

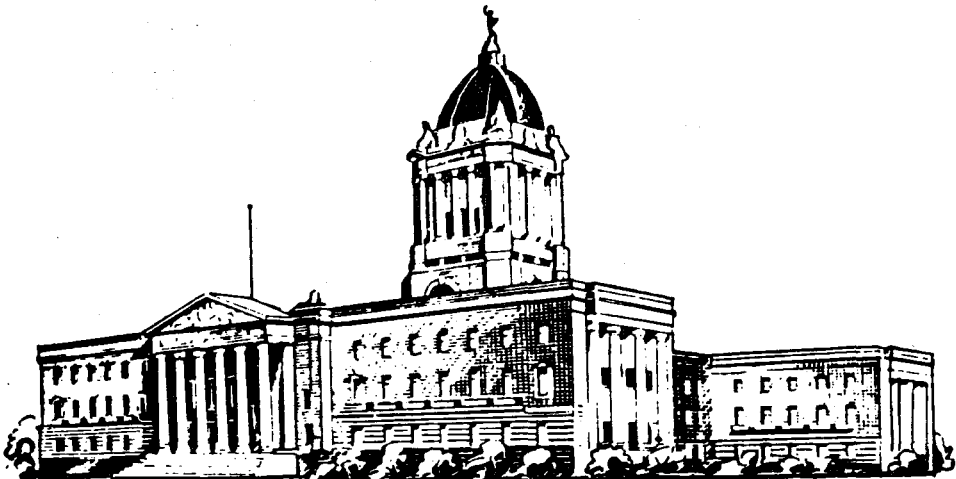


Legislative Assembly of Manitoba

**HEARING OF THE STANDING COMMITTEE
ON
LAW AMENDMENTS**

Chairman

**Mr. William Jenkins
Constituency of Logan**



SATURDAY, May 28, 1977 2:30 p.m.

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TIME: 2:30 p.m.

MR. CHAIRMAN: Mr. William Jenkins

MR. CHAIRMAN: Order please. We will call the Committee to order please. Order please. Mr. Ken Emberley.

MR. KENNETH EMBERLEY: Mr. Chairman, Members of Law Amendments Committee, I appreciate the opportunity to make a presentation to you on the amendments to Bill 62. There are a number of items that are of real concern to me. I have been interested in the running of our City for some 30 years and have tried, in a very small way, to take an active part in the last 15 or 20 years in planning and participating in communication with my councillors and MLAs.

One of the amendments you propose is that the province shall have final say in planning. I notice the wording was said by one of the people and in the literature "responsible to co-ordinate with areas outside Winnipeg." I noticed last night, Mr. David Palubeski presented a brief and was concerned about citizen and councillor participation in this matter. I am very concerned with this. The additional one around Winnipeg, I think is one of our most important and crucial areas and I think your amendment goes about it so completely wrongly.

The Minister would have the final say in planning. I wonder if the arrangement of the work schedule and the planning of the legislative process and the hours of work of the Law Amendments Committee is indicative of the Cabinet's input into the planning process. This is a matter of concern to me. I have watched the Provincial Government's planning efforts in the past as well as the City of Winnipeg's and I am not sure that the Provincial Government has the expertise or the modern philosophy needed for modern planning techniques.

The main proposal for changes in planning boils down to the centralization of planning into six community plans for the new six community areas. To me, this follows the very best planning concepts of the 1950s and the 1960s. To me, this is very similar to the planning concept of the Metro Corporation and you must remember this was 15 years ago and they didn't know any better at that time because most of our planners were University graduates of the old planning schools where the dream was to make a city look as much like Greece or Rome or London or Washington as it was possible to make and it would be absolutely beautiful. The creation of broad avenues and limestone palaces and attractive architectural features would make a great city. I know people and I took part in the development of the original City of Winnipeg plan for the Metro Corporation and it really was a kind of an ivory tower planning concept. It was a great dream of experts and university people to make a fabulously exquisite city but it wasn't realistic.

We have worked for years and years, we have fought against the professionals in the universities to develop new concepts and new philosophies and they came up with the idea of environmental planning — planning closer to the people. Neighbourhood planning, community planning, not a community of 90,000 or 100,000 people, even that is too large to get real citizen involvement and this is the whole key to the matter. The people in Fort Rouge have a strong feeling for their community. The people in Westwood — Councillor Bockstael told us a story last night — the people in Westwood and the people in Southdale and the people in Windsor Park have a strong feeling for their community but it's a small, moderately small area, and to develop keen public interest in a larger community is a very difficult thing.

Now, we can dream of making instant changes in people, in making the world beautiful, in changing people's characters and personalities, it would be wonderful but you cannot always legislate those things. It took 1,000 years to produce the British Parliamentary system and it's tumbling and bumbling forward into new changes. I don't think that the key leaders in this legislature are any more in touch with new planning concept than the key leaders on the City of Winnipeg Council. I really do not think they understand.

I ask you, it is so hard to explain it. Have any of you ever lived on a farm or owned a farm or worked on a farm? Really. Well, I ask you, did you ever have fields on your farm that you knew were different from other fields. You might have a field on a ridge, you might have a field low down, you might have a field that was partly gravel and it was different from the other fields. You might have a field that dried sooner in the spring and you could put a crop on it; and other fields that had to be planted later. You might have a field that was stuck next to a neighbour that had dirty weeds all over his stuff and they blew onto yours. Of course, we don't have those kinds of farms in Manitoba. Your fields were something that God and nature put there for a long time. You had to be a pretty smart farmer to figure out what they were and you had to farm to fit those fields. Now, all you need is some expert from the city, some real smart city slicker to come out and say, "You know, I think it would be better if you ran the rows of your cornfield up and down the hill. I think it would be better if you put your fields square and planted them in number and rotation around this way."

That's what you're trying to do to my city. You have people sitting in an office somewhere that are trying to figure out how the voting is going to go at the next election or you have got dreamers and

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idealists and they are sitting there with a piece of paper and a pencil and they are cutting up my city and saying, "Well, let's make another neighbourhood here." Would you fight if somebody tried to rip your farm? It's unbelievable. I sometimes get a little emotional when I think of what you are doing my City. It's not your city to cut up and play games with; it's my city; it's my home; it's my neighbourhood where I have lived all my life.

I have lived in St. James for 25 years; before that I lived in the North End on St. Johns Avenue. Before that, my brother lived on College Avenue; I have lived on MacMillan Avenue; I have lived on Roslyn Road in Fort Rouge and you are just quietly going to chop Fort Rouge in half. I know why. You want to get rid of the best planner in the Legislature; that's all it is; you don't fool us with your stories. That's all it is. You think we're so dumb we don't catch on to that? It's just not very nice. Why do every change have to be drastic? Why does every change have to be a ripping up and a tearing down? Why can't you make gradual changes?

I heard an honourable gentleman in this room the other night say to my Resident Advisory Chairman from St. James where I am on the Resident Advisory Group, "How would you like have part of Midlands area? We can cut up 10 or 12 blocks of the west end of Midlands area and give it to you. Would that be okay?" What right have you got to do that? St. James has been an entity for 50, 60, 70 years. And the Midlands has been an entity and here we are, you give us the City of Winnipeg Act — not altogether give us, you forced it on to us — but I can understand that because any change, you would have fought against any change. I admit that. But we are just beginning to learn to live with it. We're just beginning to learn to deal with our Mayor. We are just beginning to learn to deal with our Community Committees and our Resident Advisory Group and the planning techniques. We are getting bits of success. But you can't wait another four years; you have just got to rip it all up; tear it apart and throw it at us and we've got to spend another four years trying to patch up the pieces.

You cannot take an area in St. James, an area in Brooklands, an area in the North End of Winnipeg in St. Vital and say, "The people will participate; the people will gather together and form a plan and develop a city plan." We tried to get a District Plan going in the east end of St. James three years ago. We got a wonderful lady planner, Joanna Reese came down there and she helped us work out our district plan. We had a meeting in a school of 250 poor, young and old people. They stayed from 7 o'clock to 11:30 at night and it's only ten blocks long and six blocks wide, but they were interested; they wanted to do something. Our councillors held back the plan and the other areas like Fort Rouge that take a down-zoning plan to the Municipal Board, they turn it down. You walk in the door after spending six months, a year, two years, developing a plan, and later on you walk out the door and you've got an answer that says, "No." They have no right to do that. If they want to say no, they should have to present twenty or thirty reasoned arguments on why they say no.

The planning process of the city — it is difficult for the citizen to get all the input and all the feedback and influence the way he wants to, but he has a chance to participate and we are learning to live with it. We have our resident advisory groups, we have our STEP programs, we have activist groups that are monitoring the ICEC members' voting program on council. There are University of Winnipeg — I am sorry, I am not supposed to swear in this place — University of Manitoba planning people who are trying to help the city. There are many organizations. We have the community planning associations who are trying to help the resident advisory group and the citizen in small, inconspicuous ways deal in practical ways with the problems of the city, and we are making progress. We have got our councillors after a year or two years of the most ridiculous arguing, haggling, to agree that the Winnipeg arena should be expanded by 3,000 or 4,000 seats or 5,000 seats, a very small number with a small number of millions of dollars that they are going to take out of their revenue and they are going to build it. Now that is a practical, sensible, reasonable solution, but it took a very year-and-a-half or two years, of the most bitter fighting to get it through.

The planning concept isn't easy and this is why I want to take so much time today to talk about it because it is the key to the whole of the survival of our city. We have got a golden opportunity to build an arena. I don't know whether you have heard about it. It is the most fantastically wonderful dream. Has anybody ever sat in the back lane of Strathcona Street at eleven o'clock at night? Have many of you fellows ever done that, when they've got a game or an event at the arena with a million candlepower or lights and 10,000 idiots screaming and the music roaring? It's the most obscene noise pollution problem that you ever saw. You know, a mile away, when the wind is right, you can hear it.

They want to put an arena almost twice as big in the centre of a residential area behind the City Centre station, and parking for 5,000 or 6,000 or 7,000 cars in the middle of a new housing complex. We need that like we need another hole in the head. We need a housing complex and residential complex downtown so we won't have to build six more bridges, that's true. But we are trying to deal with the machinery that you gave us in the old City of Winnipeg Act you passed five or six years ago and we are just beginning to figure out how to make use of it. Please, I ask you, don't rip it all apart again.

Another amendment proposes that the province shall have final say in financing. I don't see

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anything surprising about that. They have all along. I think the veto has been used about twelve times in the last twelve major capital works proposals of the City of Winnipeg. Every time they want to build something major and something important, the province says, "No. Phooey on you. We won't share in the cost." That is a very bullying and arrogant way to do planning. If you think you have planning ideas which are valuable for the City of Winnipeg, why haven't you got the courage to talk about them in the open and daylight? You want to make a contribution to the City of Winnipeg. This is important. The province has to plan to fit the City of Winnipeg into the additional zone and the rest of the province. It is important. But if you have planning concepts, you should have the courage to send your planning officials out to debate and argue in public meetings in the community committees and in the additional zones and in the city council hearings. And you should arrange hearings down here, public hearings, public meetings, at a convenient hour where the public can come down and sit and watch the Province of Manitoba with their set of planning concepts for the city, how they differ from the City of Winnipeg's planning concepts, and see the councillors and the MLAs debate them, and he planners argue them and debate them.

You have no right to make an ironclad rule and say, "This is the way your city is going to be, and we are going to decide." Now this was talked about the other night and I think it is a little bit important. We got a nice lecture last night on the history of government in the world. I am not going to go into all that detail, but there was a time when the king and the queen ruled everything, and we just had a recent time when King Richard Nixon ruled everything, and he said he could do no wrong, he could break the law because the law didn't apply to him. And you, some of you people, have probably got trade union friends and you remember the time when the company said that they could run the companies the way they wanted and the worker had no rights to share in determining how his working conditions should be and all this. And some people got together against the power of the government and the police and the army and the secret service and the detective agencies and they formed unions. And it is just unbelievable the power of the unions now. All you have to do is walk over to Griffin Steel or look in the post office to see the unbelievable extension of the power of the unions to such an extent now that many companies cannot operate efficiently or intelligently. But that was a new concept.

We even had a new concept. Did you know that some old farmers and church ministers got together in Saskatchewan 40 years ago and said, "We are going to try and form a new political system." Can you imagine church ministers and farmers trying to form a political party? Everybody new it would never work and they could never get to be the government, but they tried just the same.

MR. CHAIRMAN: Order please. I try to be as lax and as forbearing as possible, but I would like you to come back to The City of Winnipeg Act. You know this is what we are having the hearings on.

MR. EMBERLEY: Yes, Sir, I will.

MR. CHAIRMAN: We had a history lesson last night and I think we should try and keep the remarks to the bill, what we are here for. We have a lot of people that want to . . . I have another twelve or thirteen people after you and in all fairness to them I must ask you to stay to the point.

MR. EMBERLEY: I understand, Mr. Chairman.

MR. CHAIRMAN: The point is that we are here to hear hearings on The City of Winnipeg Act.

MR. EMBERLEY: I am right to the point now because the new concept that you people haven't come to the stage of realizing yet is that there is a completely new system of democracy that is developing past the trade union movement, past the idea of socialist worker-farmer participation in the government. There are environmentalists and planners and activists that feel that they have a right to share in the government of their city and their province and their country. And it doesn't work, as one gentleman said here the other night, well, those that are elected to the Legislature, they are the ones who are going to decide. That, Sir, is a restatement of the problem of most of our government. The councillors say, "We are elected; we will make the decisions." Our Federal Government says the same things, but that is where we get all our major botch-ups, because they do not want environmental impact reviews like was written into the City of Winnipeg Act by this government a few years ago, one of the most modern and wonderful concepts. But it wasn't very strictly enforced. It was watered down and now it is left optional, so it just means nothing.

