

# Legislative Reform Initiative: Building the Case

Association of Vancouver Island and Coastal  
Communities Annual Conference

April 14, 2023

9:30 – 11:30

Shaw Auditorium

# Agenda

- 9:30-9:40 Welcome and Introductions
- 9:40-10:00 Legislative Reform Initiative:
- Context and Background
  - Challenges with Local Government Act
  - Actions Taken on This Initiative
  - Themes From Previous Sessions
  - 20 Years of Resolutions: A Quick Review
- 10:00-11:00 Roundtable Discussion: Bring Your Ideas
- 11:00-11:25 Roundtable Discussion: Next Steps
- Option 1: Blue Ribbon Panel
  - Option 2: UBCM Working Group
  - Option 3: Other Ideas
- 11:25-11:30 Conclusion/Wrap Up

# Welcome and Introductions

**Vanessa Craig**, Chair, Regional District of Nanaimo

**John Jack**, Chair, Alberni-Clayoquot Regional District; Member of Council, Huu-ay-aht First Nation

**Tyler Brown**, Vice Chair, Regional District of Nanaimo

**Don Lidstone**, K.C., Managing Partner, Lidstone & Company

# Legislative Reform Initiative: Context and Background

- Community Charter replaced Municipal Act 2003
  - excellent piece of municipal legislation in Canada
- Local Government Act (LGA) created in 1966.
  - Not overhauled in early 2000s as planned
- Comprehensive modernization of LGA has not been done
  - accountabilities of RDs continuing to increase
  - RDs lack tools and authority to meet expanded responsibilities
  - Many aspects of municipal operations that need updating are in the LGA (planning)

# Challenges with Local Government Act

- Limits on legislative authority of regional districts no longer supported by policy rationales
- Demographics/population growth/increased development/sparsely populated areas
- Business licensing, subdivisions, fireworks, parking, tree management
- Is such a distinction between authority of regional districts and municipalities still supportable?
- Revenue generation, models of taxation, funding for services – lack of flexibility in current paradigm

## Challenges with the LGA (continued)

- Establishing services to optimize scale, cost distribution, fair participation
- Urban/rural friction
- Social, political, economic values have shifted significantly since legislation was drafted.

# Actions Taken on this Initiative

- **April 2021** – RDN presented this topic to Chair/CAO Forum for preliminary discussion
- **June 2021** – RDN, Don Lidstone hosted half day session with BC Chairs and CAOs to explore a collaborative effort to modernize the LGA.
- **April 2022** - AVICC convention – RDN, ACRD, Don Lidstone hosted 2-hour workshop with local governments to hear about areas needing reform, and to build support for interjurisdictional collaboration
- **September 2022** - RDN submitted resolution, endorsed by UBCM, proposing that UBCM work with Ministry and local gov't on this initiative
- **September 2022** – RDN and ACRD met with the former Minister of Municipal Affairs Nathan Cullen to discuss moving project forward.
- **March 2023** - Provincial response to RDN 2022 UBCM resolution on legislative reform received:
  - “The current framework mostly works well”
  - RDs can be innovative, creative in targeting issues
  - RDs should work with Ministry for tailored regulations
  - New tools/authorities must be based on a clear analysis
  - Consensus is needed for system-wide change
  - January 2022 “MOU on Local Government Financial Resiliency” (UBCM/Province) establishes a working group to review challenges
- **March 2023** – RDN presented on this initiative to CAO Forum and Chairs/CAOs Forum to gather ideas and specific examples
- **April 2023** - AVICC Convention (Nanaimo), RDN, ACRD and Don Lidstone hosting another panel session, building on ideas from last year’s AVICC workshop and seeking guidance on how to move this project forward.

