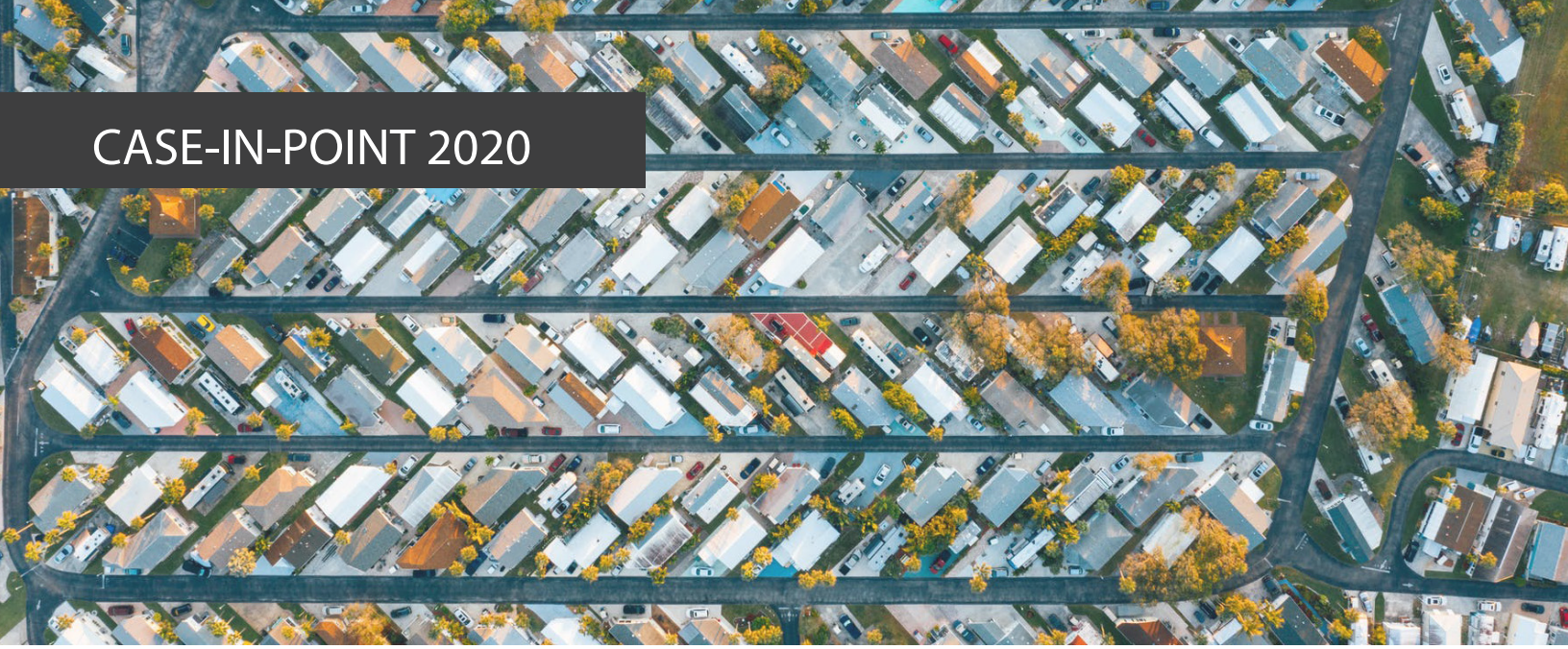

CASE-IN-POINT 2020

DEVELOPMENT PLANS IN MANITOBA

What are they and how are they created?

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ABSTRACT

This Case-in-Point examines the role and creation of development plans in Manitoba. A central feature of the land use planning process in Manitoba, the Province requires all municipalities and planning districts to adopt a development plan that articulates the vision, goals, and policies of that jurisdiction. Any secondary plans and bylaws must align with the development plan, and while the Province ultimately approves the development plan, individual jurisdictions generally hire a private-sector planner to draft these plans. The process undertaken by these planners involves multiple studies, literature reviews, engagements with key stakeholders, and multiple consultations with Provincial representatives. This process, and the hallmarks of a successful method, are detailed here.

1.0 INTRODUCTION

This paper is intended as a backgrounder on the creation and use of development plans in Manitoba. Through conversations with a private sector planner, a representative from the Province of Manitoba, and information from the Planning Act and Planning Act Handbook, it examines the role of the private sector planner in drafting development plans for use by municipalities and planning districts. It examines the best practices that private sector planners can engage in when creating these critical planning documents in Manitoba.

> ""The development plan is the basic tool for land use planning" (Planning Act Handbook, n.d. 11).