That is the most important thing that happened to us. In every piece of zoning and rezoning that comes before our community committee, we get an environmental impact report from our environmental planner, and he lists out the ten or the fifteen or the twenty most important things concerning the development of a house, of an apartment block, of a road or a street, how it is going to affect our community adversely, the problems to look for, possible solutions. This is the most important thing that has happened to our communities, and some of us who are members of the resident advisory group, and some of the citizens, take the trouble to read through the minutes, two and three and four hours before every meeting, and go down and sit through the council meetings from five o'clock at night until eleven o'clock at night, and we don't get paid for it. But we are allowed an input and we have facts, we have information to go on, information that in the past was always concealed.

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I have here a report, an environmental impact report. "This is written in response to your memorandum dated April 18th, 1974, requesting that certain reports be prepared in connection with an application to permit construction of an apartment building and parkade by Imper Developments in St. James-Assiniboia." Well, this was discussed fairly extensively the other night at a meeting here. An 88 suite geriatric centre, with 20 percent car parking in the heart of a residential area. And when the residents knew about it, found out about it, they fought it tooth and nail. They hated the idea of a ten or eleven storey apartment block right in the middle of their housing area. But it was zoned for it, and there was nothing they could do to stop it, except that the developer didn't have enough money to go ahead with the project.

Five or six years later, along comes another project, yes, it's the Manitoba Housing and Renewal Corporation. They want to build there. Very same thing. But, instead of 88 suites, they want to put 107 suites and 23 townhouses. In spite of the story we heard the other night, they wanted a much larger density of people living there. On 1 1/2 acres of land, they wanted to put 222 people. They wanted to have 23 townhouses, parking for each townhouse, 44 cars all told for the townhouse area at the senior citizens' centre. And the residents fought it just as hard then. They fought tooth and nail against the Manitoba Housing and Renewal Corporation.

You see, we don't know the difference. When we see a bad developer with a bad plan, we don't care whether it comes from the government or from private business. We've been fighting the Manitoba Housing and Renewal Corporation for four years, with their bad planning. But do you know, we've had good results. Because every year they give us better plans. Every year, they give us better projects, and our environmental planner wrote right into her analysis of this plan, "This plan contains 20 percent more open space than is required by the zoning law." I stood up in the meeting and congratulated the Manitoba Housing and Renewal Corporation man for giving us a better plan than was required by law. He changed his plan and came back in and he had two little driveways, and his 23 townhouses for low income people, were separating the two groups, and there were two little driveways instead of one long driveway. So the 22-car parking lot was broken up into two parking lots, for eleven cars, and there wouldn't be the same speeding through the driveway at night time in a residential area.

The Manitoba Housing and Renewal Corporation are pretty good people because every year they're making better plans to fit into our communities.

One of your recommendations is that you reduce the size of council drastically from 50 to 30 members. Mr. Chairman, we discussed this a number of times, privately, groups of individuals, and it is very difficult to run a committee of three people. If you have a committee of three people and just one has to be away, which often occurs, you have a committee forming of one chairman and one member. Since two people can only have two different opinions, nothing can really be done. We beg of you to consider, why cannot you make a modest reduction in councillors? The numbers do not really matter that much to me, except that you pretty nearly have to have four councillors to make a kind of a committee. Why not try, this time, reducing the membership to maybe around 40, and then in four, or eight, or ten years' time, if you really must, reduce it to 30. But please do not make it change so drastic.

The re-drawing of the boundaries is a thing that I find most destructive. I, myself, have not yet had a chance to see the actual blueprint. I don't think the map of the City of Winnipeg with the new boundaries and the old boundaries was published in the regular newspapers, if I remember correctly, Mr. Chairman. I don't think there's even quite enough copies of this proposed bill to go around to everybody that still wants to get one to get them. I don't think you have any right to take our neighbourhoods, our communities, where people have lived with their elementary school and their community club, and sometimes with their city council, for thirty or forty years, and now with the Community Committee for five or six years, and drastically reapportion them and readjust them. You can do it, you've got the legal right. But don't you come back to us in four years' time and say, where's the citizen participation? I ask you gentlemen, where is the environmental impact review on your proposed amendments? Because that would show that if you drastically alter the communities' as you make the communities all deliberately too large, you're going to wreck citizen participation isn't at the same level in all sections of the city. In some sections of the city, you have councillors that like the people that live there, and in some sections of the city, you have residents that like the councillors. I happen to be blessed that way. In St. James-Assiniboia, we have had a remarkable community committee.

Now, I know some of you think it's remarkable, but in a slightly different way. I know that. But that doesn't matter to me. I have been participating in our city government for almost 20 years, since I first moved to St. James, and in almost every case I have been courteously received by my council, by my community committee. I have been treated fairly and intelligently by my councillors, and I have been able to communicate with them. They don't always do what we tell them to do, but they claim that's not their job. But we can communicate with them, and we're making progress in building a better city.

I ask you to consider, why did you find it necessary, in drawing up the plans of representative

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or the five communities of the city, to have approximately 19,000 to 21,000 people represented by each councillor in all the different areas of the city, but when you came out to St. James-Assiniboia, you thought, "Oh, I think we can cut one councillor out of that dirty rotten St. James area, and we'll take each councillor represent 26,000 people".

Now, I had one person ask me last night, would you tell the committee that we think the bill's title should be amended to, "A bill intended to take vengeance on the areas of the city that oppose the Manitoba Housing and Renewal Corporation and some government policies." Now that is a dreadful thing to say about a responsible and intelligent government, but people still say it. You can't stop them saying it. And they think that they can prove it. It's up to you to make your legislation look so that you not only are the good guys, but you actually look like the good guys.

A very important part is, "exempt all provincial construction from city veto." You will amend the planning rules so that the province is not subject to City of Winnipeg planning rules. I noticed the gentleman spoke, and he said, "This doesn't mean the two governments can't work together." I ask you, when one fellow has a whip and a club and most of the money, it's not always easy to work together unless you're on your hands and knees in front of the boss. Now, that can be a working partnership, but it doesn't make for a mutually beneficial and satisfactory working relationship, I suggest, gentlemen.

My humble suggestion would be that if the province finds that the common, ordinary little peasants in the different areas of the city are opposing some of their programs, whether it's a liquor store without parking, or it's a liquor store in a residential area where it's not wanted, or it's a high density housing project in a low density housing area, then I suggest, gentlemen, you have a duty, if you think you're right, and God's on your side, you should have the courage to go out and face the public and sell them on your ideas.

This is my whole key to the environmental impact reviews and community hearings. We have a right to expect our city councillors and our planners and our provincial MLAs and their planners, if they think something isn't right and the citizens are all wet and all wrong, you come out and show us and debate with us in the open in public in daylight and convince us and sell us on a new idea.

I know all the citizens aren't wise, but I'll tell you something, all the planners aren't wise either. I ask you, if you have a concept, if you have an idea, and the public isn't well enough informed and you're so far ahead of us with new, progressive ideas, you come out and convince us and educate us, because that's what we need. But if you're 20 years behind us in your planning concepts, you come out and debate with us and we'll educate you, because the planning concept that they're carrying out at the corner of Logan and Sherbrook is the best of the old ways.

I saw a letter, posted in the University of Winnipeg, and it said, the Premier of Manitoba will not allow the University of Winnipeg to build on Spence Street because it would mean tearing down people's houses. A few years later, I see a man tearing down people's houses and poor apartment blocks at Logan and Sherbrook, but that's different. And do you know, some of the little people, some of the little, ordinary, dumb, poor people and some of the little tiny capitalists have got forty or fifty thousand dollars. Now, they don't have \$165,000 worth of land, but some of these little capitalists have got a little apartment block or a couple of homes, and they're opposing the government plan so violently, that the government is going to change the Expropriations Act so that not only do they have the power of a government with a billion dollars behind them . . .

MR. CHAIRMAN: Order please. We're not on the Expropriations Act, Mr. Emberley. Now please keep to the bill that we have before us. Mr. Bilton on a point of order.

MR. BILTON: I appreciate what you're endeavouring to do, Sir, but after yesterday when you opened the floodgates, I believe this honourable gentleman should have the same rights and privileges to wander if he wishes in order to make his point. I don't see how you can subject him to refraining from what he has on his mind, when you let happen what happened yesterday.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Mr. Chairman, I believe you have a responsibility to try to keep the proceedings going. Mr. Chairman, I think that you do it in your discretion, and if you are found to be acting badly then there can be a challenge to your decision. Mr. Speaker, I think we've all been listening patiently, and when references are made to people owning \$165,000 worth of land — (Interjection) — I believe it's the privilege of the Chairman to say to the gentleman that he wants him to come to order and to continue with his speech so that other delegations can also be heard. I believe that that is his privilege.

MR. CHAIRMAN: Order please. Mr. Minaker on the same point of order.

MR. MINAKER: On the same point of order, I believe that Mr. Emberley, in his presentation appeared to mention the word "expropriation" but in doing so he was relating to the problems of the citizens of our city. He was relating to the different problems that we have as citizens of Winnipeg and he happened to mention the word that didn't relate to the bill of Winnipeg that we're dealing with, but I still think as citizens of Winnipeg, that there are citizens who are affected by expropriation, whether

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they have 40,000 or 165,000 as the Honourable Minister of Mines has related. I think that Mr. Emberley was on the subject, but unfortunately, as sometimes happens in the House, and when that occurs where we mention some word that doesn't relate to the bill, the Deputy Speaker or the Speaker gets on the edge of his Chair, then we relate back to the bill and they sit back and relax. But unfortunately, maybe the honourable gentleman before us doesn't know these rules and may have unfortunately for himself, mentioned a word that doesn't relate to the bill. But I think the presentation relates to the problems that we have before us, both as members of the Legislature and citizens of Winnipeg.

MR. CHAIRMAN: Mr. Green.

MR. DOERN: Mr. Chairman, on the point of order . . .

MR. GREEN: Mr. Chairman, I believe I've been recognized by the Chair.

MR. CHAIRMAN: Mr. Green.

MR. GREEN: Mr. Chairman, in the Legislature, we have a time limit. Before this committee was have not established one. But if proceedings are going to continue in this way, so that people speak for any length of time and are not required to condense their remarks so that other people can be heard, then, Mr. Chairman, I'm going to move that there be a time limit. If honourable members will then support that, then Mr. Emberley can speak as long as he wants, as long as I know that some time he's going to end. But at the moment, I don't know that he is ever going to end, and he wishes to deal with extraneous material. Therefore I think that the Chairman has a right to ask him to stick to the point.

MR. CHAIRMAN: Mr. Bilton.

MR. BILTON: Mr. Chairman, I never questioned your authority. I believe I suggested what you were endeavouring to do was right and proper. But at the same time in fairness to the witness we have here now, and in view of what has gone before, I think the Minister of Mines and Natural Resources is being extreme in his thoughts and he's not being fair. He normally is fair, but on this occasion, he's calling upon the committee to cut off free speech and I will not buy that for one moment.

MR. CHAIRMAN: Order please. No one is trying to curtail Mr. Emberley's speech. I'm asking him to speak to matter that is before the committee. If you don't like that, it's too bad and you'd better get a new Chairman. If you don't like my ruling, you can challenge it. I'm asking Mr. Emberley to speak to the bill before us. I don't want him speaking on the Expropriation Act, I don't want him speaking on any other Act. If he wished to speak on the Expropriation Act he could have spoken on it. We have hearings on it. Mr. Emberley. Order please.

MR. DOERN: Mr. Chairman, on the point of order. I would like to make this point, that there are people here who are from the public, who have come to appear before this committee. This is the third occasion. They've been here two nights and one day, and they may have to come another couple of nights and another couple of days to be heard. I think that it is fair and reasonable that witnesses be asked to make their remarks direct and to be aware of the fact that there are other people who wish to appear before the committee. Although we have no time limit at present, I think the witness should realize that he has in fact been speaking from forty to forty-five minutes, and that if possible, he should wind up his remarks and let someone else address the committee.

MR. CHAIRMAN: Mr. Johnston.

MR. J. FRANK JOHNSTON: Mr. Chairman, on the point of order. The Minister of Public Works is out of whack as usual. Mr. Chairman, if the Minister of Public Works had noticed, I would like to say that Mr. Emberley has been here for every one of the hearings of this committee and he has sat patiently and listened to everybody. I think we can listen to him.

MR. CHAIRMAN: Order please. Let's have enough of this nonsense. I'm asking the delegation to confine his remarks to the bill. If he's not, I'm going to stop him again. Now, confine your remarks to the bill, please. Mr. Emberley.

MR. EMBERLEY: Regarding rezoning and variance hearings and development plan hearings, it is my suggestion that they should begin in the Community Committee and they should end in the Community Committee. It is my suggestion that for people to have hearings where they have no power, does not produce a great deal of benefit. And for people to have the major decisions made in a distant place, where they cannot usually get to, is not a productive method of planning. It is my humble suggestion that the Community Committee should be given more powers to have the original hearing on rezoning and development plans. Then it is my suggestion that Environment Committee or any other committee you wish to choose in the central administrative offices should be asked to make written suggestions and proposals for improvement and if the Provincial Government, the Minister, has recommendations and proposals for improvement, that they should be made and the representatives from Environment Committee and representatives from the different interested groups and representatives from the Provincial Planning Department should appear back in the Community Committee that is going to be helped or wrecked by the development. The Community Committee should have the power to make the final decision in front of its citizens on major development for their neighbourhood but with a proper, full public input from all concerned, both

from the Central City and from the province.

