



FONVCA AGENDA

THURSDAY March 18th 2010

Place: DNV Hall 355 W. Queens Rd V7N 2K6

Time: 7:00-9:00pm

Chair: Brian Platts – Edgemont C.A.

Tel: 604-985-5104 email: bplatts@shaw.ca

Regrets:

1. Order/content of Agenda

2. Adoption of Minutes of Jan 21st

<http://www.fonvca.org/agendas/mar2010/minutes-jan2010.pdf>

3. Old Business

3.1 2010-2014 Draft Financial Plan –comments on workshop held with FONVCA by DNV staff on Feb 18th.

4. Correspondence Issues

4.1 Business arising from 9 regular emails:
N.B.:Grand Boulevard/Ridgeway Residents' Assn. Apr 11th

4.2 Non-Posted letters – 0 this period

5. New Business

Council and other District issues.

5.1 Invite to Workshop on Network of Centres

<http://www.fonvca.org/agendas/mar2010/Ross-Taylor-12mar2010.pdf>

Council Chambers - Wed March 31 9am-12pm

2-4 additional FONVCA members requested.

5.2 Reasons/Solutions for poor voter turn-out

http://www.oshawa.ca/agendas/Finance_and_Administratio/2009/06-18/FA-09-120_Increasing_Voter_Turnout.pdf

http://www.cdhalton.ca/pdf/icc/ICC_Ex_Summ_Municipal_Franchise_and_Social_Inclusion_in_Toronto.pdf

<http://www.thestar.com/news/gta/article/649696>

<http://www.montrealgazette.com/news/Montrealers+away+f rom+voting/2165149/story.html>

Humorous reasons why young people don't vote:

<http://media.www.theconcordian.com/voting-right-and-responsibility-1.831265>

Rarely do people NOT vote because they are satisfied with the existing government!

5.3 Sustainability Checklist for Municipalities

<http://www.municipal.gov.sk.ca/publications/Municipal-Sustainability-Checklist>

(b) Municipal Financing/Sustainability

<http://www.fcm.ca/CMFiles/munfin1SIR-3262008-3325.pdf>

<http://www.town.nanton.ab.ca/Government/MSP09202.pdf>

<http://www.metrovancouver.org/region/summits/Pages/default.aspx>

5.4 Local Government Elections Task Force

NEWS RELEASE:

http://www2.news.gov.bc.ca/news_releases_2009-2013/2010CD0004-000104.htm

<http://www.localelectiontaskforce.gov.bc.ca/background.html>

http://www.localelectiontaskforce.gov.bc.ca/library/Backgrounder_on_Local_Government_Elections.pdf

http://www.localelectiontaskforce.gov.bc.ca/library/Local_Election_Cycles_Discussion_Paper.pdf 3 or 4 year term???

<http://www2.canada.com/northshorenews/news/story.html?id=19496329-93f3-4e7c-8d2b-da638dd8d7b2&p=1>

Public meeting on issue being held by CNV 7pm March 22

The Task Force looks forward to receiving written comments as soon as possible, preferably by April 15, 2010.

5.5 Housing Affordability in Metro Vancouver

<http://www.metrovancouver.org/planning/development/housingdiversity/AffordableHousingWorkshopDocs/McClanaghan-MetroVancouverPresentation2008May15.pdf>

<http://www.metrovancouver.org/planning/development/housingdiversity/AffordableHousingWorkshopDocs/McClanaghanAffordability2008Report.pdf>

6. Any Other Business

6.1 Legal Issues

a) **Landslide Court Case (Perrault vs. DNV)Decision**
<http://www.canlii.org/en/bc/bcsc/doc/2010/2010bcsc182/2010bcsc182.html>

b) **Part 25 of Local Government Act – Regional Growth Strategies**

http://www.bclaws.ca/Recon/document/ID/freeside/96323_29

6.2 Any Other Issues (2 min each)

7. Chair & Date of next meeting.

Thursday April 15th 2010

Attachments

-List of Email to FONVCA - **ONLY NEW ENTRIES**

OUTSTANDING COUNCIL ITEMS-Cat Regulation Bylaw; District-wide OCP; Review of Zoning Bylaw; Securing of vehicle load bylaw; Snow removal for single family homes bylaw.

FONVCA Received Correspondence/Subject
18 January 2010 → 14 March 2010

LINK	SUBJECT
http://www.fonvca.org/letters/2010/18jan-to/Corrie_Kost_7feb2010.pdf	DNV 2010-2014 Draft Financial Plan
http://www.fonvca.org/letters/2010/18jan-to/Elizabeth_James_20jan2020.pdf	Taxes
http://www.fonvca.org/letters/2010/18jan-to/Ivan_leonard_19jan2010.pd	Taxes
http://www.fonvca.org/letters/2010/18jan-to/Monica_Craver_18jan2010.pdf	UN International Year of Bio-Diversity – mountain biking
http://www.fonvca.org/letters/2010/18jan-to/Monica_Craver_2mar2010.pdf	Conservation & Mountain Biking
http://www.fonvca.org/letters/2010/18jan-to/Monica_Craver_5mar2010.pdf	Mountain Biking
http://www.fonvca.org/letters/2010/18jan-to/Monica_Craver_7mar2010.pdf	Mountain Biking
http://www.fonvca.org/letters/2010/18jan-to/Rick_Danyluk_7feb2010.pdf	DNV 2010-2014 Draft Financial Plan
http://www.fonvca.org/letters/2010/18jan-to/Wendy_Qureshi_22jan2010.pdf	Pedestrian Safety – Lynn Valley Rd & Mountain HWY
http://www.fonvca.org/agendas/mar2010/Thanks-letter-to-Dave-Stuart.pdf	FONVCA Thanks to Dave Stuart for Feb18th mtg.
http://www.fonvca.org/agendas/mar2010/Joan-Peters-8mar2010.pdf	Grand Boulevard/Ridgeway Residents' Assn. AGM Invite to talk on Metro Vancouver 2040

FONVCA

Minutes January 21st 2010

Attendees

K'nud Hille(Notes)	Norgate Park C.A.
Diana Belhouse(Chair)	Save Our Shores
Cathy Adams	Lions Gate N.A.
Dan Ellis	Lynn Valley C.A.
Eric Andersen	Blueridge C.A.
Corrie Kost	Edgemont C.A.
Val Moller	Lions Gate N.A.

Guest Speaker: David Stuart, CAO of the DNV
The meeting was called to order at 7:10 PM

Regrets: Paul Tubb, Del Kristalovich

1. ORDER / CONTENT OF AGENDA

Meeting called to order at 7:10pm
Added 2minute issues (a-e) as distributed in updated agenda.

2. Adoption of Minutes of Nov. 19th

<http://www.fonvca.org/agendas/jan2010/minutes-nov2009.pdf>
Adopted as circulated.

5.1 Moved and carried to start with: Conversation with DNV CAO David Stuart:

Policing for the North Shore:

- Similar to review that was done in Richmond
- There are 8 ways to go -the 3 Councils have looked at it – some issues were local – some were structural issues
- Province appears to be renewing RCMP contract – municipalities free to not
- Report of Consultant's review is done; no decisions to date but expected by end of 2010 with a 2 year opting-out clause; RCMP contract of 20 years from 2012;
- Need to understand what the new contract will look like
 - 90/10% funding for DNV
 - RCMP to be paid according to top 3 pay scale for all municipalities in Canada
 - \$700K increase proposed in coming year

- policing is about 15% of DNV budget while for Surrey it is more than double that!
- DNV & CNV are expecting cost increases this year from RCMP
- RCMP staff cost increases are typically passed on to DNV;
- Jail standards to be upgraded costing \$700,000;
- Regional Integrated Forces seem cost effective but lacks local governance over these teams.
- RCMP/ Province/ UBCM/ DNV & CNV contract issues: local accountability & governance & priorities; number of support staff; performance measurements; dispute mechanisms; degree of flexibility; training cost; integrated teams cost (\$2m); funding allotments between local government, Provincial and federal; DNV wants to be treated as partner rather than client; ie. there is a need for governance structure in the above.
- Need for partnership – not a pure client – relationship
- Lack of dispute resolution.
- CAOs and police chiefs met and recommended:
 - Establish a North Shore oversight police committee of mayors (3) and councillors (1 each) and CAOs (3);
 - Look at funding/services for First Nations;
 - Look at number of junior officers/trainees
 - Look to consolidate dispatch: E-Com, handing off procedures;
 - Look at Community Policing Centres operations: effectiveness, cost (space \$ 800,000, 2 officers \$120,000), consolidate research, volunteer base;
- Police draw resources in North South direction better than East to West: dog team, Swat, thus pay for on-call basis;
- Questions/concerns from C.A. group: What DNV vs. CNV share? Opting- out realistic (Province downloads contract anyhow)? Oversight/self-investigation in

light of "taser"/alcohol incidences? Local accountability best!

