. The flooding costs citizens millions of dollars through their taxes because private insurers will not accept the risk.

At a Municipal Board hearing a few years ago, we listened as an applicant, supported by at least one of his councillors, advocated strongly for development in a flood prone area. Three public servants from Provincial Planning Services, Water Planning and Development Section of Manitoba Conservation and Emergency Measures Organization, with the assistance of a Civil Legal Services lawyer, spent several hours documenting the extensive flooding and flood compensation history of the property. The EMO representative documented the risks and the costs incurred by his organization. Eventually, the Municipal Board denied the application.

The administration should not have to go to this length and expense to argue individual cases.

The question becomes, “Are the PLUP as well written and firmly enforced as they should be to promote sustainable land use and to avoid developing in flood prone areas?”

The answer, according to the evidence, is “No”.

Our Councils urge the Government of Manitoba to take this opportunity to draft Provincial Land Use Policies that promote truly sustainable land use.

Provincial Council of Women of Manitoba Resolutions Relevant to Provincial Land Use Policies review

- Freedom of Information (1999)
- Responsible Land Use Management Around Manitoba's Existing Urban Centres (1996)
- Integrated Decision-making in Land Use Planning, Environmental Management and Protection in Manitoba (1993)
- Informed and Effective Representation for Citizens of Winnipeg in the Winnipeg Region Strategy (1992)
- Groundwater Quality / Contamination (1991)

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