One of the most difficult concepts to understand is that so much planning has been by rigid rules. At the present time, the City of Winnipeg has the most inflexible rigid and complex set of zoning laws. They are supposed to stop all bad building but in so many cases they stop all good building and constructive building. Planning should be flexible; rules should be administered with sensitivity. This is asking a great deal; asking a completely new concept and I ask you gentlemen to consider in your amendments, rather than having the Minister have the power to do so many things himself, that the Minister, if he is concerned with building a better city for Winnipeg, he should have his planners draw up a set of guidelines similar to the City of Winnipeg's 12 guidelines that are supposed to guide the development of the City. He should produce a similar and comparable one and he should emphasize the similarities and the differences. He should give us an opportunity when we are having debates in our Community Committee and we have an Environmental Impact Report from our planner, we should be able to have the province's input into how to make this planning better.

My final suggestion to you gentlemen is that citizen involvement and citizen participation is something that was talked about a number of times at the hearings here and questions that were asked. I cannot explain to you better than by quoting a very brief newspaper article here which shows Lismore Park Back in Use: 'In the Brooklands community there is an open space to be enjoyed by all residents,' Councillor Eldon Ross told Metro One following a recent City Council meeting." Approved purchase of Lismore Park, total price of \$20,000, meant that the open field would again be available for those participating in unorganized sport.

I ask you not to emphasize your planning rules that the city must very promptly prepare district plans for six communities., grandiose, large-scale plans which, in most cases, cannot be carried out and will be so quickly changed that within a very few years, they become totally useless.

In our Lismore Park in Brooklands, a man came along and I heard a city planner say, "You don't need that park; it isn't a park," and I have seen poor working people stand up and face this government expert and they said, "But our kids play football on it. It's all covered with grass." They said, "It can't be a park; it's got no sandpit; it's got no goal post; it's got no buildings; it's got no jungle-ym." The Manitoba Housing and Renewal Corporation said, "It's the only piece of cheap land we can get in Brooklands to build row houses on." And now we are getting houses, in-fill houses in Brooklands and we have got a beautiful little piece of open space, a park, which is so desperately needed, but the planners didn't understand the modern planning concept of flexibility. I suggest to you that if you carry out all your amendments to the City of Winnipeg Act, you are going to have a rigid paper-bound city and you are going to kill citizen participation.

I thank you for your patience and your courtesy.

MR. CHAIRMAN: Just a moment, Mr. Emberley. There may be some questions members may have. Thank you for your presentation. Are there any questions? Mr. McKenzie.

MR. MCKENZIE: Mr. Emberley, have you any knowledge of socialism and how it works?

MR. EMBERLEY: I . . .

MR. CHAIRMAN: Order please.

MR. EMBERLEY: May I answer? Quickly and briefly. I understand about socialism and I understand about capitalism. What I want most of all is good government. I cannot put up with the nonsense of the bickering and arguing about the wicked evil capitalists when they are talking about title, ordinary, small people owning a boarding house or a small apartment block. I cannot put up with the nonsense of arguing about socialism when it happens to be Manitoba Housing and Renewal Corporation, the only people building low income housing in Winnipeg at the present time. I think we are entitled to request humbly that some of our legislators, who carry on a religious warfare, get down to giving us good government whether it is a good piece of NDP socialist legislation or a good piece of capitalist legislation that the NDP wishes to bring in. Does that answer your question, Sir?

MR. MCKENZIE: Another question, Mr. Chairman. Are you concerned about the big government concept that's practiced at the federal level and the provincial level today?

MR. EMBERLEY: In the City of Winnipeg Act, I understand, Mr. Chairman, I must only answer with reference to the City of Winnipeg.

With reference to the City of Winnipeg Act, in the last three years, watching our councillors wrestle with the Capital Budget and discussing individual details of operation, we know that we are steadily going bankrupt in the City of Winnipeg. The 1981 conference organized by the University of Manitoba planners who studied our Capital Budget and myself who drives up and down the ashboard on Portage Avenue, watches the corner of my street where there are three catch basins with plugged openings so that the rainwater can't get down them, we know that the central administration is costing us a fortune.

Our policemen are regularly regularly transferred back and forth from one area to the other, just like it was a game of musical chairs, like the Armed Forces and many corporations practice. It has cut the efficiency of our police force in St. James by maybe 30 percent because all the people are strangers, 30 percent, 40 percent, 50 percent of our policemen are total strangers to the area and the

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people in the area. Our Fire Department is harmed. One of our men saw two men with a half-ton truck drive out to put two new castors in a chair from the central administration.

I beg of you, if we are going to avoid the problems of New York, we are going to have decentralize the administration so that the local Community Committee councillors and their local foremen can manage the sewer and the garbage and the public works.

To illustrate, in St. James, we had a beautiful new building built, 2000 Portage Avenue. They found out it was overcrowded — well, the school board moved out. The school board put up a beautiful new building, although they're closing down two new schools in the next two years. They closed down one school this year; right next to it they built a beautiful new \$150,000 building. As soon as they moved out, there was so much vacant land, they moved the ambulance service into it. Now they have moved the Assessment Department and I believe it is the Tax Department downtown to the centre of the City where they tell us that there is such a shortage of space they are going to have to build a larger City Council and we have a big chunk of vacant space in our office.

I think that the Provincial Government, which operates on a very large scale, and the Federal Government on a larger scale, just multiply the problems. Decentralization to us is the only hope that we have of survival.

MR. MCKENZIE: Well, you've answered my question that while the governments have grown at the federal level and the provincial level, at the municipal level they have been eroded and many of their rights have been taken away at the municipal level.

MR. EMBERLEY: My feeling would be, from watching it and talking with the people, that in spite of anybody's planning, the City has almost twice as many things to do as they had to do 40 years ago. We know from the Duetsche Report on Taxes in Canada that the Provincial Government has had the fastest growing percentage of revenues of all the provincial governments in Canada, the fastest growing set of expenditures. Yet the cities are the ones that have had the largest growing responsibilities and that is the reason why every city in North America is facing financial problems. I think it would be fair to say that I don't think this government is hardly even a little bit meaner than the other provincial governments — they're certainly not any better — but they are not a great deal worse than the Conservative and Liberal governments in other provinces who hate to give the cities anything they can avoid.

MR. CHAIRMAN: Thank you, Mr. Emberley.

MR. MCKENZIE: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Johnston.

MR. F. JOHNSTON: Mr. Emberley, one question I have for you, I wrote down. You mentioned planning should be flexible and you also mentioned that variances should be made at the local level. Are you meaning that the variances to the overall plan, there should be an overall plan, but variance to it should be made at the local level. I am speaking of the many little things that come up, like driveways or additions to homes and things of this nature, and what other variances were you speaking of?

MR. EMBERLEY: I was thinking particularly of development in the community. I understand that we have to have a larger plan for the City as a whole and that these things have to be handled by City Council or one of their units as a whole. But to me, in our little community, we are fighting for democracy, the right to control our lives and the community where we live. All major development projects in our community, small and large, we feel we should have some control over. We should increase our control over it, rather than it be taken away downtown and given to the central City Council or to the Minister. To us, many of us, this is why we are so concerned with Mr. Justice Berg and the South Indian Lake because we are fighting a war for our community.

MR. F. JOHNSTON: Just one more brief question to try and get a little more explanation then. If an area is presently zoned or is commercial, and somebody wants to go 13 or 14 storeys, you believe that you should have the right in the community to be able to say, "Well, because it is in the neighbourhood, we feel it shouldn't be more than say eight." The zoning is there for commercial but you should maybe have some say on how high, how big, or how much parking, etc., in the area.

MR. EMBERLEY: It is my understanding that the City of Winnipeg has enough land zoned at the present time, that without one single piece of rezoning they could build the city up until it had one million population. There is so much over-zoned land in various areas and including in Fort Rouge and our area and we have no desire to punish good developers. Manitoba Housing and Renewal Corporation and private capitalists who want to come in and build intelligent projects that are compatible with the neighbourhood, we want them, but we want to be able to argue with them on small points and big points. Where they are going to produce a disaster that our taxes will have to straighten out later, we think we should have some right to control them.

We made a survey on Portage Avenue just last year in our STEP program and there is all kinds of chunks of commercial property scattered throughout the residential area, that anytime in the next 10 or 20 years when the profit is attractive enough, they can rip down a house and build a commercial building. We cannot tolerate this destruction of our community any longer. It isn't necessary at

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what we want is to be able to build community action plans. We don't need a large-scale plan, Sir. We need a community action plan to downzone to reasonable zoning level. Then when Manitoba Housing and Renewal and other people come in and want to build a medium or a high density project, we can argue and give and take and we can give concessions and they can give concessions. We still let them make a profit or build their project, but it should be something compatible to the neighbourhood.

MR. CHAIRMAN: Thank you, Mr. Emberley. Councillor Alf Skowron.

COUNCILLOR ALF SKOWRON: Mr. Chairman, members of the Committee, I am making a presentation on behalf of six of the NDP councillors of the City of Winnipeg council and they reserve the right to have their own input into areas that perhaps they feel of importance.

I would like to also indicate, Mr. Chairman, that I will be speaking and all the time I will be speaking on behalf of the majority of the caucus. I will indicate at the end a number of points that interest me in particular and I would like to raise them with this Committee.

In respect to the Mayor, we are of the concurrence that the election should be in a dual position of both councillor and Mayor. We take this position because we can indicate right now that there is such a person acting perhaps more times as Mayor, but the title is Deputy Mayor and he is elected at a ward. He must participate in ward meetings and in the Executive Policy Committee which he represents, the Community Committee meetings and Council and, therefore, we can't see this to be such a difficult area for anyone else to attempt. I take it we concur in it as well because presently, at least for what the Mayor is earning, surely gives him the opportunity to work at it full time.

We would like to indicate that the present City of Winnipeg Act and the proposed Bill 62 offers all the flexibility and the powers that a Mayor requires at this present time. We cannot accept and we will not accept that the Mayor is being stifled. We must remember that we are talking about the position and not the individual attached to the title, that the Mayor's position is very, very flexible in both the City of Winnipeg Act and Bill 62. As a matter of fact, we would like to say that titles do not produce leadership and effective government like Chief Magistrate or having a power of veto. We can indicate that under the present City of Winnipeg Act a mayor has the options by being on the Board of Commissioners, to introduce legislation if he so desires because he is a member of the Board of Commissioners. He is chairman of the powerful Executive Policy Committee which he can, if he wants to at that point, introduce any possible legislation. He is welcome to attend any of the Standing Committees and introduce any possible legislation, and he can do it so in Council where many bills are introduced, referred and come back for debate to Council. So what other possibilities are there? And nothing under Bill 62 stifles him except that he will not be part of the Board of Commissioners; and we concur in that because we believe that the Board of Commissioners should introduce what we think is legislation for our consideration so that we can pinpoint it and say that this is from the administration and not a combination of administration and elected people as it is now.

It is difficult at this time when something comes from the Board of Commissioners and we say, "Now, who introduced this?" Then the finger-pointing starts. The Board of Commissioners don't say it but by their silence indicate that it got introduced by either the Mayor or the Deputy Mayor. The Deputy Mayor and the Mayor may say, "This is recommended by the administration." And you really didn't know who was responsible for that kind of action. In this way, we concur that it is right that the Mayor should not be part of the Board of Commissioners. We also see that he should not accept the role as chairman of Executive Policy Committee because he will have the opportunity as I had indicated previously, of all the possibility of introducing any legislation.

The unfortunate part of it is though, that if you've got a mayor that operates T to T — and I am not talking about the golfing greens but Tuesday to Thursday — and committee meetings are on Mondays, then he is going to have difficulty in that aspect because at the present time, two of the three Standing Committees meet on Monday and unless he is prepared to come and make his wishes known or introduce legislation, certainly that is one time that he will be foiled simply because the committee has chosen to have meetings on a Monday.

We'd like to address ourselves to the point of Community Committee boundaries. We recognize that this is a convenience to accommodate the work district. And in many of these plannings by whomever planned it, there's an actual difference between the practical and the hypothetical of what takes place. I will, during the course of my submission indicate to you some of the practicalities of the operation of Council to that of the hypothetical, and I might indicate to this Committee that I had the opportunity to serve on two distinct Community Committees. From the year 1971 to 1974, I was in an inner-city Community Committee called St. Johns that was disestablished in 1974 and I was put in with the East Kildonan Community Committee which is primarily a suburban Community Committee, so I have the experience of two Community Committees serving three years in each.

Now, speaking again to the Community Committee boundaries, I am indicating that it is a convenience to accommodate work districts. We also would like to tell you very emphatically that the way it is now envisioned under Bill 62, it will perpetuate the parochialism that we have continuously asked to be in some way eradicated if possible, especially the factor of the Inner City. Now let me

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indicate to you where the problem area is in respect to what, at this point, is the flaw in the proposed diagrams of the proposed Community Committees.

We had it that starting in District 1 being totally St. James, will still be a district unto itself.

District 2 will be the combination of what is now known as Midland and Centennial Community Committees, and in fact this will be the centre of the city; as a matter of fact will be called City Centre-Fort Rouge, and it in itself, where the majority of the problems are, no attempt of any sort was made to do something of putting it in in some way with the Community Committee that is experiencing suburban growth.

District 3 which is Lord Selkirk and West Kildonan, and that combination will be a combination of the Inner City suburban area. District 4 which is already amalgamated in terms of the works district already has three years of experience of having part of the Inner City, two wards, namely Talbot-Riverton, which I represent —Riverton— with East Kildonan and Transcona — so that we have an appreciation of their problems and they have of ours.