- Negotiations to wrap-up mid 2010→3 munis to choose option
- Expect ratification of contract by end 2010 (note that contract has 2yr opting-out provision)
- \$100 question: wv force +(dnh+cnv) force or single unified force?
- Local Board may or may not have same mind as councils
- Gnarly Board may be worse than option of RCMP with good leadership.
- Does North Shore need more than 1 jail?
- Contracting of "dog-team" from West Vancouver an option to explore.
- Service from Vancouver is cost-effective for "special cases"

Financial/Budget items:

- Lots of variables: economy, waterfront industry tax base capped, Metro is tax exempt, CN too, no population growth (0.5%), Metro costs, etc.
- DNV review of service levels, legal obligations, user fees, District departments performance reviews and how to measure it;
- 5 year plan to look at "*must or should or would do*" to find efficiencies; also source all grants are available from FCM, Federal and Provincial;
- From Budget viewpoint:
 - Service inventory has been done
 - How to measure "performance"
 - "Public good" lenses
 - not many services provided are mandatory
 - Tabled on Feb 8th – expect it to be favourable
 - Public Surveys, Town Hall Meetings set for next year (Apr-Oct)
- Anonymous staff survey conducted for ideas; great response; looking for efficiencies;
- Ask for "Community Contributions" from industries, e.g. Canexus has contributed; (how about CN?!);
- Parks pay parking/pass options...

Thanks to Mr. Stuart, for frank/open sharing information and taking the time to meet with us.

3. OLD BUSINESS

3.1 OCP Roundtable Update

Update from Dan and Corrie, distributed DNV identity page; vision, principles, goals; noted densification, autonomy, work-live issues; check DNV website;

3.2 Resilient Cities

Urban Strategies for Transition Times

<http://www.gaininggroundsummit.com/theme.htm>

Follow-up by Corrie on any council report as per 3.2 of Nov/2009 FONVCA mtg.

Responses from Councillors Hicks & Nixon

<http://www.gaininggroundsummit.com/recordings.htm>

Councillors Alan Nixon and Robin Hicks

attended this October 20-22/2009 conference.

They welcome any inquiries.

3.3 Date of Shirtsleeve meeting with Council

Cathy to do this yet. In meantime FONVCA members are urged to table topics for discussion. For example:

"Who runs District Hall? "

4. CORRESPONDENCE ISSUES

4.1 Business arising from 5 regular e-mail

Reviewed emails - No business arising.

4.2 Non-posted letters – 0 this period.

5. NEW BUSINESS

Council and other District Issues

5.2 Residential Zoning Regulations

The new format of information on this is found at <http://www.dnv.org/article.asp?p=true&a=1332&v=6>

What is missing is an overview district map outlining the specific **areas** of different neighbourhood zoning regulations

– **ACTION** by Corrie Kost

5.3 Business Zoning Review

<http://www.dnv.org/article.asp?c=1060&a=4667>

Main issues expressed here were:

- Apparent Inconsistencies in the revised regulations/uses
- Proximity issues to residential and insufficiency of buffer zones

5.4 Which comes first – CO₂ or Warming?

<http://pubs.acs.org/cen/email/html/8751cover2.html>

Circulated for information...read, weep, or deny.

5.5 Examples of Best Practices in DNV

The following information was distributed for reference purposes.

- Pedestrian Master Plan:
<http://www.dnv.org/article.asp?c=22&a=4474>
- Film Industry: <http://www.dnv.org/article.asp?a=1816&c=27>
<http://www.dnv.org/upload/documents/cpolicy/c414702.pdf>
- Natural Hazards Management:
http://www.dnv.org/upload/documents/council_workshops/cwm091026.htm
- Corporate Plan
- Snow Clearing Plans
- 2009 UBCM Community Award for Best Practices in Annual Reporting
- Transportation Planning:
<http://www.dnv.org/upload/documents/communications%20general/getting%20around%20in%20the%20dnv%20transportation%20position%20paper.pdf>

5.6 Landfill vs. Incineration (after RRR)

Good article from March/2009 issue of Municipal World at

<http://dept.econ.yorku.ca/schwartz/paper/scan1.pdf>

A good perspective on incineration is available at

<http://en.wikipedia.org/wiki/Incineration>

File the above for future use and burn after final solution(s) implemented.

5.7 Port Issues:

Eric, member of the North Shore Waterfront Liaison Committee (NSWLA), noted noise issues are front and center. Port Metro Vancouver (PMV) is leading/facilitating; other issues incl. access to Deep Cove waterfront and water levels; long range considerations;

6. ANY OTHER BUSINESS

6.1 Legal Issues

(a) Illegal Donations for Municipal Elections

<http://www.vancouver.sun.com/business/illegal+donations+mean+Summerland+legitimate+council/2275145/story.html>

Time limit gotcha:- RCMP says its hands are tied...

<http://www.fonvca.org/agendas/jan2010/rcmp.pdf>

(b) Dawson Creek Referendum opposing borrowing. Follow-up of 6.1 – July/2009 – “Fighting City Hall” – and winning!

<http://www.sms.bc.ca/logo/2009/fall/fall2009-3.html>

(extra) The OCP Trump Card: By Appeasing Popular Opinion White Rock Council Oversteps its Jurisdiction.

<http://www.sms.bc.ca/logo/2009/fall/fall2009-3.html>

Lesson: Local government cannot decline a development permit for extraneous reasons.

(c) Selling of Public Lands

<http://www.sms.bc.ca/logo/2009/fall/fall2009-1.html>

(d) Board of Variance Information Handout- attached – from page

<http://www.dnv.org/article.asp?c=321&a=944>

(e) Cell Phone – basis for new regulations while driving

<http://www.pssq.gov.bc.ca/legislation/docs/distracted-driver-cell-phone-discussion-paper.pdf>

6.2 Any Other Issues (2 min each)

- Sask. – Controverted Municipal Election Act
- Anti-camping unconstitutionality upheld
<http://www.sms.bc.ca/client/2009/dec2009-1.html>
- Is Green Mass Transit a Myth?
<http://www.templetons.com/brad/transit-myth.html>
Some interesting and disturbing statistics.
- Who killed Copenhagen?
Talk at Rocky Mountain Flatbread Jan 28, 7-9pm
See www.coolnorthshore.ca
- Indian Arm Review: proposed new policy - open house
Jan 26 at Parkgate Com. Ctr.
<http://www.dnv.org/article.asp?a=4705>

7. CHAIR AND DATE OF NEXT MEETING

Chair of next meeting:

**Brian Platts – Edgemont Community Association
– Tel: 604-985-5104**

**The next FONVCA meeting will be held 7:00pm
Thursday March 18th 2010**

Meeting was adjourned at ~ 9:40PM.

Subject: Grand Boulevard/Ridgeway Residents' Assn. AGM

From: "Joan Peters" <petersse@telus.net>

Date: Mon, 8 Mar 2010 22:04:30 -0800

To: <corrie@kost.ca>

Hi Corrie -- Would you please pass this information to your District Associations. We are extending an invitation to everyone in the city and district because we feel the Metro 2040 Plan should be of interest and concern to all. Darrell has not spoken to any group of citizens about the Metro Plan so we have a real coup!

Annual General Meeting of the Grand Boulevard/Ridgeway Residents' Assn.
Sunday, April 11
St. Agnes Church Hall - 530 E 12 St
Annual General Meeting 1:00 - 1:30
Coffee Break 1:30-1:45
Speaker: Mayor Darrell Mussatto--- ``Metro Vancouver 2040`` 1:45 - 2:30
Questions 2:30 - 3:00

We don't expect non-members to sit through our AGM so we scheduled the Coffee break to allow them to come in time for Darrell at 1:45.
Thanks for any help you can give us in publicising this. If there are any questions I can be contacted at 604-987-9966.
I hope you are well and enjoying our early Spring!!!! JOAN PETERS

Subject: [Fwd: OCP Workshop on Sense of Place, Network of Centres]
From: Brian Platts <bplatts@shaw.ca>
Date: Fri, 12 Mar 2010 16:16:46 -0800
To: Corrie Kost <corrie@kost.ca>

Hi again, Corrie ... I've attached Ross's original e-mail because it has a PDF file with it.

-Brian

Subject: OCP Workshop on Sense of Place, Network of Centres
From: Ross Taylor <TaylorR@dnv.org>
Date: Fri, 12 Mar 2010 13:12:06 -0800
To: "bplatts@shaw.ca" <bplatts@shaw.ca>

Hello Brian,

I would like to invite FONVCA through you to send 2 to 4 members to our upcoming stakeholder workshop on sense of place and a network of centres. Cory and Dan are fully in the loop on this and I'm hoping you could discuss this at your next meeting, which I'm presuming is Thursday the 18th. If you have any questions please call me (604.990.2320) or email.

Best Regards,

Ross

OCP Workshop on Sense of Place, Network of Centres.eml	Content-Type: message/rfc822 Content-Encoding: 7bit
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Network of Centres invite.pdf	Content-Description: Network of Centres invite.pdf Content-Type: application/pdf Content-Encoding: base64
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The District of North Vancouver needs your help creating the right kinds of policies that will achieve a network of vibrant mixed use centres for the new Official Community Plan!