Through the Planning Act, the Province of Manitoba enables and regulates many aspects of land use planning under its jurisdiction. The Act places multiple requirements on all municipalities and planning districts with the purpose of ensuring that key provincial interests are met, and land is developed in an orderly, sustainable manner. One of the requirements is that all municipalities and planning districts draft a development plan, which must then be approved by the Province. This acts as one of the building blocks for planning decisions in Manitoba. Development plans are therefore a crucial component of Manitoba's land use planning framework. Development plans lay out the policies for future development in a municipality or planning district. They:

- Ensure compatibility of neighbouring land uses;
- Promote effective management of natural resources;
- Promote preservation of natural and heritage resources;
- Determine the appropriate mix of development;
- Determine cost-effective and timely delivery of infrastructure services
- Ensure the protection of surface and ground water;
- Promote sustainable economic and community growth.

(Province of Manitoba, n.d., 11).

The Province sets out several requirements that al development plans must take into account. Development plans are required to be consistent with the Provincial Land Use Policies and to include a Livestock Operation Policy. Furthermore, they are required to:

- set out the plans and policies of the planning district or municipality respecting its purposes and its physical, social, environmental and economic objectives;
- through maps and statements of objectives, direct sustainable land use and development in the planning district or municipality;
- set out measures for implementing the plan; and
- include such other matters as the minister or the board or council considers advisable (Province of Manitoba, n.d., 11).

Beyond these requirements, the municipality or planning district can determine their priorities and policies within their development plan. Importantly, any subsequent secondary plans and zoning by-laws can be created by the municipality or planning district, but they must align with the development plan. As the Province approves development plans, whether they are new or simple revisions, this system ensures that the Province's interests are reflected throughout the municipal land use planning framework of a given jurisdiction.

FIGURE 1 | Framework of Planning in Manitoba

With few exceptions, most development plans in Manitoba are created by a Registered Professional Planner (RPP) working in the private sector. Generally, the Province of Manitoba provides some funds to municipalities and planning districts to hire a RPP to undertake the process. The RPP must manage a complex set of relationships. In drafting the development plan, the planner is working for a given municipality or planning district to create a document that satisfies their priorities as the client. Throughout this process, the planner must also engage with stakeholders in the community, including school divisions, the local health authority, local conservation districts, representatives from different sectors of the local economy, the council of the municipality or municipalities, and the broader public. This ensures that the final document is drafted with the input of local experts, while also building support for the final document and its policies. In addition, the planner is also required to ensure that the development plan conforms to any provincial requirements, including the Provincial Land Use Policies in effect in the region. The series of relationships and issues that the RPP must work with through the process creates a challenging set of circumstances, making careful management of the process important. To promote success, planners can engage in thorough background research, along with early and frequent engagement with all key stakeholders with an interest in the development plan.

2.0 / THE PROCESS

First Steps – The Background Report and Analysis

Once a planner has been hired by a municipality or planning district, the next stage involves forming a planning background report and analysis. This requires multiple forms of contextual research on the jurisdiction. A literature review of all the existing documents pertaining to the area is generally the first step. At a minimum, this review will examine the existing plan, current zoning by-laws, the watershed management plan, and any previous background studies. This provides a regulatory snapshot of the jurisdiction. Additionally, a community profile is developed, relying on Statistics Canada, vital statistics, regional economic profiles, and population projections. Simultaneously, key local stakeholders such as the local conservation districts, school boards, and health authority are contacted to begin engagement with them. Following this, the planner works with their client to review local permit and variance data, generating insights into the development activity in the locale. Finally, an engineering analysis is conducted to determine the existing condition and capacity of current services, whether there are any gaps, and how the impact of proposed new development could effect the area.

Next Steps – Engagement and Draft Plan

Following completion of the background report, the planner consults with the Province, member municipalities if it's a planning district, and the general public. Multiple working sessions are usually held with the Province and municipalities, enabling any core concerns to be addressed and ideally creating a constructive relationship between partners. Usually, the Department of Municipal Relations is consulted as the main point of contact with the Province, who then circulates the initiative to any other departments with a stake in the plan development. These additional departments may include the Department of Conservation and Climate, Agriculture and Resource Development, Indigenous and Northern Relations, and Manitoba Infrastructure. During this phase, the background findings are provided to the stakeholders, who have an opportunity to see what they mean for development going forward. Furthermore, this enables stakeholders to begin considering any issues identified in the background study and working towards possible policy responses. Additionally, surveys on key topics are circulated for reflection and comment among community members. This is crucial to developing the vision – or goals – for the community's development plan. The feedback is then analyzed for major priorities, key concerns, and opportunities in the area.