You have District 5 which will be the combination of St. Boniface and St. Vital, more or less suburban area.

District 6 will accommodate Fort Rouge, Assiniboine Park and part of Fort Rouge, of which we concur in that again the suburban councillors will appreciate the problems of Fort Rouge. But Midland and Centennial which will now be called the City Centre-Fort Rouge, will be all to itself, and here is an area that needs the most help and understanding and got nothing in recognition of the chance of having suburban councillors being represented on that particular Community Committee. And that's where I am telling you the differences between the practical and the hypothetical because those who designed the boundaries, we submit, had no practicalities in realizing that the people in the suburban areas don't give two hoots about the problems in the City unless it is drawn to their attention, and you only draw it to their attention when you are sitting in terms of a Community Committee. I can vouch for that because I was in the Inner City Community Committee, and when we attempted to get anything for St. Johns, we had one hell of a time doing simply because there was no understanding there by the suburban councillors. But once I got into East Kildonan and had to be compatriots with four councillors representing their suburban area, the story was different. They were with us every day practically in terms of meetings so that in a very short time, they got to appreciate our problems and things were able to be eradicated more quickly than they had been in the past.

So I am suggesting that because this particular area, the City Centre-Fort Rouge, is the community the problem area for the city and needs the most help and understanding — we are suggesting that there be a redesigning of the boundaries to accommodate some suburban councillors to be on it. Perhaps one way of doing that is moving the westerly boundary of City Centre-Fort Rouge into St. James and reducing St. James community. I don't personally totally subscribe to it because the most westerly St. James community councillors, I don't think, would truly appreciate the problems of the City Centre-Fort Rouge; whereas the councillor representing the most easterly end might because part of his community is somewhat like the most westerly end of the City Centre-Fort Rouge community.

We are saying that while other areas will flourish, there will be more deterioration in respect to the City Centre-Fort Rouge community. And where the city should be helping itself, we will require an infusion of great sums of money from other levels of government to improve the City Centre-Fort Rouge community, and when that happens, as Tommy Douglas often has said, "He who pays the piper calls the tune." And I am certain that both the City Centre-Fort Rouge community and the city as a whole, would like the cooperation of the Provincial Government in respect to helping it out of its problems, but I think we should have an input and that we shouldn't be totally reliant on both the Provincial and Federal Governments to take us out of our problem areas.

In respect to the size of Council. It is difficult for us to rationalize that in 1974 the Taraska Commission was also set up, and that the Taraska Commission had indicated that there should be at that time a reduction, a slight reduction, but the government saw fit to, for whatever in their wisdom they did, to give the new terms of reference and they came back — that is the Commission — with what we have today is still the 50 councillors. That was in 1974. In 1977, the Taraska Commission was set up, we heard over 160 representations in all forms and advocated a 39-member Council. The government in its wisdom — I take it that again the theoreticians got to work rather than the practicalists and have proposed 28 members.

Contrary to what others have said, our position is very clear that based on the White Paper proposal and the spirit of The City of Winnipeg Act in respect to resident advisers, wards and Community Committees, that there is going to be a very dramatic difference by reduction in Council simply because, while we heard the arguments of there will be perhaps more people to attend to, the actuality of the operation of the City of Winnipeg under The City of Winnipeg Act and what is proposed under Bill 62 is such that the councillor's time is going to be demanding from not only the work that he must do in terms of what is known as an everyday civic government requirement, but

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because also the city is becoming a complex urban area, sprawling and spreading and it demands more concentration by a councillor as to the particular needs than perhaps you might appreciate.

I have often heard it said by many of my fellow citizens and of course fellow councillors, I might add, that they try to make a comparison between you gentlemen and this Legislature as to your time and workload to that of the city councillors. I have not sat through an everyday session when you are in session or a whole year of whatever work you are doing during the course of the year, so I am not prepared to make that assessment. But I can speak for myself and I am sure I can speak for many of my fellow councillors who are involved, especially in the growing areas, and I might indicate to you that the Community Committee I sit on, has got one of the largest growing areas in respect to development. And it isn't just the meetings that you go to twice a month from about 7:00 o'clock in the evening till 1:30, 2:30 in the morning — it is not just those meetings that we are concerned about. What we are concerned about is the various requirements that are made that are not officially in the Act; that all of the kind of developers — and we're not necessarily talking about people that you envision as some capitalist gory monsters or something of that nature, but ordinary people who do not understand the concept of the zoning meetings and want to discuss their problem with you; that prior to coming to a meeting, they already made the application but they want to know how to proceed and you have to take the time. Or you wanted to discuss a plan with the developer before it is into a public hearing, so that you could air out some problems which you could not do so readily in a public hearing. And that is very time consuming; that is most time-consuming. And I must say that all of my other five councillor colleagues in my Community Committee, I am happy to say, are very cognizant and have been very cooperative in that aspect of helping people through these kinds of problems.

So we are suggesting in respect to the size of the Council, that by virtue of that kind of development, you will pressure the workload onto a fewer number of councillors and something will have to give. After all, he is not only a councillor but he is an individual, he is a family man, he has to give of himself to others as well, and to do that, he'll have to give up something. — (Interjection) — Yes, besides the working factor. We do have working people, Mr. Bilton. I would like to indicate that where it will be given up in terms of the Bill 62, is that we will not be able to give ourselves as much to our resident advisers. And, if I may, Mr. Chairman, for a second stop here — without having any of you raise your hands — Mr. Emberley asked somebody about whether they owned a farm — but within your own minds, I really wonder if any of you really attended a community committee meeting, including the zoning, right from beginning to end and to really experience what it is except a councillor or an ex-councillor, George Minaker.

Well, I am indicating to you that the reduction in Council will mean that the resident advisers — and it doesn't mean just those that are going to be elected according to Bill 62 — they are advisers all right, only because the Act says that there will be some kind of entity called resident advisers. But if you've got a problem area in one sector of your ward, and the people in that particular sector are concerned about it to the extent that you will call public hearings with them, they are in fact your resident advisers too, but they don't get elected at a community conference. They are the ones who realize what your problem is and they are the ones that are going to ask you the same thing, if you have conducted those meetings in the past. And I suggest that the reduction will not give the latitude to councillors to be able to conduct. I would like to remind you that civic government is in operation 52 weeks of the year, including meetings that councillors must, if they want to take holidays, fit it into that kind of a schedule or whatever else they would like to do.

On the other hand, we would like to suggest that councillors opposed the resident advisory groups and believe me, there are a number of them in our City of Winnipeg council who just relish the reduction in council because, after all, they have never accepted the resident advisory group in the first instance and this is a perfect way out. They will just not have the time for it.

I think that I have learned something in these past six years, Mr. Chairman, with respect to size of council, and I don't know what it is like in this august House, but I have found that when you have a larger council, there is less likelihood of creating a mutual aid society. And I think that is very valid because these are the kinds of things that tend to happen at a community committee level very quickly if you are prepared to prostitute your principles and become one of the boys, so to speak.

In respect to the resident advisory group itself, obviously by the fact that we had mentioned that we do not concur in the reduction in council, we see their effectiveness lessened simply because of the larger wards and the larger district communities.

Mr. Chairman, I can cite you an example of that taking place right now. At this very time, or at least since 1974, the East Kildonan-Transcona Works District has been set up, and we have a subcommittee of resident advisers on this works and operations committee, and it works something like this. They only meet once a month. They deal with all projects that have to do with works and operations in both East Kildonan and Transcona. Would you be surprised to know that in the last two years — by the way they alternate their meetings, one month it's in Transcona, one month it's in East

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Kildonan — it has now reached, in two years' time, to the same position in that the drop off by the resident advisers has been so substantive that it is meaningless to this particular subcommittee.

Why? Very simple. The resident advisers of Transcona cannot relate with the resident advisers East Kildonan and their problems. They don't even know where those streets are or that particular problem is, and *vice versa* with those in East Kildonan with respect to Transcona, so the obvious taking place, that now the number game in terms of resident advisers has been reduced to minimum, and I would suggest that by virtue of the reduction in council or the proposed reduction council, this will be inevitable in respect to resident advisory groups.

We think that there is certainly a role to be played by resident advisers, simply by the fact that the legislation has provided the opportunity for them to make representation to the Taraska Commission in both 1974 and 1977, and also to your Legislative Law Amendments meetings, people who have had some experience with their particular community and their councillors.

One particular area that is most distressing to us, of which practically every page of The City of Winnipeg Act has been . . . the "i's" have been dotted and the "t's" have been crossed, but relating to the resident advisory group where it has not been, and simply because council has not seen fit to provide it, is that the city-at-large projects are not dealt with by resident advisers city-at-large. In other words the resident advisers made an attempt in the early 1972-73 era, to become a resident advisory group to the city at large, but the city would not go ahead with the proposal of moneys that the Federal Government wanted to allocate to them, and efforts were aborted.

We would like to suggest that, while it is very commendable for resident advisers to want to know whether a stop sign should be put here or whether a particular building should be put there, projects that cost the taxpayers millions of dollars of the kind that I can cite you, in respect to the infamous Trizec development, whether or not we should have a stadium or an arena, projects of this nature which could affect the tax bills substantially, there is really no input by resident advisory groups on a city-at-large basis, and I suppose that council in its wisdom decided this because, after all, we perpetuate one more system that would get the ire or expose those who are dealing with city money callously.

Mr. Chairman, that is the submission on behalf of the majority group of our caucus. I will not make reference to a position that I have in respect to three points, and I hope you will bear with me. I am concerned, Mr. Chairman, that with respect to the city's position in having approval of its capital projects, as I understand the Act now, under Section 296(2), the Municipal Board must hold public hearings. As I understand what is proposed in Bill 62, the Minister of Finance will make his decision but he may refer to the Municipal Board. The difference in my opinion is that it gives the public, and might say councillors as well, and there have been councillors who have gone to the Municipal public hearings to speak against projects that the city was entertaining, that this opportunity will not be given, to neither the public or perhaps the dissenting councillors.

From the experience that I have had on the East Kildonan Community Committee from the public point of view and the public hearings, and also a member of environment committee, I am questioning the section dealing with the second public hearings for the zoning matters. Now I do this because my experience shows me that at this present time under The City of Winnipeg Act, when an individual is denied a variance, which is the least of zoning, the least, a variance, he has to write for an appeal to the Committee of Environment. And the same procedure that goes on at the Community Committee level goes on at the Committee of Environment, the whole presentation, so there is nothing lessened.

Why? Because what he presented to the Committee of Environment, not necessarily would the same councillors have heard it, except if it comes from East Kildonan and I happen to be sitting on the Committee of Environment, so he is talking to perhaps ten other councillors who have never heard his presentation before, and therefore he goes through the whole — there's a very good in Jewish called a schmeer — and this is very time consuming. And I am not denying it is time consuming, but it is suggesting that the second public hearing will be done in a matter of seconds to that of what envisioned or has been experienced, then someone hasn't done his homework, I might suggest. So if that is the case only for the variance, which is the least, can you appreciate where you have a situation of some rezoning, of some magnitude, that has perhaps a hundred or more dissenters making presentations to a Community Committee and they all trundle over to the designated Committee to have the second hearing — I tell you, I wouldn't want to sit on the designated Committee. So there has to be an explanation, a very good explanation as to what taking place.

I submit that there has been nothing indicated in the six years that I have been on Council if anybody, publicly, — they may have done it privately, — but publicly, that the process that we now have is not good enough. They may say it's slow. And I might indicate to you that my experience with developers has been that they would like to have a proposal in today and you have given them a verdict yesterday. So that time concept has never been given much support by the, that is the time concept by the developers should have been recognized and they have not done so. Now, if it's going

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to be valid that there should be a second public hearing, I would like to know the justification in respect to Additional Zone Public Hearings and how they're being carried out at the present time. As I understand it under Bill 62 it will not be changed.

Now let me give you the difference so those of you that may not be familiar with it will understand the process. If any individual is going for a public hearing at a community committee he must register public notice of 14 days placed on the property of what that public hearing will be. The public hearing is carried out at the community committee level. The community committee after the process makes a recommendation to the Committee of Environment. Let's say it's for rezoning. They recommend that there is no rezoning as the applicant desires. The Committee of Environment hears the application only to the extent of what is before them and also by the administration. It goes on to Executive Policy Committee and they forward it on to Council with a recommendation. Here is how the Additional Zone works and with the pressures from the inside out, here's how it works.

Let's say East St. Paul for example — and I know because I've had it happen and I've done something about it — but the process by which I've done something didn't solve the problem. There is to be a rezoning in East St. Paul. They make application to the City of Winnipeg. It's posted and the East St. Paul Council is notified of that particular rezoning. They make a recommendation based on what they see. They make it to the Committee of Environment but they don't hold a public hearing. They don't know about the objectors. The Committee of Environment at City Hall level has the public hearing. They have the public hearing and the objectors come and we say, "Did you tell it to your Council in East St. Paul?" They said, "We didn't have the opportunity. It says the public hearing is here." So what I have done is I've shot the whole thing back and said, "Look, find out when your next East St. Paul Council Meeting is and indicate your displeasure or your objections and it won't be in the form of public hearing and perhaps they'll change their minds." I might tell you that that's what has happened. East St. Paul says, "Oh, we've got objectors have we. Well, maybe it shouldn't be C-2, it should be C-1," and have recommended that it then be C-1. So the point is, if the validity is there for the Community Committees to conduct a public hearing and then the designated committee to conduct a public hearing, I am suggesting that the Additional Zone Councils should have a public hearing and that if there's going to be a second one that should be done at the designated committee level. There should be no difference and as the city is growing outward and the pressures are going from the in out, then I would suggest that the rezonings are going to be greater of stature, subdivisions, public group buildings in the Additional Zone which would require that these particular outside Additional Zone Councils should be aware of what's taking place, not to receive it as information in respect to an application.