New OCP Being Prepared: As you may be aware, the District of North Vancouver is currently reviewing its Official Community Plan (OCP) to ensure a bright and sustainable future for the municipality. The process was launched in June 2009 and has involved over 2,500 participants to date. In December 2009 Council endorsed the OCP 'Vision, Principles and Goals', which now serve as the building blocks for the development of the OCP.

Planning How and Where to Grow: Creating a network of more complete, compact communities and strengthening our urban structure is an important part of the OCP. A strongly defined network of centres (or nodes) helps to coordinate land use planning with transportation planning, optimizes infrastructure expenditures and contributes to a unique 'sense of place' or identity for the District of North Vancouver. One of the goals endorsed by Council is to: "create a network of vibrant, mixed-use centres while enhancing the character of our neighbourhoods and protecting natural areas."

You are invited to a network of centres workshop on Wednesday, March 31 at the District Hall from 9:00 to 12:00 noon to share your perspectives on practical ways and means of strengthening the District's urban form and structure. A detailed agenda and background brief on 'Sense of Place – Creating a Network of Centres' will be forwarded to confirmed attendees in advance of the workshop.

Purpose: To develop policy directions aimed at achieving a network of centres and sense of place for inclusion in the new OCP.

Date/Time: Wednesday, March 31st, 2010 from 9:00 to 12:00 noon

Location: Council Chambers, District of North Vancouver, 355 West Queens Road

Who: This workshop will bring together urban designers, real estate specialists, transportation experts, business representatives, community service providers, community association representatives, members of the OCP Roundtable and municipal staff from several departments.

RSVP: *Please confirm your attendance (or that of an alternate) by March 26 to Penny Chester, chesterp@dnv.org (604.990.2421)*





The DNV needs your help creating the right policy directions for the new Official Community Plan!

In December 2009, Council endorsed a Vision, Principles and Goals to guide the development of a new Official Community Plan (OCP). The District is now working on developing policy directions related to each goal area.

A series of public workshops will take place in March through May 2010 to engage members of our community in developing policy directions related to each OCP goal area. These public workshops build on the outcomes and work from stakeholder workshops held on the same topics. Once policy directions in each goal area are discussed it will be time to look at policy options to determine which ones allow us to attain the OCP goals and vision, and to create a healthy and sustainable future for everyone in our community. Watch for an invitation to a subsequent 'Directions and Choices' public forum in early June 2010.

You're Invited! Please join us at any or all of the following upcoming public workshops on policy directions in the OCP goal areas. All workshops be held from 7:00 – 9:00pm at the District Hall located at 355 West Queens Road. Sign-in from 6:45 – 7:00pm. Workshops start at 7:00pm sharp. To pre-register for these events please see the contact information below.

Economy – March 23, 2010

What land use and policy directions should the District consider to improve our competitiveness, encourage more employment opportunities and promote business investment in our community?

Climate Change – March 25, 2010

How can we create energy efficient communities and reduce green house gas emissions? What targets and strategies for emission reductions should we advance?

Environment – April 7, 2010

Our natural environment is one of our most important resources. What policy directions should the District consider to protect our ecological systems and services as our watersheds become more urbanized, extreme storm events are becoming more frequent and our biodiversity is threatened through habitat fragmentation and the spread of invasive species?

Housing – April 27, 2010

What land use and policy directions should the District consider to enable a diverse mix of housing types and tenures to accommodate the needs of all people, at all stage of life?

Sense of Place – April 29, 2010

What land use and policy directions should the District consider towards creating connected, vibrant, well-designed, mixed-use centres while at the same time preserving and enhancing the character of our existing single family neighbourhoods?

Transportation – May 4, 2010

What strategies should the District consider towards providing a safe, efficient and accessible network of pedestrian, bike and road ways that allow people to move around efficiently and without having to rely on cars?

Social Strategies – May 19, 2010

The people in our community contribute to making the District a welcoming community and a desirable place to live. What direction should the District consider towards fostering a safe, socially inclusive and supportive community that enhances the health and well-being of all residents?

RSVP: To help us determine room space and refreshment needs for these meetings, **please pre-register for these events** through identity@dnv.org or call **604.990.2421**.



Report

To:	Finance and Administration Committee	Item:	FA-09-120	Date of Report:	June 10, 2009
From:	Rick Stockman Commissioner, Corporate Services	File:	A-2410	Date of Meeting:	June 18, 2009
Subject:	<i>Increasing Voter Turnout for the 2010 Municipal Elections</i>			Ward(s):	ALL
PUBLIC MEETING					

1.0 PURPOSE

This report has been prepared in response to Council's direction of October 15, 2007 as follows:

"That staff include in the workplan for the 2010 Municipal Election the investigation of programs and alternative voting methods designed to increase voter turnout as outlined in Report FA-07-40 dated September 26, 2007."

A copy of Report FA-07-40 is attached as Appendix "B".

2.0 RECOMMENDATION

That the Finance and Administration Committee recommend to City Council:

1. That as outlined in Report FA-09-120, poll based voting using paper ballots and vote tabulators be continued as the primary voting method for municipal elections in Oshawa, and;
2. That the City Clerk be authorized to implement internet based voting technologies for advance voting only, to increase voter turnout for the 2010 Municipal Elections subject to being satisfied that the combined use of such methods is consistent with the principles of the Municipal Elections Act, 1996.

3.0 EXECUTIVE SUMMARY

There are four methods of voting in municipal elections; traditional poll based voting as currently used by the City of Oshawa, and three alternative methods, namely: vote-by-mail, telephone voting and internet voting. Regardless of the method, municipal elections must be conducted in accordance with the principles underpinning the Municipal Elections Act 1996.¹ Failure to do so could result in a controverted election.²

¹ Municipal Elections Act, 1996, Section 42(4).

² Municipal Elections Act, 1996, Section 83.

Currently the citizens of Oshawa cast their vote using the traditional method of paper ballots at local polling stations. The paper ballots are scanned into a tabulator while the voter is present and saved for counting after 8:00 p.m. on Voting Day. If managed properly, this method conforms to the principles underpinning the Municipal Elections Act, 1996. This method ensures that voter identification can be verified, voting is secret and secure, ballots can be easily audited and results can be accurately tabulated and disseminated on election night. Most large municipalities in Ontario use this method as the primary method for conducting elections.

However, voter turnout continues to fall even in the face of aggressive communication campaigns at all levels of government.³ Given this continuous decline and the rapid change in which people now obtain and use information, there is a need to re-align voting methods with current societal trends. To that end, it is recommended that internet voting be established for advance voting only as a way to extend the current voting method and accommodate a greater segment of the population. This will assist to engage those who receive and respond to events in a digital form. Although traditional poll based voting will serve a greater portion of our City's electorate, internet technologies provide an opportunity to increase voter participation. The establishment of internet voting technologies would be in addition to the City's poll based voting providing electors with an option as to how they chose to cast their ballot.

4.0 INPUT FROM OTHER SOURCES

- Information has been gathered from various reports and other research materials primarily concerning the Canadian electoral environment and in particular various alternative voting methods employed by Ontario municipalities over the past several municipal elections.

5.0 ANALYSIS

5.1 Municipal Elections Act

- Section 42 of the Municipal Elections Act provides that the Council of a local municipality may pass by-laws authorizing electors to use an alternative voting method, such as voting by mail or by telephone that does not require electors to attend at a voting place in order to vote.
- In order to implement and use such methods, the Clerk is required to establish procedures and forms that must be consistent with the principles of the Municipal Elections Act.
- However, the Act does not provide a precise legislative framework or technical specifications for the required procedures and forms. Following an election, an elector may bring an application requesting the courts to declare the election invalid.

³ Michael Geist, Chair, Canada Research in Internet and E-commerce Law at the University of Ottawa, Faculty of Law, Toronto Star, Published, Oct 23, 2006.

- The courts may declare an election invalid if the election has not been conducted in accordance with the principles of the Municipal Elections Act.
- If the court declares the election invalid, it may also make an order against the person whose act or omission unlawfully affected the result of the election, for the compensation of candidates at that election.⁴

5.2 Methods of Voting

- There are essentially four methods of voting in municipal elections. These include the traditional poll based voting method currently used by the City of Oshawa and three alternative methods, namely: vote-by-mail, telephone voting and internet voting. Poll based voting and vote-by-mail may also employ additional technologies such as vote tabulators and touch screen voting.
- Each method is summarized below and described in detail in Appendix "A".

Poll Based Voting (using Vote Tabulators)

- Poll based voting using paper ballots and vote tabulators is the current voting method used in the City of Oshawa municipal elections.
- During tabulation, the optical scan voting system interprets the votes by selecting the darkest mark within a given set of choices as the correct choice or vote.
- The ballot is immediately tabulated at the polling station allowing voters to be notified if there is an error on the ballot.
- Vote tabulators typically include accessibility features to assist voters with disabilities vote independently in private.