# Themes from Previous Sessions and Discussions

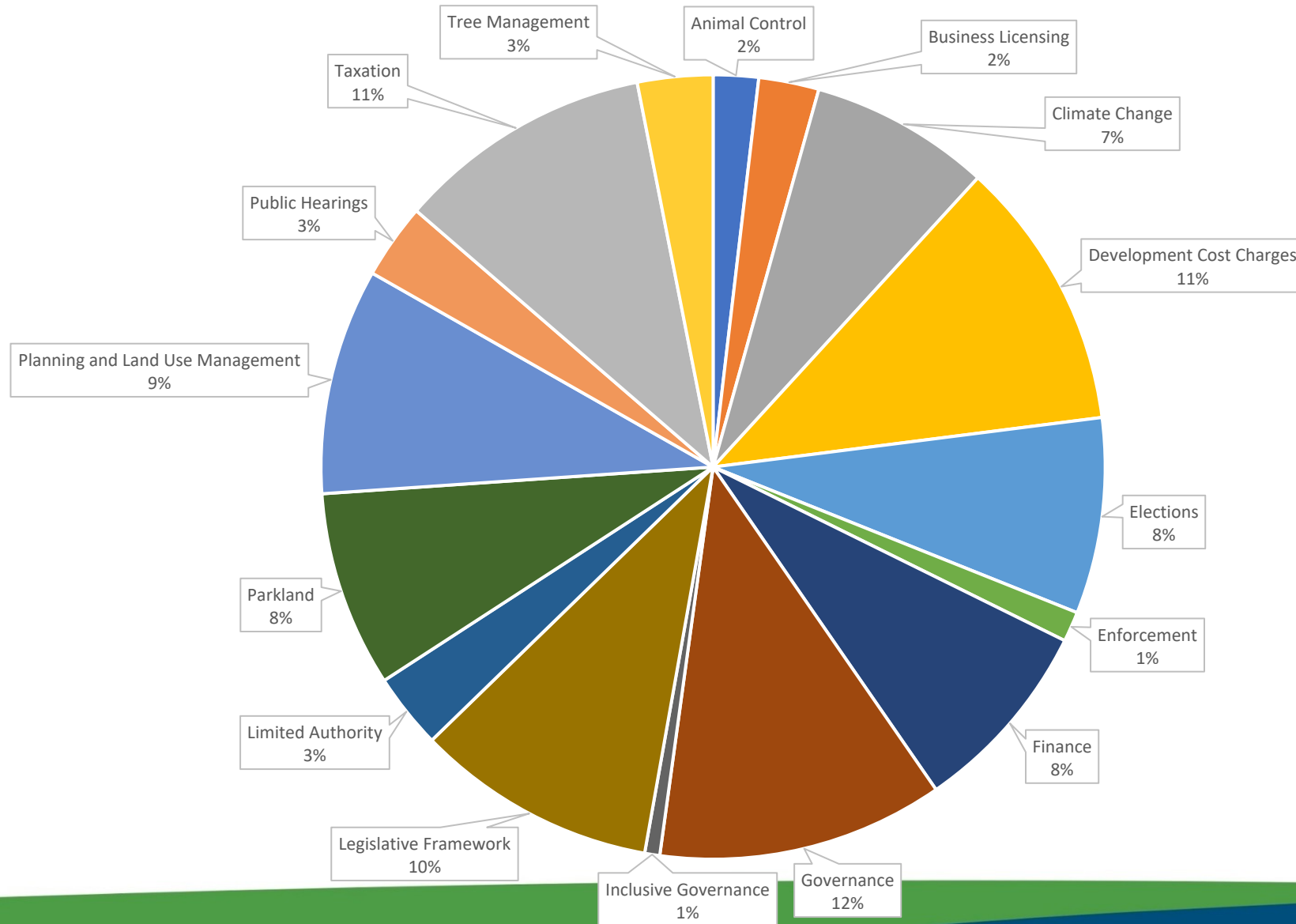
- First Nations must be invited to be part of modernizing exercise
- UBCM involvement in this initiative is of great value
- A new legislative scheme should contemplate seven generations into the future; establish a framework responsive to future societal changes
- “Be careful what you wish for”: More authority requires more resources
- Ensure core task of modernizing legislation is not sidetracked by other issues
- RDs need more flexibility with revenue sources.
- Municipalities have authority to use fees to shape behaviour.
- Community amenity contributions should be addressed as part of this initiative
- Consultation with Boards, First Nations, stakeholders, developers, owners, citizens, Province is key
- MFA could be part of a “blue ribbon panel” or a separate technical advisory group



# 20 Years of Resolutions: A Quick Review

- From 2003 to 2022, 161 endorsed resolutions mentioning amending the Local Government Act. 34% were sponsored by regional districts. The rest are from municipalities.
- An additional 71 resolutions requesting an LGA amendment were submitted to UBCM for consideration and were either not endorsed or not admitted for debate.
- Of the 161 endorsed resolutions, 3 have called specifically for modernization of the LGA and one has called for the creation of a Regional District Charter.
- The 5 most common themes are:
  - Governance
  - Development Cost Charges
  - Taxation
  - Legislative framework
  - Planning and land use management

# Resolutions At a Glance



# Objective of Today's Session

- Confirm support for the legislative reform initiative and continue the momentum
- Gather stories and specific examples to build the case
- Determine best process to move forward
  - Concrete, clear, achievable next steps

# Roundtable Discussion: Bring Your Ideas

1. What opportunities have been missed by operating with the dated Local Government Act?
2. What specific challenges do you contend with that could be addressed or alleviated with a refreshed legislative scheme?
3. What needs to be fixed to enable you to be more responsive to today's issues in the work of your local government?
4. What opportunities to 'level the playing field' between municipal and rural jurisdictions have been missed or minimized with the current legislative framework?
5. What are the next steps to keep this project moving forward?

# Roundtable Discussion: Next Steps

- How do we keep this project moving?
- What process would be the most effective?
- What are some specific, achievable next steps?

# A Refresher: Process Proposed at June 2021 Session and April 2022 AVICC Workshop

## **Option 1 - Blue Ribbon Panel** (model proposed in 2021)

- Develop a “blue ribbon panel” of elected officials and administrators to do a wide-ranging consultation with local government and stakeholders and propose solutions. The Panel would report to a “parliament” of elected officials/CAOs. First Nations would be invited to be partners in the process.
- The goal would be to produce a draft Regional District Charter and establish buy-in from the Premier and Minister.
- Legislative counsel would ultimately present a draft bill to the Legislative Assembly.

# Next Steps (continued)

## Option 2: UBCM Working Group

As an alternative to the “Blue Ribbon Panel”, UBCM could manage this initiative and establish a task force or working group to oversee the legislative review process:

- Working group comprised of Regional District Chairs, CAOs and members of UBCM Executive and staff
- Undertake research and policy work on the framework and approach to reviewing and modernizing the LGA
- Report back to UBCM membership in 2024

# Summary of Options

- Option 1: Blue Ribbon Panel
- Option 2: UBCM Working Group
- Option 3 – Other ideas?



# Conclusion and Wrap Up

- RDN staff will follow up with a “What We Heard” document
- Local governments please continue to send in your ideas and examples of areas where legislative reform is needed.

Thank you!