My last point, Mr. Chairman, has to deal with something that leaves me with a question mark because I've two frames of thought on it and perhaps some of you may have thought about it. Many residents have thought that the city has been irresponsible on some of its large projects and wish to go back to the referendum system. I see the pros and cons of that particular aspect. If I said to a resident that if I make a decision and you don't like it, three years from now you can hike me out, the answer more times than not has been "Yes, but you can cause me enough damage for me to pay for more than the three years that you'll be out." It has been suggested that perhaps we are getting irresponsible in some of our major projects. Whether it should be a referendum, or whether it should be in a form perhaps under the Minister of Finance for consideration, I am, as I said, of two opinions on that particular question but I raise it because it has been raised to me many many times.

Mr. Chairman, I thank you. That is my presentation.

MR. CHAIRMAN: Thank you Councillor Skowron. Mr. Minaker.

MR. MINAKER: Mr. Chairman, through you to Councillor Skowron. You indicated with regard to your concern about the reduction in council — and if I missed in your presentation your statement regarding the actual physical size of the Council, my apologies — but I wonder, Mr. Chairman, if Councillor Skowron could advise, does he feel that the reduction in Council to 28 is too extreme or does he feel that the Council should stay at the 50 members at the present time.

MR. SKOWRON: Mr. Chairman, our position as the majority caucus that I made the representation on behalf of is that it should be at the 50.

MR. MINAKER: My next question, Mr. Chairman, does Councillor Skowron feel that if we reduce the Council to 28 or reduce it below the 50 mark, what could come about possibly is the fact that the workload would become so great for yourself or whoever is representing the different communities that they might, because of the fact that much of the decision-making is not made at the Community Committee level, that there could be an influence indirectly or subconsciously by the Councillor to maybe not attend Community Committee meetings as often as he might now because of the fact that here's 50. Do you think that could occur possibly?

MR. SKOWRON: We recognize that possibility, but we are more concerned that under the concept of which the City of Winnipeg Act was initiated, and I might indicate as a personal note that I can because of the resident advisory group concept and the community committee concept. There just will not be the time to devote to it, so something is going to have to suffer.

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I'm sure that if I was to run and I was to be elected, I would attend what I would think would be the most important meetings. And I'd have to say to my resident advisors, like it says in the Act something that, "community committees shall implement techniques," and to give a stereo answer of some of my fellow councillors who do not believe in the resident advisors now. They say, "Oh we're implementing the technique, didn't you see the public notice meeting," and that's the extent of their implementation of techniques. So, I would think that I would have to perhaps use the same technique.

MR. MINAKER: Select priorities.

MR. SKOWRON: That's right.

MR. MINAKER: Now, Mr. Chairman, I can appreciate what you're saying, Councillor Skowron because you and I have sat at many meetings together, and I know the time that is put in by the councillors so that that is why I raised the question on whether the decision would have to be made in your opinion, to select priorities and where you felt the least input to the final decision was made there presumably that's where you would decide whether you should attend or not, and go where the decisions were being made.

MR. SKOWRON: I think you're right.

MR. MINAKER: Mr. Chairman, also in dealing with major capital decisions by the Council, that affected all of the city, I wasn't quite clear in my observation of what you were saying with regard to things like a new arena and so forth. Would you favour then, because of the present setup that we have where a central authority or council can make a decision affecting all of the citizens of Winnipeg and particularly the strength of the Executive Policy Committee, do you believe then that we should have referendums again with items like say, a new arena or major capital commitments that would affect all of the community?

MR. SKOWRON: No, I said that that had been given to me by a number of residents — by the way from all over the city, not necessarily from my ward or from my community. I said I was of mixed opinion on that because I see the defects in it. But what I'm saying is that there has to be something done since a good number of residents of the City of Winnipeg feel that Council is being somewhat irresponsible in some of their projects, and therefore, I also showed that while resident advisors at the local community level were dealing with what would pertain to them, they sort of don't see the forest for the trees because they are not set up to deal with the projects as I indicated like: Trizec, an arena, stadium, the Marlborough Bestlands Development, projects that could have got a good airing by city-at-large residents. So, some system, I'm advocating, has to be implemented to overcome that.

MR. MINAKER: So then, Mr. Chairman, I gather from Councillor Skowron's remarks then that you and your colleagues don't favour referendums where you could maybe publicly arrange to present the different views and then have an overall vote on it by the citizens, but some other vehicle to try and convey the same relative information and then presumably input from the citizens so that you as councillors could make presumably a concrete and general opinion decision of the people you represent.

MR. SKOWRON: Well I indicated through you, Mr. Chairman, that starting at that point, that was my personal input into this brief so we had not discussed that as a caucus.

MR. MINAKER: As yourself then?

MR. SKOWRON: Yes. I will repeat that I am of mixed mind on that, but I would like to see a vehicle that perhaps the vehicle should be where resident advisors must be organized by City Council at city-at-large rather than using nebulous words like develop and implement techniques. You know, that isn't good enough. I indicated what some councillors are doing, and I find that abhorrent to indicate that they had to read some public notice. It is not just reading public notices of public hearings or something, it is more than that. It's to get in with the community with respect to all kinds of developments that are taking place. And I'm suggesting since all the i's are being dotted and the t's crossed, that there should be a stronger provision for resident advisors since Council itself, and by the way you were on that Council, did not want to implement provide a city-at-large Resident Advisory Group.

MR. MINAKER: Thank you very much, Councillor Skowron.

MR. CHAIRMAN: Mr. Shafransky.

MR. SHAFRANSKY: Yes, Mr. Chairman, through you to Councillor Skowron. You've indicated that you would prefer to see that the Council remain at the present 50-member Council. Do you agree with the change in the Community Committee concept from the present 12 to, I believe, the six that is being proposed?

MR. SKOWRON: No.

MR. SHAFRANSKY: So, you would also indicate that it should remain at the present 12?

MR. SKOWRON: We are indicating that it should be the 12, and 50 councillors, and we indicate that there had been work done by the Taraska Commission and what they recommended, and we also indicated where we see a defect in the proposed Community Committees in respect to the problem area of the core being left out without any representation from suburban areas.

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MR. SHAFRANSKY: When you talk about the Resident Advisory Committees, you also made some reference that there could be other groups formed. Would that not be the natural situation if there were no Resident Advisory Committees established by any kind of rule of the City of Winnipeg, that there would be automatic interest groups forming all over in various parts of the cities, when they affects their particular area?

MR. SKOWRON: That isn't good enough, Mr. Shafransky. It has to be not only for those with vested interests, but also has to be by a group that would consider anything the city would be dealing with at large. For example — if I could just digress for a second — If, for example, the city decides to build a new arena at a cost proposed — at that time the figures with Great West Life were \$16 million. When I talked to individuals and told them that the end cost of that was going to be \$64 million, and I told them what the yearly cost on their tax bill was going to be in terms of a direct mill rate and dollars, then they understood that a little better. But, I could only get to so many people and I'm suggesting that there has to be a vehicle by which people have got to understand that at the city-at-large, and I suspect that Council did not want to have Resident Advisors at large from the city form into some group. Nothing stopped them from doing it, but they needed some help with it for the very reason that I'm just giving to you. It is to cover up not expose, keep them in the dark, and after all once we pass it, what the hell are they going to do to us.

MR. SHAFRANSKY: Now, you made reference to Trizec. Surely that kind of development, a large development took place with some kind of public input which led to that decision to proceed with it. Surely it just didn't originate, or did it, from the city?

MR. SKOWRON: Would it interest you to know, Mr. Shafransky, that the majority on Council decided that because that was a city-at-large project, that the Community Committee affected, which is the Centennial Community Committee, and I might add, because there are three out of the four, or at that time all four were NDP Councillors, they wouldn't give them to handle that project in terms of rezoning or anything else. So, it was dealt with at city-at-large and we fought like cats at Council to get it through the Community Committee. It didn't happen, and we see that time and time again when Executive Policy decides what is going to be a policy in terms of a project for the city-at-large. I'm telling you there is no vehicle by which this kind of information is being disseminated or discussed by the public at large.

MR. SHAFRANSKY: Well, you see, I'm familiar with one situation in my area of the city where there was a Community Committee recommendation to develop a racetrack, and it was the recommendation of the Community Committee to the Environment Committee that this would be proceeded with, and it was based on a variance. However, the Environment Committee did upon hearing the Resident which were not necessarily their Resident Advisory Groups, Groups' that they had changed their position from the recommendations of the Community Committee.

It can happen, but you know, again that was only discussed in the St. Boniface community. It wasn't discussed by a Resident Advisory Group from the city-at-large.

MR. SHAFRANSKY: But it was on the basis of the Environment Committee.

MR. SKOWRON: Yes, but that is only the elected people. There are no Resident Advisors to the Committee of Environment.

MR. SHAFRANSKY: I see. You're talking about the whole. . .

MR. CHAIRMAN: Mr. Green.

MR. GREEN: On a point of order, Mr. Chairman. Again, with regard to the progress of the proceedings, we've surmised that we will not be able to finish today and therefore we are suggesting that we finish at 5:30 p.m. That being the case, those people who see themselves some way down the list can elect whether to stay or not to stay, but it would appear that it would be unreasonable to try to continue, because there is no prospect of finishing.

A MEMBER: Shall we see what happens at 5:30?

MR. GREEN: Yes, that's right. At 5:30 we can change it, but I'm really saying this because if people are quite a way down the line and don't wish to wait till 5:30, it would be unfair to have them wait here and then not have a chance to be heard.

MR. CHAIRMAN: Order please. I'll read the list out here. The next group after Councillor Skowron is the City of Winnipeg, Mr. Lennox, the City Solicitor, and Councillor Evelynne Reese. Fourth is Raymond Poirier, the next is Councillor Rebchuk, then the St. Boniface Chamber of Commerce, Mr. Prince, Councillor Magnus Eliason, Councillor Henry Kozlowski, Councillor Bill Norrie, Councillor Jim Ernst, Councillor Morris Kaufman, and Councillor Frank Johnson. Mr. Axworthy had a question.

MR. AXWORTHY: Mr. Chairman, as soon as I can get this cord I will be right with you. I'd like to just pursue the idea that Councillor Skowron mentioned about the need for degree of citizen involvement in the decision making on these big projects. I gather what you are suggesting is a form of almost city wide assembly of Resident Advisors to be called into action because you don't think there is enough accountability. One of the questions I have though is that the Province of Manitoba undertakes major projects in the downtown area without any input from citizens either. I think there

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is a major Public Works development going on there right now which had no input, involvement discussion, debate, by the residents of that area, and the argument of course is that they are accountable to the electors. Why would that not also hold true for the City Council on the same basis?

MR. CHAIRMAN: Mr. Skowron.

MR. SKOWRON: Well, I take it that you're talking about the projects that were in the Centennial Community Committee. I understand that it went through a process of a public hearing in the

MR. AXWORTHY: The projects themselves didn't.

MR. SKOWRON: I understand they did.

MR. AXWORTHY: Well, it wasn't only the citizens that's all. The Resident Advisers in that area were not involved in the developmental planning or involvement of those projects.

MR. SKOWRON: I'm made to understand that Centennial Community Committee held public hearings, and like in our Community Committee, Resident Advisers are notified and by virtue of knowing when the meetings are held, and if they did not attend then it's in the same way that we have a variety of numbers that show up for whatever sort of projects each person's memory or at least project that he wants to discuss.

MR. AXWORTHY: Well, I think that it would be useful to check the record because I don't believe that there was that Community degree of involvement in the development of these projects. Without trying to make a political case, I am saying that the argument was that the accountability is held by the elected people. Presumably the same holds true at the city level, that if the Executive Policy Committee or the Committee on Environment make a big outlandish expenditure on a big project presumably they get caught the next election. Why is that system not functioning, to your mind?

MR. SKOWRON: Mr. Chairman, one of the things that I perhaps should have mentioned that I've experienced as well, that I know each and every time that a large developer comes before the City of Winnipeg or at least a Community Committee with respect to development, I can associate with the developer a name. He has developed a technique, he knows what he's there for. When it comes to MHR, and that's about the only projects that I can talk about and not. . . . One time you may have an architect appearing on their behalf, the next time they may have some kind of project manager, the third time they may have a secretary. So that because of their non sort of alignment of people, who perhaps consistently should be doing it, and I might suggest that they could be doing a better job than they are from that point of view because then they would be trained in how the experts are doing it.

I'm suggesting then to Mr. Axworthy, in response to his question, that I would not take away from the province. . . . Also if the province is to put in a project into a particular area, I think that they should be subject to the scrutiny of the public hearings like everybody else.

MR. AXWORTHY: Would you think then, Mr. Skowron, that the provincial exemption from the Planning Act not be allowed, and that they should be required to go through those procedures when they are developing their major projects then?

MR. SKOWRON: I'm just going to speak personally because I indicated we didn't discuss that point. I would not want the province exempted. I think that, as I indicated, it wouldn't take very much for the province in all its projects to have, if it suits the foot, call him an expediter as the developer have, that he should be able to make representation all over the city, and he would learn the techniques of what various communities like and dislike. —(Interjection)— Yes, the Federal Government too, but they don't do it.