Poll Based Voting (using Electronic Voting Screens)

- Poll based voting using electronic voting screens is a method where the voter follows instructions on an electronic voting screen and votes by touching the designated area beside the candidate(s) name.
- Some touch screens provide a voter-verified receipt – with the voter choices printed after their ballot has been cast.
- Upon close of voting, the results are tabulated and displayed. Touch screens include accessibility features to assist voters with disabilities vote independently and privately.

⁴ Municipal Elections Act, 1996, Section 83(5)

Vote-by-Mail

- Vote-by-mail is an alternative voting method where a contracted vendor voting package including voting instructions, declaration form and ballot is mailed to every elector.
- The voter marks the ballot, signs the voter declaration and returns both by mail to the municipality's election centre where the ballots are counted after the polls close on Voting Day.
- This method is typically used in smaller rural municipalities where the likelihood of theft and misdirected mail is reduced and voters would otherwise be required to travel some distance to vote at a polling station.

Telephone Voting

- Telephone voting is an alternative voting method where all eligible voters receive a voter information package in the mail that contains each voter's own personal identification number and instructions concerning how to vote using the telephone.
- When voting, an interactive voice system asks the voter to enter their personal identification number and confirmation number. The interactive voice system then asks the voter which candidates they wish to vote for, office by office.
- Once the "polls" close on Voting Day, the telephone voting system becomes inactive and the system vendor is responsible for tallying the votes and providing the results to the municipality.
- This method is typically used in smaller rural municipalities where the likelihood of theft and misdirected mail is reduced and voters would otherwise be required to travel some distance to a polling station.

Internet Voting

- Internet voting is an alternative voting method where voters receive a voter registration card in the mail.
- The voter uses the information on the voter registration card to register on-line to receive a secret PIN (personal identification number) either by mail or by email. When registering, the voter can choose either a regular ballot or a ballot for the visually impaired that supports text magnification and audible candidate names.
- After the voter receives a PIN, they log onto the internet voting website, enter the same information that was on their voter notification card, their PIN, additional information such as their year of birth and a secret pass code that they supplied when they registered. Once this information is verified, the voter casts their ballot electronically.

Summary

- When using alternative voting methods, the procedures and forms established by the Clerk must be consistent with the principles of the Municipal Elections Act. The principles and four voting methods are outlined in the chart below.

Election Act Principles	Traditional Method	Alternative Methods		
	Poll Based Voting	Internet Voting	Vote-by-Mail	Telephone Voting
The election should be fair and non-biased.	✓	✓	✓	✓
The integrity of the process should be maintained throughout the election.	✓			
Voters and candidates should be treated fairly and consistently within a municipality.	✓	✓	✓	✓
The election should be accessible to the voters.	✓	✓	✓	✓
The secrecy and confidentiality of the individual votes is paramount.	✓			
There is certainty that the results of the election reflect the votes cast.	✓			

- Only the traditional method of voting is consistent with all the principles.
- The alternative methods cannot ensure the integrity of the process which includes such things as security breaches, equipment breakdowns, and lack of audit trails. They also cannot ensure confidentiality and accuracy of the results.
- Accordingly, any alternative voting method should be used to compliment the traditional method, not replace it.

5.3 Increasing Voter Turnout Through Alternative Voting Methods

- Voter turnout for municipal elections in the City of Oshawa has declined by approximately 50% over the past 60 years as outlined in Report FA-07-04 (Appendix "B").
- Demographics play an important role in voter turnout. During the last federal election in 2006, only 40% of people aged 18 to 24 cast ballots. This is more than 20 percentage points below the national average and 35 percentage points behind seniors aged 65 to 74. Those who don't start to vote young are not likely to start later.⁵
- The use of alternative voting methods could lead to increased voter turnout, especially in younger voters where channels of communication and participation have changed in relation to older age groups.

⁵ Jason Fekete, Calgary Herald, Published: Saturday, September 06, 2008

- Elections Ontario and the Democratic Renewal Secretariat of Ontario support the exploration of alternative (non-paper) voting channels and new technologies to create a more responsive and easier voting process.
- Both the Town of Markham and City of Peterborough employed internet voting for advanced voting during the 2006 municipal elections. The Town of Markham introduced internet voting in 2003. In 2006, Markham again used internet voting and experienced a 48% growth in online voting.⁶
- A survey in 2006 reported that 70 per cent of voters in the Greater Toronto Area would prefer "voting online to voting in line". Of the respondents not planning to vote, 82 per cent said that online voting would increase the likelihood that they would vote.⁷

5.4 2010 Oshawa Municipal Elections

- Based on the above information, it is recommended that for the 2010 Oshawa Municipal Election, the traditional voting method used by the City of Oshawa remain as the primary voting method; and, the City Clerk be authorized to implement internet based voting for advance voting only, provided the combined use of the two methods is consistent with the principles of the Municipal Elections Act, 1996.
- Using the internet method for advance voting only will ensure there is time to properly update and distribute the Voters List for Voting Day, eliminating the potential of voting twice on Voting Day (both internet and at the poll).
- Of the three alternative methods, internet voting provides the most cost effective way to reach a large number of voters with a minimum of administrative and coordinative effort.
- Using internet voting may also encourage the younger electorate and those who conduct much of their business using technology, to vote.
- Implementation will need to be formalized through the passage of a by-law prior to September 9, 2010.

6.0 FINANCIAL IMPLICATIONS

- The estimated cost of internet voting is \$60,000 in addition to the cost of conducting a traditional vote with vote tabulating equipment.
- This increase can be funded from the Municipal Elections Reserve.

⁶ "Understanding the Digital Voter Experience" released December 2, 2008, by Delvinia Interactive, the Town of Markham's digital agency for the 2006 election.

⁷ Michael Geist, Chair, Canada Research in Internet and E-commerce Law at the University of Ottawa, Faculty of Law, Toronto Star, Published, Oct 23, 2006.

7.0 RESPONSE TO THE COMMUNITY STRATEGIC PLAN

- This report meets the objective of a caring and responsible community by ensuring accountability.



Sandra Kranc
City Clerk



Rick Stockman
Commissioner, Corporate Services

Attachments
RS/SK/PL

A POLICY AND PRACTICE PAPER

The Municipal Franchise and Social Inclusion in Toronto: Policy and Practice

EXECUTIVE SUMMARY

By Myer Siemiatycki

OCTOBER 2006

A POLICY AND PRACTICE PAPER

The Municipal Franchise and Social Inclusion in Toronto: Policy and Practice

EXECUTIVE SUMMARY

By Myer Siemiatycki

Dr. Myer Siemiatycki is a Professor of Politics at Ryerson University, where he is Director of the Graduate Program in Immigration and Settlement Studies. His research and publications explore immigrant and minority civic participation in Toronto.

Published by: Inclusive Cities Canada www.inclusivecities.ca and the Community Social Planning Council of Toronto (CSPC) www.socialplanningtoronto.org

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Disclaimer

The views expressed in this paper reflect those of the author and not necessarily those of Inclusive Cities Canada, the Edmonton Social Planning Council or Human Resources and Social Development Canada.

Overview

Thirty years ago, the Royal Commission on Metropolitan Toronto - the most comprehensive public study of how Toronto is governed – declared in its final report: “An effective electoral system is vital to democratic government...Voting is, and should remain, the most direct and universal form of citizen participation in the governmental process”. In 2005, an ambitious study of social inclusion in contemporary Toronto concluded that extending the municipal franchise (right to vote) was essential to advancing democracy and belonging in the City. In particular, the Report of the Toronto Civic Panel of the Inclusive Cities Canada Initiative contended that in order to overcome widespread marginalization from the City’s political processes, the civic voting age should be lowered from 18 to 16, and non-Canadian permanent residents should also have the right to vote.

Over the past three decades, Toronto has emerged as one of the world’s leading cities of diversity. Our demographics are rich with difference, as this ‘World in a City’ has become home to a multi- racial, ethnic, religious and linguistic population. But diversity has also taken the form of increasingly polarized lived circumstances among Torontonians. In recent years the concept of social inclusion has been widely adopted as an analytical lens and policy instrument to address disparities of opportunity and well-being in society.

This paper explores the link between broadened municipal voting rights and enriched experiences of civic engagement and social inclusion. It contends, perhaps contentiously, that there is no automatic carry-over from expanded voting rights to deeper civic democracy. While the case for extending the municipal franchise is strong, there is a need to identify the conditions under which this enlargement of ‘urban citizenship’ could deliver the results its proponents wish would follow. This paper proposes therefore, that a broadened municipal franchise is a necessary – though not sufficient – condition for more equitable political inclusion.