> "My typical routine is to involve the Province up front, via Municipal Relations, to flag for me any issues they are aware of."
>
> — Kristy LeBaron, RPP

With background research and a first round of engagement complete, the planner begins preparing the draft plan. The Province provides an RFP template, based on requirements contained in the Provincial Planning Regulation, which ensures consistent content across all development plans. The draft is then circulated to both the client and the Province for their comments. With Municipal Relations as the main point of contact with the Province, representatives from that department will generally circulate the document to working groups with other departments. This provides revisions for a second draft of the plan, which is then presented at at least one open house where members of the public can provide their inputs. Sometimes, multiple open houses are held with various stakeholders to ensure robust consultations with different interest groups.

Last Steps – Finalizing the Draft Plan

Following the engagement with stakeholders and circulation of the document to Provincial departments, the development plan is edited to incorporate the added information. The board of the planning district or council for the municipality then initiates the adoption process, where the planning consultant is presents the latest iteration of the plan at a hearing. Representatives from the Province attend this hearing to ensure Provincial interests are met, and if they will highlight any unmet concerns there. At this point, the board or council can choose to either adopt the plan, or incorporate any final changes to the document. Often, the entire process can take between two and three years from start to finish.

Last Steps – Finalizing the Draft Plan

Through the Planning Act, the Province can refer any concerns or objections to the Municipal Board for review. At the end of the adoption process, if the Province still had concerns, this is the likely path to incorporate their concerns into the development plan. As a quasi-judicial body, the Municipal board can review and make recommendations for the Development Plan. *Bill 37 – before the Legislature in spring 2021 – is currently revising this process.

3.0 / THE PROCESS

Key Considerations for Good Plan Development

Early, frequent, and robust communication with the planners' client, community, and Province are key factors in successful development plan creation. When working with the client and community, the planner needs to understand their main priorities and needs. Moreover, they need to be able to speak to those priorities, and draft policies that can address the needs of the community that they are working with. Critically, a community and its representatives should believe in the development plan, and easily see the benefit to its implementation. This can be achieved through close collaboration with the client at all steps of the process. The planning consultant can reach out to their client throughout the process, asking for direction on specific issues or seeking review for policies and draft language in the plan.

While the planner is working for the municipality or planning district, they must also consider the interests of the Province. Not only does the Province need to approve the final plan, but staff of various provincial departments are tasked with upholding the Provincial interest and can offer expertise on a variety of subject matters that development plans may impact. Therefore, Provincial representatives should be engaged as stakeholders in the planning process as early as possible. One method for achieving this is through the creation of a steering committee that includes all of the key Provincial departments.

One method for achieving this is through the creation of a steering committee that includes all of the key Provincial departments. As an informal working group, such a committee can provide comment on policies in the plan before formal review or adoption is considered. This ensures that informal feedback is provided early so that any potential issues that emerge can be resolved during the process rather than at the end.

Key Indicators of an Effective Development Plan

As development plans are long-range planning documents, they cannot account for every eventuality. That said, they are designed to be documents that articulate the needs and priorities of a community, and propose policies to address those priorities. Therefore, a key indicator of a successful development plan and its process is the frequency of amendments required of the plan in its early years. Frequent amendments generally signal that the community was never fully committed to the plan, or that the did not accurately represent the community's needs and values. This is particularly important because development plans – and their amendments – must be accepted by the Province, which can be a time consuming process for a community making frequent amendments.

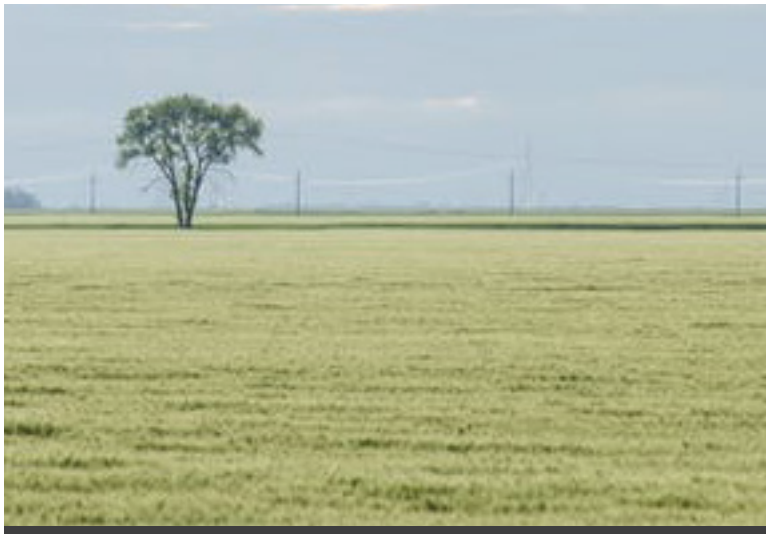

FIGURE 2 | Green Grass Field

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Image Resources

Cover image: Anonymous Subdivision. Retrieved from https://www.pexels.com/photo/rows-of-colorful-roofs-of-houses-in-modern-village-3845512/.

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