MR. AXWORTHY: They don't build big projects then. I'd just like to perhaps trim this thing down. Do you have any specific suggestion as to how this city-wide assembly might work? Do you see when a project is being considered, what standard would you set? When do you say something like Trizec is of a certain size or impact that would require the convening of this Assembly or this city-wide area of Resident Advisory Groups? How do you see it coming in to play in terms of the mechanics of it?

MR. SKOWRON: I would think that the Resident Advisers, if they are duly assembled within their own communities and if Council has to set up a central one, that they would make the determination. I would like them to make that determination, not for us to make that determination.

MR. AXWORTHY: You mean if there was a major project whether it's the development of the C.N.R. east yards or Trizec or whatever, that the notice should go to all the Community Committee and Resident Advisory Groups with full information, and that would be discussed at the local level and then they would respond back saying that they would like to have a more general convocation on that. Is that the way you see it working?

MR. SKOWRON: Well, I would think that from each of the various communities, that the number again, they would determine, would formulate the central RAG group of which they would meet and discuss it after they received it at the community level.

MR. AXWORTHY: Do you think that that needs statutory implementation in this bill, or could it not be done by City Council now, and if they wanted to do it now, they could do it.

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MR. SKOWRON: Well, they don't want to do it. I'm suggesting that our feeling is that that should be done. Simply, the words that are used in Bill 62 are not adequate in our opinion, and I might indicate through you, Mr. Chairman, that at this present time, very nebulous things are being sent out of various standing committees for discussion at the local community committee level, and yet the big projects are not. I can cite you examples. For example, we recently had a distribution amongst all the community committees as to whether they will approve semi-institutional homes as a conditional use. I'm not saying that it is a frivolous thing. I'm saying that if that can go to all the community committees so a central committee can discuss, surely a project at the city wide level should get the same kind of discussion.

MR. AXWORTHY: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Wilson.

MR. WILSON: I don't know if the question has been answered, but could you think of any particular amendment to this bill that might make the decisions of Council acceptable by the Provincial Government if I could give you say, for instance the Woodsworth Building where there was a problem with the heights restriction, there was a problem with a caveat for, I believe, a 12 foot setback, and then there was, in my own personal experience, the problem of the vote. Three or four votes were taken because each time we voted down the acceptance of the washroom. What can you see that you can do to control the Provincial Government from over-riding the City. Should there be something in the bill? At what point in time should the Provincial Government be responsible to the municipal elected people who are down at the grassroots level?

MR. SKOWRON: My experience has indicated that I don't think they have a uniform person, and I think they should, from the various departments that would follow it up. As I indicated, I know when BACM is coming to East Kildonan. I can tell you right away who the representative is going to be. And I'm going to tell you who Castlewood's representative is going to be. And I'm going to tell you who Vorex Homes is going to represent.

From MHRC, one day we find, a guy suddenly runs in, he didn't even know that he had to appear that night, you know. So what kind of presentation can he validly make to us, and not know the feeling. By this time, all these expeditors have learned what our feelings are ' what our whims are, what our desires are, and if the government hasn't learned this by now through their administration, I'm suggesting they do it.

So it isn't a question that the Woodsworth project is wrong or the setback is wrong, I'm suggesting perhaps that the person who was made to represent them did not or was not fully cognizant how to present it in light of what the desires in the community are.

MR. WILSON : In other words, are you saying that the MHRC and the government should use a more professional approach and then they wouldn't have to sort of have this over-riding effect on the City Council, or what?

MR. SKOWRON: I'm not saying it should be professional, because I have appreciated where a citizen member has come to plead his case, and I've seen some lawyers flub it badly on behalf of other clients. So professionalism, in my opinion, has not indicated to me that they're worth their salt. I'm indicating somebody —(Interjection)— I'm indicating that the individual that would make the representation would have the feel and the pulse of the needs of that particular community.

MR. WILSON: Councillor Skowron, then, I get from you that you feel that the feeling of the community should be respected by not only BACM but also by MHRC.

MR. SKOWRON: Yes, of course.

MR. CHAIRMAN: Mr. Johnston.

MR. J. F. JOHNSTON: I was interested in your comments when you mentioned that your particular area had set up a special committee within the Public Works with Transcona and East Kildonan, and your comments were basically that the interests of Transcona just weren't that of East Kildonan.

MR. SKOWRON: That's right. And vice versa.

MR. J. F. JOHNSTON: We've had the Unicity concept now for six years, going on seven. Would you say that it may be desirable some day to move us to less councillors or draw the city closer together, but because of the particular makeup of the City of Winnipeg over the past 100 years, that six years has not been enough time to make another drastic change. It may be able to be done, but are you saying that it shouldn't maybe be done right now?

MR. SKOWRON: I'm suggesting, and I might indicate to you' Mr. Johnston, and the rest of the committee through you, Mr. Chairman, although I may not have been active politically, I lived in the city all my life. I was born here, I've watched the political strains of what has taken place in both City Council and Metro Council. If you want a form of Metro Council, of which there was no representation by people, where there was no community committees, where they didn't even handle the zoning, that was done by a board of revision, then all you need, quite frankly, is perhaps twelve councillors. —(Interjection)— Yes, perhaps in the Fort Garry or the new Carlton . . .

MR. J. F. JOHNSTON: Now, now, now.

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MR. SKOWRON: But if you are to have the system, I'm saying, my colleagues and I are saying that we endorse the system of the City of Winnipeg Act, and the resident advisers, the ward system, the community committees, and the public hearings. If you're going to have all that and implement the workload on the those particular councillors' then I'm suggesting that it is not time to reduce the Council. And if it is, according to Mr. Judge Taraska, then we should take cognizance of that before because he heard enough submissions, and two other colleagues of his, to make a determination. But from 50 to 28 we absolutely and that's one of our reasons for appearing because we feel strongly in that question.

MR. CHAIRMAN: Thank you Councillor Skowron. Mr. Minaker.

MR. MINAKER: Councillor Skowron, through you Mr. Chairman. You indicated in your answer that you felt that possibly that there should be maybe a resident advisory group at large. Would you like to expand on that Councillor Skowron at all? And how we would come about with an advisory group at large, how we would nominate them, or . . .

MR. SKOWRON: I indicated that if you make it that there has to be resident advisers, this is very nebulous. Community Committee should implement techniques and that. As I indicated Councillors have said that there are public notices and therefore that is the implementation of techniques, but you have Council to have resident advisers in all of the communities, the number that there will be . . .

I suggested to Mr. Axworthy, here, that from their group, they will make the determination that will serve at large, in the same way that I, as a Councillor, sit at the Community Committee level but also sit in a standing committee because my fellow councillors have so selected me. And they will then determine on the basis of what each community resident advisory group has discussed with the particular project and make a submission to Council as a whole. By and large we only just find out what Community Committees think on very nebulous things but on very important and worthwhile projects that the City is involved with and the millions that are entailed and the taxload that it imposes, there is absolutely no mechanism by which the residents are making their representative known. So I'm suggesting from that form, from all around, then there will be a nucleus, however they decide, maybe all of them will be, but let them make that decision. But unfortunately Council would not support the last concept when it was presented to City Council when they had the opportunity of having a Federal Government loan, and of course that loan — I mean a grant — had to be initiated by City Council and City Council would not endorse it.

MR. MINAKER: Mr. Chairman, through you then, Councillor Skowron what decision-making power would this resident advisory group at large have, in your opinion. Would they have any? (What?)

MR. SKOWRON: No, just recommendation, but at least you would know. In the same way, it is to the extent that each Councillor takes his own resident advisory group at heart and the recommendations into consideration. After all we have people who are resident advisers, who are far removed from a particular problem, and he sits there and makes a vote simply because he's part of the resident advisory group. But if Joe Smith is the one who is in that area and is affected and knows about it and comes and tells me, then I am prepared to take it more valid of his submission to me than John Brown, who is far removed from the scene. So that when they discussed that particular problem, after all their discussions should be of the nature that they know they are a citizen of the City of Winnipeg and that particular project is of such a nature that affects him and I as a taxpayer, surely would think that he would have a very reasonable approach to the problem.

MR. MINAKER: Mr. Chairman, then who would the resident advisory group at large make the recommendations to, Councillor Skowron?

MR. SKOWRON: To Council.

MR. MINAKER: Well, then really aren't you suggesting that you would have a duplication of the role of the Councillor that we presently have. My understanding as a Councillor, when I was elected to Council, was that we were sent downtown to make decisions on behalf of the people that we represented and the people of Winnipeg. It was our duty as a politician to go back and represent the community, to explain to the resident advisory groups from our area why we made the decisions and to keep them informed. Now, wouldn't we really be duplicating the services that supposedly the Councillor is doing today?

MR. SKOWRON: No, that's the old system. You went back and told them why you made a decision based on, in fact, no facts at all, or no representation. I am suggesting the reverse, that from that they will tell you in concert however they decide, their opinion on this and based on that opinion, you may then make a decision.

I'd like to perhaps take your time, Mr. Chairman, for a second and remind you of the first Community Conference that we had in St. John's Community in November 1971. It was in the UN Hall on Main Street there. It was the first time that the residents of North Winnipeg were being asked to come to this new thing called a Community Conference and we're going to have resident adviser Councillor Rebchuk, who was our senior member, we suggested to him that he chair the meeting and he got up there and he said to the assembly, he said "All right, what do you guys want."

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MR. MINAKER: You don't quite sound like him Councillor Skowron.

MR. SKOWRON: A fellow got up from the back and said, "Councillor Rebchuk," he says, "for a hundred years you've been telling us what you want, now you're asking me to make a decision day!" That's the fact of the case. But that's what's been transpiring. A lot of councillors have not accepted and have not changed their attitude to that in 1977, six years later, of the City of Winnipeg.

MR. MINAKER: Well, Mr. Chairman, really Councillor Skowron, what you are suggesting, if I understand you correctly, is a two-tier system for resident advisory groups.

MR. SKOWRON: It could be just one.

MR. MINAKER: If I understand you correctly that you would have resident advisory groups at the local level, they would select a representative for them to sit on a resident advisory group at large.

MR. SKOWRON: Of their own. Yes.

MR. MINAKER: Then to me that sounds like a two-tier system.

MR. SKOWRON: Okay, if you want it, fine.

MR. MINAKER: We rule out any concept like that for the councillors in terms of a two-tier system, I can't see the reasoning behind you.

MR. SKOWRON: Well, then I'm a two-tier councillor, because I sit on the Community Committee and then I sit on the Committee of Environment and then I sit on Council, so I'm a two-tier councillor.

MR. MINAKER: But doesn't it boil down to the fact that the resident advisory group or the community committee, as you sit there as a community committee representative with the resident advisory group in your community, that you really don't have any decision making power and you talk and you deal with things but then when it comes down to the crunch, you've got to go downtown. But once you go downtown to make that decision there's no citizens there with you. Isn't the basic problem the fact that the community committee resident advisory group or the community committee as we sat in the old days, and you said now, you really don't have that basic decision-making power. So that when you go downtown, there's one thing missing, the citizen input or the resident advisory group isn't there with you. Is that what you're saying, that they should be with you downtown because you don't have any power to make decisions, or the citizens don't have any power to make decisions at the local level. So for this reason, to get around it maybe if the citizen was there to confide with you and to recognize the problem that it might help the situation. But the real problem is that the local community committee, the local resident advisory group does not have any decision-making power right now.

MR. SKOWRON: To the extent it does, and I said there are people who are very apropos in dealing with — they get very concerned about whether they should put a stop sign here, or whether concrete should be eight inches or six inches.

MR. MINAKER: But you can't decide.

MR. SKOWRON: Yes you can. Oh, yes you can. And you implement these techniques by the way we do that in East Kildonan. But when it comes to grand projects — this is the area in which we don't even have a consensus of opinion. The only time I know about it is after the fact, somebody will come up and say, "What the hell did you make a decision like that for?" in respect to this, or "I'm complimenting you because you've made a . . ." It was sort of a by-gosh-by-golly I was right, or I was, based on the phone calls I got, I'm wrong. I don't know. And there is no consensus.

MR. MINAKER: Mr. Chairman, and through you to Mr. Skowron, when you made that decision as it at the Community Committee level or down on a committee in Council?

MR. SKOWRON: Yes, it could have been at the Community Committee level, because sometimes I tried to initiate that kind of discussion.

MR. MINAKER: No, but the final approval wasn't there was it.

MR. SKOWRON: No.

MR. MINAKER: The stop sign was decided by the Traffic Committee which was the Works and Operations Committee which you were a member of for several years with myself. So is that not the basic problem, is that the people want some decision at the local level, but right now made . . . they're not there. If they want the decision

MR. SKOWRON: They can recommend. They can recommend.

MR. MINAKER: But the basic decision is not made at the local level.

MR. SKOWRON: No.

MR. CHAIRMAN: Thank you Councillor Skowron. Mr. Lennox.

MR. LENNOX: Mr. Chairman, honourable members. His Worship, Mayor Juba, in his absence from the City has requested that I place on the record of this Committee, the majority opinion of Council as enacted by resolution last Wednesday. I have copies of that resolution which I would respectfully distribute. When these are distributed, Mr. Chairman, I'll speak very briefly on each of the joints listed.

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The first position that Council took — No. 1: Opposing the proposal for a second public hearing for subdivisions and rezonings.

Now the proposed amendments in Bill 62 remove the necessity of referring zoning a subdivision by-laws to the Minister for approval. This will, by itself, streamline the approval process. Your Committee will remember that there has been some discussion over the last year about the length of the approval process. But Council is concerned that the requirement for a second public hearing will add more time than is saved.