Key Arguments

1. Ever since elected local governments were established in early 19th century Ontario, there have been some urban residents who enjoyed privileged voting rights and others who were denied voting rights. With 200 years of gradual evolution in municipal voting rights behind us, it would be prudent to presume we may not yet have perfected our electoral system.
2. The privileging of property holding through non-resident voting rights should be abolished. The current right of property owners and renters (and their spouses) to vote in a municipality where they do not reside defies democratic norms and exacerbates problems of voter participation in municipal elections.
3. The voting age in Toronto municipal elections should be reduced from 18 to 16, and accompanied with reinvigorated civics education and practice in high schools. This is consistent with several federal and provincial provisions which regard 16 as the age of maturity and responsibility. It is also in keeping with widening campaigns in Britain and the United States to lower the voting age to 16. Based on 2001 census data, this move would add 57,000 sixteen and seventeen year-olds to the Toronto voting list which in 2003 had 1,825,000 eligible electors.
4. Municipal voting rights in Toronto should be extended to non-citizen permanent residents

of the City. This would apply to three distinct sub-sets of Toronto residents currently barred from voting: landed immigrants not yet in the country for 3 years, and hence not eligible for Canadian citizenship; those landed immigrants in Canada over 3 years who have not claimed Canadian citizenship; and non-status residents ineligible for Canadian citizenship. The current total of such persons in Toronto is estimated at 263,000. This is too large a segment of Toronto's population to remain devoid of voice in civic affairs – especially at a time when increasing numbers of countries (26 at present) are extending voting rights to non-citizens. Typically, this has meant giving all non-citizens the right to vote in municipal elections. The most expansive provision of non-citizen voting rights is in New Zealand, where all immigrants (whether N.Z. citizen or not) have municipal and national election voting rights after one year's residency.

...the best way to promote immigrant integration and attachment is to create opportunities of engagement. The municipal level is especially well suited for this role, in order to foster a sense of 'urban citizenship' and belonging.

5. In a world of increasing mobility and multiple attachments, the best way to promote immigrant integration and attachment is to create opportunities of engagement. The municipal level is especially well suited for this role, in order to foster a sense of 'urban citizenship' and belonging.
6. The new City of Toronto Act enables Toronto to experiment with more inclusive and participatory modes of governance. Indeed, the language in the Act appears to encourage Toronto to take ownership of its political institutions, and to consider all "inhabitants of its geographic area" as full stakeholders of the City. Significantly, there is no limiting reference to any citizenship or age requirement here. Toronto should therefore tilt towards inclusion by using its newly broadened delegated authority to lower the voting age and enfranchise non-citizen residents.
7. Current patterns of voter turnout clearly indicate that both youths and immigrants who presently do hold the right to vote, have significantly below-average rates of actually voting. Considerable data is presented on immigrant voting in Toronto at both the 2003 municipal and 2003 provincial elections to demonstrate their significant and systemic electoral disengagement. A strong correlation is found between a neighbourhood and constituency's concentration of immigrants, visible minorities, non-English mother tongue residents and low voter turnout.
8. Notable findings related to disparities in voter turnout include:
 - Some Toronto neighbourhoods have more than twice the rate of voter turnout among eligible electors than other neighbourhoods.
 - Of the top 20/140 ranked Toronto neighbourhoods for voter turnout in the 2003 City election, none had above City-average proportion of immigrants or visible minorities.
 - Of the lowest 20/140 ranked Toronto neighbourhoods for voter turnout in the 2003 City election, only 2 had below City-average proportion of immigrants or visible minorities.
 - Low voting neighbourhoods are disproportionately located in the North York, York and Scarborough areas of Toronto.

- Wide variations in municipal voting exist across Toronto's 44 wards.
 - Low voter turnout in Toronto also manifests itself in provincial elections. City of Toronto constituencies cluster among those with the greatest proportion of immigrants in Ontario.
 - In the 2003 Ontario election, only 1 Toronto constituency ranked in the top 30/103 provincial constituencies for voter turnout.
 - In the 2003 Ontario election, 11 Toronto constituencies ranked in the bottom 30/103 provincial constituencies for voter turnout.
9. Extending the franchise to younger Torontonians and non-Canadian Torontonians would remove a barrier to their participation in civic affairs. In itself, however, extending the franchise provides no assurance of its exercise. On the contrary, given the currently low electoral participation rates of youth and immigrant communities, pro-active measures must be taken to foster a culture of participation among these and all other voters in Toronto. The paper proposes a variety of measures to promote voter participation among all 'under-voting' groups, including:
- Active neighbourhood-based campaigns through local libraries and community centres;
 - Tangible neighbourhood incentives to boost voter turn-out. (e.g. The city could commit bonus funds for the 10 neighbourhoods which register the highest voter turn-out each election.);
 - Toronto's diverse communities should organize a "New Voices" assembly charged with establishing a policy platform addressing issues of particular concern to newcomers and racialized minorities in Toronto.
10. Toronto's political leadership and institutions must make a greater commitment to bringing immigrants, visible minorities and youth into the political process. Doing so is good for Toronto. It can overcome marginalization, can allow new experiences and perspectives to shape the political agenda, can maximize Toronto's voice and impact in provincial and federal elections and decision-making, and can serve as a model of inclusive political practices in diverse societies.

The full paper "*The Municipal Franchise and Social Inclusion in Toronto: Policy and Practice*" can be downloaded from <http://www.inclusivecities.ca>



[Back to Should long-term residents be allowed to vote?](#)

Should long-term residents be allowed to vote?

June 12, 2009

John Spears

Currently, only Canadian citizens are allowed to vote in municipal elections.

A variety of academics, activists and local politicians – including Toronto Mayor David Miller – are in favour of giving long-term residents the right to vote in municipal elections, even if they aren't citizens. A forum this week at Toronto City Hall examined the issue.

Municipal elections already differ from federal and provincial ballots in that you need not be a resident to vote. Property or business owners who live in another municipality can vote both where they live and where they own property. But not everyone accepts the idea of allowing non-citizens to vote for city councillors.

FOR

Prof. Myer Siemiatycki of Ryerson University argues that the sheer number of non-citizens in Toronto raises a powerful argument.

"We know that in the last election 250,000 names were dropped off the list because they were not citizens of Canada, despite the fact they lived in Toronto, they paid taxes here ... This amounts to one in seven adults," Siemiatycki says.

"In an age of globalization and very dynamic global mobility, we need to rethink the basis of citizenship rights.

"We need to acknowledge that especially at the municipal level, where you want people to feel they belong to the society that they have now joined, what is gained by preventing people from expressing a voice and a vote?

"I would say is what's lost is, you've got a huge kind of pool of people who are basically told they don't belong, they don't matter, they have no voice.

"These immigrants and newcomers pay property taxes, live here, and still they're denied the right to vote for the formality of not undergoing a naturalization process that has very little to do with their belonging to the city.

"They do belong here. Once they've been here for a certain period of time – I'm comfortable in the range of six months to a year – isn't it a good thing to say to these people: 'You belong here, we value your view of the urban community that you now call home?'"

AGAINST

Toronto Councillor Michael Walker (Ward 22, St. Paul's)

"Citizenship has to have responsibilities and rewards. The key one is the right to exercise the franchise. Only a citizen can do that."

Voting is almost the only right denied to non-citizens, Walker argues.

"Why bother becoming a citizen? When you're legally landed you've got all the rights: Access to health care; the right to due process under the law; the right to legal representation if you can't afford it – all those basic rights that any human being should have.

"But the right to exercise the franchise has to come with citizenship."

Advocates of giving non-citizens a municipal vote point out that they pay taxes and argue they should have a say in electing the politicians who spend the money.

"People who aren't citizens pay taxes – and plenty of taxes – to the federal and provincial government, too," Walker says. That shouldn't give them the right to vote at the senior level, and it's not a good argument for municipal votes, he says.

He rejects the argument that municipal governments are different because they deal generally with local services rather than matters of national or international scope.

Activist municipal governments like Toronto's have continually broadened their reach, he argues, by precedent or by statute – such as the City of Toronto Act, which broadened the city's powers.

WHAT'S NEXT

Only the Ontario government has the power to grant voting rights to non-citizens.

Miller says he's pushing for it.

"There is a coalition formed of residents from all backgrounds that are working very hard ... If people speak up, we'll be able to get that changed."

Why Montrealers shy away from voting

BY ANDY RIGA, THE GAZETTE NOVEMBER 1, 2009



From left: Montreal mayoral candidates Louise Harel (Vision Montréal), incumbent Gérald Tremblay (Union Montréal) and Richard Bergeron (Projet Montréal).

Photograph by: Dave Sidaway and John Mahoney, The Gazette

MONTREAL – October 23, 1966.

Civic pride in Montreal is at an all-time high. Two weeks earlier, the métro opened, its shiny cars zipping Montrealers around the city a symbol of a metropolis rushing toward the future. Expo 67, six months away, is all people talk about.

But on municipal election day, only 31 per cent of eligible voters show up at polls.

The winner is a foregone conclusion: Mayor Jean Drapeau, the strong-willed incumbent putting the city on the world stage. Drapeau wins 94 per cent of the vote. Before a ballot is cast, his candidates have been acclaimed in 32 of 48 council seats. He takes the rest on election day.

October 31, 2009.

In the last municipal election, in 2005, voter turnout was 35 per cent, the lowest since those heady days of 1966, and that has observers wondering whether voter apathy will keep as many voters away from the polls in Sunday's election.

The city's mood couldn't be more different Saturday than it was in the run-up to Expo 67.

Voters are cynical about apparent rampant corruption in municipal politics, despondent about the city's future, disappointed with the choices before them.

Corruption scandals have buffeted Mayor Gérald Tremblay, who has had eight years to clean up city hall. Opponent Louise Harel, a unilingual hard-line sovereignist who forced municipal mergers, is a divisive force. Richard Bergeron is not well known, his team even less so, and, at least initially, focused almost exclusively on urban planning and public transit.

In 2005, the apathy (a week before the campaign, almost half of voters told pollsters they didn't even know when the election was) may have been due to the lack of a credible alternative to incumbent Tremblay. His main opponent was Pierre Bourque, trying to make a comeback after being thrown out four years earlier.

Over the past 60 years, the turnout has averaged 44.8 per cent and has never surpassed 53.8 per cent in Montreal elections. One of the highest rates (53.2 per cent) came in 1970, during the October Crisis. Drapeau, who smeared opponents as terrorists and revolutionaries, swept the election.

There are some signs turnout may rise this time.

Voting in advance polls was high, though election officials note that hasn't always been a predictor of high participation on election day in previous votes.

And some voters may be spurred by a La Presse poll Friday indicating Tremblay, Harel and Bergeron are deadlocked.

Municipal elections have always been the also-rans of the ballot box.

In provincial and federal elections, turnout is higher: Over the past five elections, the average has been 65 per cent federally, and 72 per cent provincially.

"Voters don't feel politics in Montreal concerns them," said pollster Jean-Marc Léger.

Quebecers see other levels of government, particularly the provincial one, as more important.

"They see provincial elections differently. You're talking about the big issues – education, health, economic development – and people are more concerned about those things."

Léger said the average Montrealer is clueless about the city's role.

"We did a lot of surveys over the years for many cities and when we ask the question, 'What does your city do?', people know a few things – garbage, roads, for example – but that's it," he said. "Overall, they don't know what the city's actually doing."

Many, for example, don't realize cities play a role in culture, social housing, urban planning and sports and leisure, Léger said.

It's not only a Montreal problem. Lower turnouts in city elections are common across Canada. In Toronto, the turnout was 39 per cent in 2003 and 41 per cent in 2006.

Quebec traditionally had Canada's highest election turnouts – in the 1995 referendum, 94 per cent of those eligible cast ballots – but Quebecers' interest in politics is waning.

"Between the 1970s and 1995, we had a lot of elections, a lot of passion during elections, people were for or against someone, the positions were so clear," Léger said.

But turnouts started falling after 1995. "People wanted to do things other than politics," Léger said. So Quebec is no longer a unique society – our voting rates now mirror those of the rest of Canada.

That has led to a drop in the quality of candidates, Léger said.

“In the ’70s and ’80s, the best people in Quebec were in politics.” Today, they tend to go into business or activist organizations.

Politics isn’t attractive, Léger said. The alleged corruption turns candidates off.

And, especially on the municipal scene, elected officials are hobbled by a lack of cash.

“You could have projects but you don’t have the money to support them,” Léger said. “Every day, politicians have to explain to the people that they do not have the money to support their needs or their projects. You must be a missionary if you want to go into politics because you have nothing to give to the people.”

In Montreal, it hasn’t helped that the city’s post-Drapeau mayors (Jean Doré, Pierre Bourque and Tremblay) have failed to inspire, Léger said.

On the positive side in the rest of Quebec, voter participation has stayed relatively high in smaller communities, where voters tend to know local politicians and have a connection to the municipality, Léger said. But the bigger the city, the lower the turnout rate.

In major cities, two types of voters tend to take part in municipal elections – homeowners and activists, said Bruce Hicks, a political scientist at the Université de Montréal.

“People who own homes are very aware that they pay property tax because they write a big cheque to the city twice a year,” he said.

“They’re primed on the fact that they are paying for municipal infrastructure. People who rent are also paying property taxes through their rent but they’re not aware of it.”

Also motivated to vote “are the more ideological people, people involved in organizations (that) want something from the city.”

Staying home are “the middle-of-the-road voters. Yes, they drive on the road, they expect clean water and enjoy city services but they’re not very aware of the city’s role or very motivated to do anything about it.”

Those who vote the least are renters, recent immigrants and visible minorities, Hicks said. “With low voting, it’s very much the upper middle-class that’s writing the song sheets politicians sing from.”

Also working against municipal votes is the fact other levels of government and their elections get more attention and voters are more attuned to long-standing provincial and federal parties.

Will the scandals that have rocked Montreal city hall affect voter turnout?

“These scandals and allegations all just feed into this sense of cynicism – ‘Oh, they’re all corrupt and I can’t be bothered,’ ” Hicks said. But he doubts they’ll have an impact on turnout.

“For people who aren’t going to vote anyway, it confirms their distaste in the entire system. And for those who were going to vote, it may prime which way they’re going to vote.”

That's what happened during the federal sponsorship scandal. Turnout didn't change much; people just shifted their allegiances from the Liberals, Hicks said.

Falling voter turnouts are a problem around the democratic world.

Can anything be done to turn things around?

Here are some ideas:

Teach civics in schools.

"We've got to create a level of civic duty that has somehow been lost," Hicks said. "We have to engage voters before they reach voting age because if you don't vote early on, you'll probably never vote."

Some also suggest lowering the voting age to 16 would help. That way, you "can get to them and give them civic education and their first voting experience while they're in an educational setting," Hicks said.

Make voting compulsory, as it is in several countries, including Australia.

The theory is that under such systems, "people running for office have to (cater) to the majority not to certain key minorities, and that makes society much more democratic," Hicks said.

Give a tax credit to those who cast ballots.

Probably more palatable than compulsory voting, such a setup could spur more participation, particularly among non-voting low-income voters, Hicks said.

Canada already uses the public purse to encourage participation by giving tax credits for political donations.

Lure in voters with engaging advertising.

Quebec's chief electoral office, known for its drab, conservative public-service announcements, is getting kudos for opting for a humorous campaign this year. Based on a spoof TV call-in show, it presents what daily life would be like if no one voted in municipal elections – brown tap water, mountains of garbage on streets, no public transit.

"The good thing about these ads," Hicks said, "is they draw for the voter a connection between them and what elections should be about – the quality of services your government is delivering."

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[Previous](#)

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Voting: Right and Responsibility

If you're not going to vote today, at least plan on voting tomorrow

By Jeremy Gravelle

Published: Tuesday, October 27, 2009

Updated: Tuesday, October 27, 2009

If you're not going to vote today, at least plan on voting tomorrow

Students should vote, but they won't. What's more, they are well aware of these two realities.

The Concordian spoke with a number of students this week. Out of this highly unscientific poll, only one was planning to vote on Sunday. Even he did not realize that he would have had to be registered several weeks ago. There is no lack of reasons to get involved, all that is missing is initiative.

For the most part, the students we spoke with said it was important for people to get out and vote. Even those who were ineligible, unwilling, or had no grasp of the issues involved in the current election believed that people, especially students, should vote.

This voting intention gap should be troubling. When people become disengaged from municipal politics, politicians find easier opportunities to disengage themselves from the people.

In democracies, old people vote more than younger people. This means that the group who is the least vocal – seniors – gets their voice heard loudest at election time. On the other hand, students who are often outspoken generally are most silent when it comes time to cast ballots. The effect of this trend in the bigger picture is that students are denying themselves the opportunity to be heard and taken seriously.

This cycle has to be stopped. There is very little chance that students will vote en masse Nov. 1, most of them probably haven't registered. But this election does not have to be the end.

When the results have been tallied, students should pay attention.

Students who don't vote this Sunday, would do well to make it the last time they don't vote. They should use this missed opportunity as a new beginning.

Eventually, we need to become reengaged in our politics. If lasting change is to occur, it has to start with your people. This generation of young adults needs to become a good example for the next generation and the generation after that.

Streeter

Joe Doglio-Marquardt

Chemistry/Physics

1st Year

Seattle, Washington

Do you plan on voting?

No

Have you ever voted in municipal elections?

Never

What are the important issues in this year's municipal elections?

I just moved here recently, so I don't know what the issues are.

Do you think its important for people to vote in municipal elections?

Voting is your only chance to effect the world you live in, you should take advantage of it.

Rachel Mantha

Music Performance

4th Year

Montreal, Quebec

Do you plan on voting?

No, well I'm not sure, but probably no.

Have you ever voted in municipal elections?

I usually vote, but I'm fed up with it.

What are the important issues in this year's municipal elections?

Scandals... um, yeah, all I ever hear about are the scandals.

Do you think its important for people to vote in municipal elections?

No its not important. If there's stuff you want to change in the world, you should go out and do it yourself. In th world, it's a lot easier to take care of things for yourself than wait for some politician to take care of it.

Georgia Campan

Psychology

3rd Year

Romania

Do you plan on voting?

No

Have you ever voted in municipal elections?

I voted in Romania, but never here.

What are the important issues in this year's municipal elections?

I'm a hardcore political ignorant, I haven't been keeping up with the issues.

Do you think its important for people to vote in municipal elections?