Now, there's been a general increase in the number of applications and appeals which are not dealt with by the Committee on Environment and which under the proposed amendment would be dealt with by the designated committee. With the requirement for a second public meeting with representations under the proposed Section 614 and 615, Section 93 of Bill 62, the designated Committee could be expected to spend the same amount of time on these matters as was taken by the Community Committee at the first hearing as all persons who made representations initially could be heard again at the designated committees. This will obviously, Mr. Chairman, add more time to the approval process. The present system whereby the Community Committee conducts the public hearing, is in my opinion and in Council's opinion, working very well. The procedures since the inception of the City of Winnipeg Act have been improved. In the first instance it was very confusing. We went from the Metro system to Unicity overnight with all the — not only the change in the structure of the Act, but there were the philosophical changes which introduced the Community Committees and it took a little time. But now the procedures have been approved. There's political and administrative teamwork that has been established whereby the statutory requirements of the Act are complied with and the principles of natural justice are applied. Proper notice is given pursuant to the Act, to the best of the ability of the administration. The right to be heard by anybody is scrupulously observed. Information is provided to the best of the ability of the administration and the councillors, and the administration is present to explain and answer questions; to explain the proposal and to answer questions related to it.

In other words, Mr. Chairman, a full and complete hearing process. Therefore, with respect, it is not apparent what the purpose a second public hearing would have. And in any event, Mr. Chairman, 40 percent of the applications — approximately 40 percent — are unopposed. Surely there can be no purpose in holding a second hearing which could only be redundant and time-consuming.

The second position of Council in the Resolution was opposing the sole power of the Minister for Urban Affairs over the Greater Winnipeg Development Plan and Community Plans and over the resources to implement those plans. This refers to Sections 60 and 71 of the Bill. Council is concerned of the effect that this power of the Minister that, if implemented, would have on the procedure, as they now exist under the City of Winnipeg Act.

Section 7 of the City of Winnipeg Act — a very short section — “the powers of the City under the Act shall be exercised by the Council.” This is all the more significant because of the fact that it is the Development Plan that is being considered. Greater Winnipeg Development Plan is defined as follows under the existing Act: “The Greater Winnipeg Development Plan means a statement of the City's policy and general proposals in respect of the development or use of the land in the City and the Additional Zone set out in text, maps or illustrations and measures for the improvement of the physical, social and economic environment and transportation.”

Obviously this is a most important document and is the basis of the City's development. Council's position is that its autonomy in this respect should be maintained and that it should determine its policies and plans through the Development Plans as the Act now provides. Council is also concerned that any such implementation of the Minister's powers would create problems in implementation. It is difficult enough for one level of government to deal with the political and technical problems in preparing plans, but if there was one level of government creating plans at a second level charged with implementing same, the difficulties would be compounded. For example, a provincially prepared plan which was beyond the financial capability of the city. The same comments apply to community plans. Once Council has approved an overall development plan, it appears unnecessary that the minister should have to approve community plans.

Point 3 of the position of the Council. The majority position was: “Opposing the exemption of the Provincial Government or its agencies from City Plans or Zoning By-Laws.” This refers to Section 130 of the Bill. Council's position is that the province should be bound by the City's planning and zoning by-laws and regulations as it is now. The character of an area established after the planning and zoning process has been gone through could be drastically altered by unilateral action of the province and proceeding with the development not envisaged by or compatible with existing plans and zoning.

Subsection 2 of that Section extends the exemption after a hearing to Crown Agencies and widens and includes not only Crown agencies, but any person. Now with respect, Mr. Chairman, must say that I find this subsection somewhat startling. As I interpret it, the Lieutenant-Governor or the Council, without a hearing, may exempt any person or corporation from the application of any by

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law or resolution of Council, not restricted to planning matters but any by-law resolution of Council. This appears to me to be at variance with the established principle of municipal law, that by-laws and resolutions apply equally to all persons.

In any event, subsection 3 goes on to provide for a hearing in cases where the proposed order of the Lieutenant-Governor-in-Council relates to planning or zoning matters. And Council position is that zoning by-laws and planning regulations should apply equally to all persons including the province.

No. 4, the position of Council, "Opposing the power of the Minister of Finance over the City's borrowing by-laws, and concur that the City should have complete authority over its Capital budget."

Under the existing Act it's mandatory that the City apply to the Municipal Board for approval of initial borrowing by-laws and receive the approval of the Municipal Board before it can pass such an initial borrowing by-law. In essence, the amendments under Bill 62 substitute the Minister of Finance or the Municipal Board, with the exception that it is discretionary now as to whether the Minister should refer the matter to the Municipal Board or not. But Council's position is that the City should have complete authority over its Capital Budget. That is, not have any other authority concerned with

No. 5, majority position of Council was "Concurring in a reduction of the size of Council.

No. 6' that portion of the Fort Rouge Community Committee lying south of the Assiniboine River as shown on Appendix "B" attached hereto, as being in the proposed Community Committee Area No. 1; City Centre - Fort Rouge Community be placed in proposed Community Committee Area No. 1, Assiniboine Park - Fort Garry Community." This was because of the location and character of the area which I have outlined in red on the sketch which is attached to the Resolution.

Mr. Chairman, that was the majority position taken by City Council at its meeting on May 25th, 1977.

MR. CHAIRMAN: Questions. Mr. Cherniack.

MR. CHERNIACK: Mr. Chairman, may I first say that I regret that Mr. Lennox is put in the position of having to answer questions which I would have thought a political person should have been expected to answer and therefore I know that Mr. Lennox will be constrained in his replies, being in a lesser position than the Mayor or the Deputy Mayor could have been in explaining — or a councillor delegated to speak of behalf of Council. So I'm saying that, recognizing in advance that Mr. Lennox is going to be in a more awkward position, or in an awkward position compared with that of the resumed spokesman of Council, that is the Mayor or his Deputy. Nevertheless this is the presentation of the Mayor so Mr. Lennox will be put on that spot.

MR. LENNOX: I recognize that, Mr. Chairman. As you know from over the years, I do not indulge in policy matters but I'll do my best to reflect the position of Council.

MR. CHERNIACK: All right, I happen to have a question on each one of your points, so let's start with the first one.

It was an impression that I received — and I am not at all sure because I'm not too familiar with the detailed requirements for dealings and decisions on subdivisions and rezonings — it was my impression that the bill is designed to eliminate at least one step in the present process. Yet, when you say that there are two hearings, it makes it appear as if it is extending the planning process and I would like clarification.

MR. LENNOX: Well, as I started out, Mr. Chairman, if I may reply, I stated that the proposed amendments remove the necessity of referring zoning and subdivision by-laws to the Minister for approval and that unquestionably will save, I would say, a month. But, it was the Council's position that the second hearing would more than take up that month and go beyond it because of the nature of a public hearing which, as you will recall, Mr. Chairman, to the honourable member, some of these meetings can go on for quite some time. Plus the fact that if it's statutory you have to give the proper notice and it could be that the meetings do not come at the right time — if you miss a couple of weeks — so it was the position that the second public hearing would do more than eat up the month you would save and could cause further time delay.

MR. CHERNIACK: Doesn't the present Act require that EPC review and recommend?

MR. LENNOX: Yes, Mr. Chairman, but there is no hearing at EPC.

MR. CHERNIACK: So that at the present, there is a hearing, then it goes through the Community Committee; it goes through the Committee on Environment does it, and the EPC?

MR. LENNOX: Yes.

MR. CHERNIACK: And the Minister, who may refer to the Municipal Board?

MR. LENNOX: Correct.

MR. CHERNIACK: And now the Minister has been eliminated, which means the Municipal Board has been eliminated. Is that correct?

MR. LENNOX: That is correct.

MR. CHERNIACK: And the EPC is in effect eliminated.

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MR. LENNOX: No, I don't. . .

MR. CHERNIACK: Well you have a designated committee, which now means that you designate the one committee rather than two separate committees.

MR. LENNOX: I see what you mean. There will be a designated committee.

MR. CHERNIACK: Yes, but that designated committee could be EPC I suppose.

MR. LENNOX: I don't, well . . .

MR. CHERNIACK: Well, in any event it would be one that could eliminate it. But it seems to me that if you remove the Minister and therefore the Municipal Board, what opportunity is there for rehearing, assuming that it's advisable to have an appeal process with a new hearing. And again I believe that that only takes place when there has been opposition. Am I right that it only takes place when there has been opposition? There's no second hearing if there's not been opposition of the first hearing.

MR. LENNOX: No, the second hearing is only when the Minister refers, and he only refers when there is opposition to the Municipal Board, so there's a hearing. . .

MR. CHERNIACK: No, I'm sorry, Mr. Lennox. I mean under the amendment.

MR. LENNOX: No, no there's a hearing regardless of whether there is opposition.

MR. CHERNIACK: There is a second hearing?

MR. LENNOX: Yes.

MR. CHERNIACK: Oh, —(Interjection)— I'm told "No," Mr. Lennox. What is the Section No.

MR. MILLER: to help to clarify it Mr. Chairman, if I may, just page 30, Section 615, subsection 1 (1) It will conduct a meeting to receive representation from those persons who have made their representation at the Community Committee meeting. So that 40 percent where there is no issue, all, just sail through the Community Committee then people simply appear on the business of the designated committee and that's the end of it. There is no one invited to attend — because those who attended at the Community Committee they're not going to be notified.

MR. LENNOX: With respect, Mr. Chairman, there can be representations for as well as against. And I would read that to say anybody who appeared has the right to appear again. I personally have no doubt about that.

MR. CHERNIACK: Yes, well it says that. But surely if there is no objection, no divergent point of view at the first meeting there can't be one at the second meeting, and that therefore is not an extensive deal. As a matter of fact, I would be surprised, as I think you would if there is any need for the same people to make the same pitch other than to be there available to answer questions of the second committee.

MR. LENNOX: Well, with respect, Mr. Chairman, I think an applicant would keep all his options open and would appear at the second hearing. And I also think that it would be incumbent on the City to have its administration there too.

MR. CHERNIACK: Yes, somebody available.

MR. LENNOX: So that, in effect, there is a second hearing. Each case would be different, but would still have to be held, in my opinion, under the act as it's now written and it could very well be a repetition, a complete instant replay if you will of the first hearing.

MR. CHERNIACK: Would it ease things if this read, "if there have been objections at the previous meeting."

MR. LENNOX: Yes, that would be certainly. . .

MR. CHERNIACK: It's just that it would have to be a recorded objection, wouldn't it? Yes, well that's right.

MR. LENNOX: A written objection has been taken by the City to be an objection. Sometimes people write in.

MR. CHERNIACK: All right. This is not my task to do the drafting so I move to the second one then Mr. Chairman. The presence requirement, I believe, is to the Municipal Board.

MR. LENNOX: I'm sorry, I don't know which . . .

MR. CHERNIACK: No. 2.

MR. LENNOX: Yes, the sole power. . .

MR. CHERNIACK: The power of the Minister over the development plan. Now, as I understand it any plan to be proposed, varied, amended, now goes to the Municipal Board.

MR. LENNOX: That's correct, yes.

MR. CHERNIACK: Is there a suggestion that that be removed as well as the reference to the Minister now?

MR. LENNOX: No, I think, Mr. Chairman, the thrust of the City's position there is related to Section . . .

MR. CHERNIACK: You mean the authority to direct the plan.

MR. LENNOX: That is correct. Yes.

MR. CHERNIACK: Has the City after six years done the overall planning?

MR. LENNOX: Have they amended the existing Greater Winnipeg Development Plan?

MR. CHERNIACK: Yes, well I think they have.

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MR. LENNOX: No, that's being worked on. They inherited one as you know from the Metropolitan Corporation.

MR. CHERNIACK: Have they made any changes in that?

MR. LENNOX: No, but it's being actively worked on.

MR. CHERNIACK: It is. And have they developed the Community Plans — I think they were called District Plans. How many are there?

MR. LENNOX: No, I don't believe there are any ' Mr. Chairman. —(Interjection)— There's one.

MR. CHERNIACK: There is, I believe for a very small — well, Mr. Vopnfjord, if that's his name said at there were two very small areas. So that in six years there hasn't been much activity in that field as far as the City getting the plans on paper yet. Is that a fair statement?

MR. LENNOX: There's been a lot of activity, but it has not yet . . .

MR. CHERNIACK: No fruition. No fruition. Now you, I believe, are therefore asking that the minister not be involved in the plan, nor the Municipal Board.

MR. LENNOX: No, Mr. Chairman, I think that the position of the City is related to that power to elect, and Council are saying to leave the situation as it is.

MR. CHERNIACK: So the as-is situation is preferable. I'll move to No. 3. Having been in the municipal law field for many years, are you able to tell us what municipal jurisdictions in Canada have authority over provincial government projects?

MR. LENNOX: No, I can't answer that, Mr. Chairman. You mean that any municipal corporation, at the province is not bound by its . . .

MR. CHERNIACK: Well, I'll elaborate, Mr. Lennox. When we brought in the Act originally, I was formed that we were the first and the only province that agreed to abide by municipal zoning and zoning by-laws. And if that is correct, then I'd like to know if any others have joined in this concept whether Winnipeg is still unique?

MR. LENNOX: I have no knowledge of that, personal knowledge.

MR. CHERNIACK: Number 4. The city has been under the Municipal Board, and I think with some variation at times, and I do recall as you might that Metro Board when I was on it which is a long time ago, said that we didn't want the Municipal Board, an appointed body, to review our plans but that we would much prefer to have a politically accountable person such as the Minister of Municipal Affairs. I'm quoting now from what Metro said way back in 1960-61, that we would much prefer that the review be made by the Provincial Minister who is accountable. Would you say that the city in voting for item 4 could not accept the Municipal Board either, or could they give a preference after being told it had to choose either the Municipal Board or the Minister?