It's important if you're going to make an informed choice. But if you don't know the issues like me, its not responsible to give a vote to someone just for the sake of voting.

Alex Kamino

Dance

6th Year

Toronto, Ontario

Do you plan on voting?

Absolutely not!

Have you ever voted in municipal elections?

Nope

What are the important issues in this year's municipal elections?

Are you kidding me? I have no idea. I'm just trying to live my life, those things don't affect me.

Do you think its important for people to vote in municipal elections?

No. Don't vote, please. Go have a beer instead, it'll be a more productive use of your time.

Francesca Cucolo

Studio Art

4th year

Brooklyn, New York

Do you plan on voting?

No, I'm not a citizen so I'm not eligible to vote.

Have you ever voted in municipal elections?

I've never voted in any election because I've never been eligible. Actually I'm a bit of a slacker because I was too lazy to apply for an absentee ballot in the American elections last year.

What are the important issues in this year's municipal elections?

I've been following a bit, but I'm not really sure. I think one of the focuses is getting rid of all the scandals and debauchery.

Do you think it's important for people to vote in municipal elections?

If you live here and you're unhappy with the way things are, you should definitely vote. Voting is the only way get your voice heard, it's the only way to change things.

David Kunstatter

Music

5th Year

Winnipeg

Do you plan on voting?

Indeed I do

Have you ever voted in municipal elections?

Yes

What are the important issues in this year's municipal elections?

I've heard about the scandals involving the water meter contract and other things like that. I don't really trust the current administration, they seem kind of shady, so I'm in favour of change. Also the woman from Vision scared me.

Do you think it's important for people to vote in municipal elections?

At the end of the day, municipal politics are the closest to home. If you want to see change happen, you have to start in your own backyard.

Sustainability Checklist for Municipalities

A Guide for Elected Officials, Municipal Staff and Community Members

*Prepared by
Saskatchewan Ministry of Municipal Affairs*

December 2009

What is a healthy municipality?

A community needs many positive human elements to be healthy: elected officials who truly strive to represent all residents, municipal staff that work in a professional team-like manner, and residents who have a sense of pride and ownership. Tied in with these elements, a healthy municipality requires a strong assessment base to generate revenues required to meet the needs of the residents.

You are invited to look at the following five factors that are indicators of a healthy municipality. This self-examination includes a range of questions that need to be answered objectively and critically.

1. Can the municipality's population and economy be sustained and even grow?
2. Can council represent the interests of the community?
3. Can the municipality meet its responsibilities for administration and services, and satisfy legislation?
4. Is the municipality able to provide needed services to residents at a cost they can afford?
5. Can the municipality provide services from the available financial resources?

If your answers to these questions are all "yes", then the municipality is probably healthy and viable. You may still want to consider options to improve your situation.

If your answers to these questions are mixed, "yes" and "no", then the health of your municipality may be at risk. Your community's best interest is at stake. Be ready to discuss and evaluate possible options for your community.

Disclaimer:

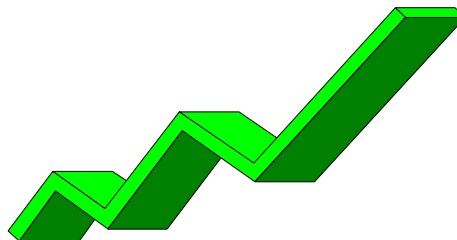
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KEY INDICATORS OF A HEALTHY MUNICIPALITY

Health Indicator 1: *Can the municipality's population and economy be sustained and even grow?*

Municipalities exist to provide services to communities. What impacts the growth of a community? Employment opportunities, business and farming activity and industrial development often play an important role in the growth of a community. A municipality needs people to support local businesses and needs local business to invest in the community.

<i>Economy and Population</i>	Yes ✓	No ✓
<i>a. Is your total population growing?</i>		
<i>b. Is the percentage of the population over the age of 60 decreasing?</i>		
<i>c. Are young people able to find work in the area?</i>		
<i>d. Is there an increase in building permits being issued and businesses opening?</i>		
<i>e. Is the municipality's assessment base growing?</i>		



Health Indicator 2: *Can council represent the interests of the community?*

Municipalities exist to serve a community. A shared sense of common purpose and pride is required to keep the municipality going. If there is a lack of interest in the community, it will be difficult to find people to run and maintain the municipal council.

<i>Sense of Community</i>	Yes ✓	No ✓
<i>a. Does the community show a strong sense of pride?</i>		
<i>b. Are there local volunteer organizations that provide services to the community?</i>		
<i>c. Is the number of volunteer organizations growing?</i>		
<i>d. Are there inter-municipal agreements in place for certain services? (e.g. fire protection, waste management etc.)</i>		
<i>e. Are the bylaws adopted by council supported by the community?</i>		
<i>Local Democracy</i>		
<i>a. Is the council elected (that is, not acclaimed)?</i>		
<i>b. Is voter turnout at municipal elections acceptable?</i>		
<i>c. Are council vacancies infrequent and filled easily?</i>		



Health Indicator 3: *Can the municipality meet its responsibilities for administration and services, and satisfy legislation?*

Managing a municipal government, even a small one, is very demanding. Along with the greater autonomy provided to local governments comes greater responsibilities and accountability for the actions of council and its administration. The operation of a local government is becoming increasingly complex given the needs and expectations of citizens and industry. Negative answers to questions in these areas may mean that the current and future health of the municipality is at risk.

<i>Administrative and Governance Capacity</i>	Yes ✓	No ✓
<i>a. Does the municipality employ a knowledgeable, certified administrative and operational staff? (e.g. certified administrator required if population is 100 or over)</i>		
<i>b. Does the council have an emergency measures committee, designated coordinator, and emergency plan as required?</i>		
<i>c. Does the municipality have a building bylaw as required?</i>		
<i>d. Does the municipality have an up to date land-use zoning bylaw?</i>		
<i>e. Does the municipality have an up to date Official Community Plan?</i>		
<i>f. Does municipal staff attend relevant workshops and other training opportunities?</i>		
<i>g. Does the council regularly update their knowledge of municipal government through participation at the SUMA or SARM conferences and other opportunities, such as the Municipal Leadership Development Program workshops?</i>		
<i>h. Does the municipality regularly meet deadlines for financial, assessment, taxation and administrative cycles?</i>		
<i>i. Does council have clear protocols in place for establishing council meeting procedures?</i>		
<i>j. Does council have a policy manual addressing various municipal issues?</i>		
<i>k. Does staff have adequate space, equipment and technology to do their work?</i>		
<i>Financial Management</i>		

<i>a. Does council adopt and follow an annual budget?</i>		
<i>b. Does the administration report regularly to council on the municipality's finances and budget performance?</i>		
<i>c. Does the municipality have a five year projected capital and operating plan?</i>		

Health Indicator 4: Is the municipality able to provide needed services to residents at a cost they can afford?

Municipal governments provide services to residents and properties. The infrastructure (roads, sidewalks & curbs, water & sewer lines etc.) is an essential asset entrusted to the council and staff. Keeping all infrastructure systems in good working order is an essential responsibility of the municipal government.

Unfortunately, because of short-term pressures, the challenge of keeping infrastructure systems in good condition may be set aside to keep taxes or charges at a lower rate. If services cannot be maintained and reasonably financed, the health of the municipal government may be at risk.

<i>Paying for Services</i>	Yes ✓	No ✓
<i>a. Are the municipality's major public facilities being regularly maintained?</i>		
<i>b. Are financial reserves being set aside for infrastructure replacement?</i>		
<i>c. Can the municipality afford to undertake major capital works when needed?</i>		
<i>d. Are tax collections and utility payments generally kept up to date?</i>		
<i>e. Are taxes comparable or lower than in other municipalities in the area?</i>		
<i>f. Do utility rates cover the costs of providing the service and upgrading and replacing the infrastructure in the future?</i>		

Health Indicator 5: Can the municipality provide services from the available financial resources?

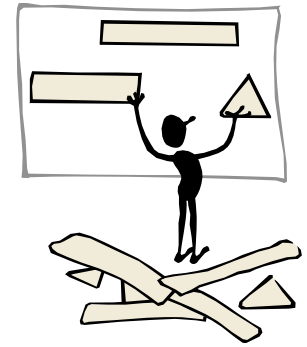
Annual taxation and charges for services may not always be adequate to fund capital works needed by a municipality. How the municipality is managing its finances will affect its ability to respond to emergencies or to undertake infrastructure repair, replacement, and upgrading.

Debt is part of municipal finance. Short-term lines of credit are used to cover month-to-month cash flow needs. Long-term debt may be incurred to pay for major capital works. However, debt does come at the cost of interest charges and the need to make regular loan or debenture payments. If these payments become a dominant part of the municipal budget they limit council’s ability to respond to unplanned expenditures and endanger the health of the municipality. Ideally, the municipality should budget for capital replacement in order to help limit debt.

A healthy municipality will have at least one year of tax revenue in reserves.