MR. LENNOX: That's a matter of policy. I think the wording of the resolution is that they would have complete authority over its capital budget. I can only interpret that to mean the city would have either. But if they had a choice whatever that choice would be, that's a policy matter.

MR. CHERNIACK: I understand that. Do you have any idea about the credit standing of a municipality if it does or does not have another body approving of its capital budget?

MR. LENNOX: My own personal opinion is — and again here I don't want to get involved in policy. I can give a personal opinion because I've been involved in the recent borrowings of the city in New York and London in the last two or three years, and my own personal opinion is that *imprimatur* of the Municipal Board was of advantage of to the city, and was respected by the investors. —(Interjection)

MR. CHERNIACK: I think that that's a generally recognized fact, Mr. Lennox. I'm sorry I had to get up to put it on the record but it should be on the record. Finally, under Item 6, is there any explanation as to why this change should take place?

MR. LENNOX: Well, it was discussed and it was because of the location and the character of that particular portion of the Fort Rouge community that Council was of the view that the change should be made as indicated.

MR. CHERNIACK: You mean what they call the socio-economic cultural nature of it? Or could it be that it is because, and I'm not sure that it is, because it would conform with the city's present physical works plan?

MR. LENNOX: No. My impression, Mr. Chairman, was because of its location and the character of that particular area.

MR. CHERNIACK: Okay. Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Mr. Chairman, through you, and recognizing the constraints under which Mr. Lennox is here, you're suggesting in the very first point you make, posing the proposal for a second public hearing for subdivisions and rezonings, and suggesting that it will take more time. I'm suggesting to you and I'm wondering if this isn't a fact, that at the Community Committee there may be both proponents and opponents appearing. On the other hand, there may just be opponents or just proponents. In any case, it then goes to the EPC. . .

MR. CHAIRMAN: I wonder if the honourable members would not keep talking back there because it's very difficult for the Chair to hear, it's very difficult for the recording, it's very difficult and it's very discourteous.

MR. MILLER: When the matter then goes to EPC after the community committee. . .

MR. LENNOX: Excuse me, Mr. Chairman, it goes to Environment Committee.

MR. MILLER: I'm sorry. After the community committee, it goes to the Environment Committee. You've indicated that it would have to be staffed, and administration would have to be there. Is administration at the Environment Committee now, when the matter comes to them from Community Committee? Because in the final analysis the Environment Committee may disagree with what has occurred at the Community Committee level, and surely they should have staff input in order to come to a decision.

MR. LENNOX: Mr. Chairman, there are staff present, but not to the extent that there would be there was a public hearing.

MR. MILLER: Yes. Well, let's come to the public hearing. What the amendment says is that if it is non-contested, non-opposed application, only those who made representation would be able to appear. In other words, someone couldn't come out of the woodwork who hadn't before made their opposition known. It's possible that those who are in favour of something or are trying to get approval of something would indeed attend but the opponents would not attend. Do you not feel since the Municipal Board is out of it, the Minister is out of it, that whether proponent or opponent the recommendation is contrary to their views, that they should have one other avenue to make known their views in favour or in opposition, providing they made known their views at the community committee level. Otherwise there would be one hearing, period. The designated committee would hear it without benefit of pros and cons, and there could be no referral to the Minister because the Minister is out of it, no referral to the Municipal Board because again the Municipal Board has been removed. I'm not quite sure why you say it would take more time or would make it more difficult although recognizing that this gives people an opportunity which they now have by referral to the Minister. Now, if that is taken away, they at least have one more opportunity to make known their views. Do you not think that is important from the point of view of the citizen?

MR. LENNOX: Well if the first hearing has been, and as I suggested it would be a full and complete hearing, at which every person is allowed to be heard, every possible explanation is given and the whole record will be before the designated committee, the whole record of the first hearing, it seems really that there would just be a repeat of what went on before and I don't quite see what would be gained by that. I don't see how anybody could say that they hadn't had a hearing when they indeed have had one.

MR. MILLER: You mentioned that if 40 percent are unopposed it simply goes through.

MR. LENNOX: Approximately yes.

MR. MILLER: Okay. Those 40 percent go through without any opposition, then when the designated committee that now is going to be charged with that is seized of the matter, there can't be anybody there who is opposing it, because they didn't oppose it at the community committee. Therefore, it simply comes to them as it does now to EPC. They just listen and say okay it was passed, no problem, and they pass it.

MR. LENNOX: My point is that it's a statutory hearing and you cannot just slough it off, it's got to be held. I also suggest that the proponents will appear keeping every option open, and so you go through a statutory hearing again. It cannot be just ignored because then you are liable to . . . your whole proceeding.

MR. MILLER: I see. So you are concerned about the statutory requirement.

MR. LENNOX: That's correct.

MR. MILLER: So it's a legal thing. All right.

Now, the other question, posing the sole power with regard to the Greater Winnipeg Development Plan and the Community Plan, you are aware of course that these are what are known as macro plans. The Development Plan is sort of the statement of principles, very broad plans with regard to the overall city, and the Community Plans as well are very major, they are not detailed, they need not be detailed certainly, and it is only in those plans that there is a suggestion that the Minister, if the city does not move, that the Minister then would have the power to use the city's resources to have such plans drawn up. Do you not agree that macro plans of this nature, very general, are necessary in the growth of a modern metropolitan city?

MR. LENNOX: Yes. There is no question about that. But because they are general in nature they are the instrument for the planning of the city and must be followed. Of course they include financial commitment as parts of them are implemented as you go along.

MR. MILLER: Do you agree that if in fact the city does proceed to develop such plans, then of course the Minister would have no role to play at all. The way it's worded it's only when the city fails after a considerable length of time, only then would the Minister come into the picture. But in fact, if

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ent ahead the Minister would have no role to play whatsoever except final referral to him for ratification.

MR. LENNOX: That is correct. Yes.

MR. MILLER: With regard to the third one, the Opposition exempting the Provincial Government and its agencies. Do you not recognize — I'm wondering whether you agree that where the legislature of a province passes legislation and funds to launch various programs which are provincial responsibility, that the legislature in doing so expects that the government of the day will in fact carry out those programs. Can you not see the possibility where programs might be frustrated if in fact the province is bound by city ordinances whether they be by-laws or zoning or what have you.

MR. LENNOX: I don't think that anything should be frustrated because that's what happens to every corporation and person in the city. All persons are under the city by-laws, zoning and planning regulations and usually it's worked out one way or another. I don't think that by saying this that anybody is suggesting that the province would be frustrated. It certainly wouldn't be my view anyway. Well, it would have to be a co-operative venture by the city and the province to work out satisfactory solutions to any problems that may arise because of the existence of the city zoning or planning regulations.

MR. MILLER: So you're saying that the legislature which is elected and not just a private person, but it is elected, would have to be in a position where it has to yield to the city's view even though the legislature of a province proceeded to pass certain programs requiring certain programs to be launched and it might be faced with a recalcitrant city who may not be anxious or willing. In other words, you prefer that the veto be on the other side.

MR. LENNOX: No. Don't put me in that position, Mr. Chairman. I'm not saying that at all. I'm saying the legislature has also passed the City of Winnipeg Act which gave exclusive jurisdiction over planning and zoning to the City of Winnipeg. All I'm saying and Council I think is saying that they would like that to apply to the province. It's not a question of veto. It would depend on who could say what the application is. What are the facts of the matter and how are they applied to a given situation? I don't think by saying this, that the city ever intended that they are trying to veto anything or whatever other word you used there. I think it's just a question that every person and corporation in the city is under the planning and zoning. That's what the legislature intended, what they said, and the city is saying that the province should be in the same position. It's not a question of frustrating anything or vetoing anything anymore than any other.

MR. MILLER: Are you aware that if the province moves to do this that it would have to hold hearings in order to achieve this. To make this come about the province would have to appoint someone, hold hearings in order that the community and the citizens would have their. . .

MR. LENNOX: I'm well aware of that. Under the bill, yes.

MR. MILLER: You are aware of that. So then in fact, the citizens would be aware of what's going on and report back.

MR. LENNOX: Except with respect to the one point I brought out, that the way I read it and interpret it, is that that's only referring to zoning and planning matters. Subsection 2 of that section gives the power to the Lieutenant-Governor without a hearing to exempt any person or corporation from any by-law or resolution of the City of Winnipeg. I don't know whether that was the intent, but in my interpretation that is what it says.

MR. MILLER: It would be requiring hearings where hearings would otherwise be required. In other words, the city would have to hold hearings too — the province would have to hold hearings.

MR. LENNOX: Mr. Chairman, to the Honourable Minister. The only time the hearing is required is on planning or zoning matters.

MR. MILLER: One last thought, Mr. Chairman. If there was a modification there and we included in here the idea that it would be for the purposes of carrying out or participating in a program or projects deemed by the Lieutenant-Governor-in-Council to be a provincial government program or project, would that help to clarify the nature of the programs and therefore the times when the province would use this kind of authority? I've heard it said that the word "person" is so broad that the province for whatever reason could decide to let a private firm build a glue factory somewhere. If in fact that was amended or clarified so that it had to be of a nature where a program or project was a provincial government program or project, that was the only condition, the only times that this would apply, would that help to modify or clarify it?

MR. LENNOX: It certainly would modify and clarify it, no question about that. But I again come back to my point. Perhaps that's the way it's worded now, and just for the information of committee as interpret it, the Lieutenant-Governor without a hearing can exempt any person, firm or corporation from any by-law, resolution, order, decision or procedure of the city.

MR. MILLER: That's the reason I'm suggesting a clarification along the lines I did. Recognizing that the hearings would have to be held only in those matters where the city has to hold hearings. If the city doesn't have to hold hearings, the province wouldn't hold hearings.

MR. CHAIRMAN: Mr. Doern.

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MR. DOERN: Mr. Chairman, I wanted to ask some questions of Mr. Lennox in his capacity Acting Mayor. These items, six in total, were these carried in a single vote or were there individual votes on each?

MR. LENNOX: There were individual votes, a division on each one, Mr. Chairman.

MR. DOERN: Were there any individual items that failed or are these the only six?

MR. LENNOX: Oh no. This is the resolution as was adopted by Council which is before you

MR. DOERN: Were there any amendments to it?

MR. LENNOX: No. The amendment referred to the clause that was on the Order Paper and there were no amendments to these.

MR. DOERN: No amendments. There were no deletions and no amendments. There was earlier EPC a resolution that failed that was supposed to be referred to Council concerning "a reduction of the powers of the Mayor." There was no such discussion of that or no proposal.

MR. LENNOX: No, I can't comment on that.

MR. DOERN: Secondly, in regard to Item 3, the exemption of the Provincial Government or agencies from City plans or zoning by-laws. Was there any discussion or has there ever been a discussion that you're aware of where Council has taken a position that the Federal Government should not be exempted from City plans or zoning by-laws.

MR. LENNOX: The point has come up from time to time but Federal Government, when they're involved in the City of Winnipeg, it is usually some large building or something like that and they usually beforehand have had considerable consultation with the City officials and in effect have availed themselves of the services of the City before they proceed with their construction. In other words, it's a co-operative thing there.

MR. DOERN: But I'm saying to the best of your knowledge has the city ever passed a resolution saying that the Federal Government should be subject to City plans or zoning by-laws.

MR. LENNOX: No, they haven't.

MR. DOERN: Similarly, are you aware of any municipal conferences where there has been a position taken in regard to provincial governments being subject to city plans or zoning by-laws? Are you aware of any national conferences where, say resolutions have been carried to that effect, that provincial governments should be subject to municipal by-laws and zoning?

MR. LENNOX: No, I'm not, Mr. Chairman.

MR. DOERN: Finally, in regard to Resolution 5, could you tell along what lines the debate was general. Was it in regard to the size of Council that size of Council should be just reduced, *per se*? Was it that because of the method of directly electing the Mayor that it would be advisable to reduce the size of Council? Can you give us the thrust of the debate?

MR. LENNOX: It's a very difficult question for me to get involved in . . .

MR. CHAIRMAN: Order please. I don't think that Mr. Lennox is here to interpret the feelings of the Council. The Council has made a decision. I think that's an unfair question.

MR. DOERN: Mr. Chairman, when the debates ensue in elected bodies sometimes it's possible to ascertain what they were. If Mr. Lennox doesn't care to answer, I think that's up to him. I am simply saying what was the thrust of the debate in regard to the size of Council. Was there just a motion passed or not?

A MEMBER: Don't answer that.

MR. F. JOHNSTON: There have been several councillors come before this Committee, elected members, where Mr. Doern, the Minister, would have had the opportunity to ask that, and I believe there are still some on the list, Mr. Chairman.

MR. DOERN: Well, he is representing the City.

MR. F. JOHNSTON: He has presented what the City has said.

MR. CHAIRMAN: Mr. Axworthy.

MR. AXWORTHY: Mr. Chairman, I think most of my questions have been answered and for the sake of time I would desist.

MR. CHAIRMAN: Mr. Johnston.

MR. F. JOHNSTON: I just have one brief question on Item 1, Mr. Chairman. If you have a hearing and it goes downtown again for another hearing, it isn't necessarily the same councillors that are going to hear it the second time. It's a designated committee.

MR. LENNOX: That's correct.

MR. F. JOHNSTON: I just wanted to get that clear because I would assume that even if there was no opposition to what I wanted to do I'd go down there and keep fighting if it was a different group of councillors. Thank you.

MR. CHAIRMAN: Thank you Mr. Lennox.

MR. LENNOX: Thank you, Mr. Chairman, for the opportunity.

MR. CHAIRMAN: Committee rise. It's 5:30.