<i>Debt and Reserves</i>	Yes ✓	No ✓
<i>a. Is your municipality operating within its regulated debt limits?</i>		
<i>b. Has the trend over recent years been to increase the reserve funds?</i>		
<i>c. Have surplus money investments been increasing?</i>		
<i>d. Does your municipality seldom use, or only use for a short period, lines of credit to pay for day to day operations?</i>		
<i>e. Are the major industries which provide tax base and employment growing?</i>		
<i>Taxation and Revenues</i>		
<i>a. Have the amounts of tax arrears been <u>decreasing</u>?</i>		
<i>b. Has the municipality used tax tools to manage any tax shifts?(ie. base tax, minimum tax, mill rate factors)</i>		
<i>c. Can a decrease in other general revenues be offset without a tax increase?</i>		

We have answered the questions...



Now what do we do?

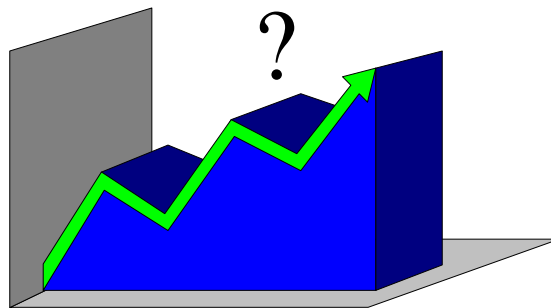
As noted, there are no absolute measures of a municipality's health. Consistent positive responses probably indicate that the municipality has the political, financial and community resources to continue to operate effectively.

Preparing a written municipal strategic plan could be used, if it is not already, to clarify how the community wants its municipal government to operate in the future.

Consistent negative responses to these questions would suggest that the local government may no longer be effectively meeting the political and servicing needs of its residents. Partnership opportunities may need to be explored along with a look at the present structure.

Most people will find that some of their answers are positive and some negative. The question becomes how do you address your weaknesses and build on strengths?

The table on the following page provides comments on how to reflect on the information obtained from the above questions.



Criteria	Analysis	Opportunities
Indicator 1: Growth	If answers are <u>yes</u> then weaknesses in other areas may be addressable. If answers are <u>no</u> , the community is vulnerable, particularly in the longer term.	Negative growth may be addressed by economic development and strategic planning in some cases. Community partnerships, to tie in with a larger and/or growing community, may be a beneficial option.
Indicator 2: Democratic Governance	If answers are <u>yes</u> , this is a positive sign for the future of the community. A municipal government needs a sense of community. If the answers are <u>no</u> , the sense of community is weak and the need for an independent government may be questionable.	Municipal leadership to revitalize interest in the community may be attempted. If public support for the local government is not strong, then consideration of alternative municipal structures may be of interest to the community.
Indicator 3: Responsible Municipal Management	<u>Yes</u> answers indicate the municipality should be able to fulfill its minimum responsibilities. Any <u>no</u> answers indicate a need to focus more municipal, financial and staff resources on operations.	Strategic plans might direct more resources toward operations. If possible, realign staff and resources within the local government to obtain better services. Community partnerships may offer alternatives for efficient service delivery.
Indicator 4: Ability to Provide Services at an Acceptable Cost	<u>Yes</u> answers indicate the municipality is planning to fulfill its service responsibilities. Any <u>no</u> answers indicate a need to devote more resources to sustaining municipal services or there will be future financial and servicing problems.	Strategic plans should focus more resources on services. Look at community partnerships to strengthen and sustain services or contract services (at full cost recovery prices).
Indicator 5: Adequate Financial Resources	<u>Yes</u> answers indicate a basic level of financial management and sustainability. Any <u>no</u> answers are indicators of potential problems or risks. What people are willing to pay for local government and services will vary from community to community.	A few <u>no</u> answers may be addressed through municipal strategic plans. If several <u>no</u> answers are evident, the municipality likely has or will face serious problems with ongoing sustainability. Look at exploring community partnership opportunities.

More information?

The Ministry of Municipal Affairs developed this questionnaire for locally elected officials' and citizens' self-assessment and understanding of the potential health of their municipal government.

Visit the ministry's website at <http://www.municipal.gov.sk.ca> for more operational resource materials.

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Note:

The Ministry of Municipal Affairs wishes to acknowledge that development of this document was based in part on the Alberta Municipal Affairs publication "*Municipal Viability Issues: A scan for potential issues in local government.*" Saskatchewan Municipal Affairs extends a sincere thank you to Alberta Municipal Affairs.

Policy Statement on **Municipal Finance and Intergovernmental Arrangements**

Section A: Municipal Finance

Introduction

There is a growing gap between the services Canada's municipalities must deliver and what they can afford. These services are essential, yet the resources do not match the need. Compared with other orders of government, Canadian municipal governments have far fewer tools with which to raise revenue. The fiscal toolkit available to municipal governments in the United States and other OECD (Organisation for Economic Co-operation and Development) countries is much more diverse, generous and flexible than that available to Canadian municipalities.

A 2002 report on Canada by the OECD concludes that Canadian municipal governments' heavy reliance on property taxes lies at the root of their growing fiscal difficulties. The report also states that Canadian cities have "relatively weak powers and resources" and should be given "some limited access to other types of taxes" to meet their increasing responsibilities. Out of every tax dollar collected in Canada, municipal governments get just eight cents (principally from property taxes), while the other 92 cents goes to the federal and provincial governments.

Key Principles

The Municipal Fiscal Crisis

The municipal sector's tight fiscal circumstances, limited borrowing capacity and limited access to adequate sources of revenue mean that eliminating the \$123-billion municipal infrastructure deficit will require significant financial support from the federal, provincial and territorial governments, as well as additional municipal revenues and improved infrastructure-management strategies.

The current fiscal situation is undermining municipal governments' ability to serve their citizens and build the foundation for the national economy. To support municipal services and foster an environment that attracts talent and investment, municipal revenue sources must be predictable, stable, adequate to their responsibilities, and proportional to the services that have been off-loaded to them and to the mandates that have been transferred to them. There are three root causes for the municipal sector's tight fiscal circumstances.

Excessive Reliance on Property Taxes

Canadian municipal governments depend on property taxes as a source of revenue and have few alternative sources of taxation, other than user fees. In 2000, Canadian municipalities depended on property taxes for 53 per cent of their revenues, whereas communities in the U.S. used property taxes for just 23 per cent of revenue. Unlike municipalities in other countries, Canadian communities have limited access to revenues other than property taxes and user fees. In addition to being fundamentally inequitable, property taxes encourage urban sprawl as a way to increase revenue, which erodes environmental sustainability.

Transfer of Responsibilities from Other Governments

During the 1990s, provincial and territorial governments off-loaded responsibilities to municipal governments without transferring adequate financial resources. Municipal governments now deliver programs that support immigration, the environment, Aboriginal peoples, affordable housing, public health and emergency preparedness and public security. Today, many of these responsibilities remain under-funded and require improved co-ordination with other orders of government.

Reduced Financial Transfers from Other Governments

Municipal revenues are not keeping up with the cost of living, let alone the additional responsibilities of municipal governments. From 1999 to 2003, federal government revenues increased 12 per cent, provincial and territorial revenues 13 per cent, and municipal government revenues only eight per cent. In 1993, transfers accounted for 25 cents of every dollar of municipal revenue; by 2004, they accounted for only 16 cents, a 37-per cent decrease.

FCM Policies

RESOLVING THE MUNICIPAL FISCAL CRISIS

The federal government, in partnership with the provinces and territories, must commit to working with the municipal sector to develop a long-term plan to erase the infrastructure deficit and secure new revenue sources that support increased demands on municipal revenues.

Fiscal Renewal and Targeted Infrastructure Programs

Eliminating the municipal infrastructure deficit requires a two-pronged approach. First, we need a more equitable division of current fiscal resources among all orders of government and a modernization of existing municipal fiscal authorities. This can be achieved, as a long-term goal, in partnership with provincial and territorial governments, by revising the municipal fiscal framework. This could include, for example, a share of sales and income taxes, a share of provincial fuel taxes and increased capacity to levy user fees. In partnership with the federal government, this can best be achieved through a long-term revenue-sharing agreement and a targeted infrastructure program that will ensure sustainable, adequate and predictable sources of revenue for investment in municipal infrastructure. Addressing the fiscal roots of the problem will help to reduce municipal dependence on property taxes, will diversify municipal sources of income and, most important, will give Canada's cities and communities the resources to maintain and renew their infrastructure and ensure they do not fall back into disrepair.

Long-Term Plan

At the same time, we need a long-term plan to provide a strategic framework for ongoing infrastructure investments. Canada's fiscal deficit was erased through an aggressive and targeted strategy; our infrastructure deficit must be tackled the same way. Given the scope of the problem and its implications for our competitiveness and prosperity, the Government of Canada must lead the way.

The federal government must work with provincial, territorial and municipal governments to: 1) develop a comprehensive picture of the size, scope and nature of the municipal infrastructure deficit; and 2) commit to a long-term, national action plan to eliminate the deficit and address the underlying fiscal imbalance that is the cause of the deficit.

As a next step to a long-term framework for infrastructure funding, the federal government should introduce an escalator provision for the federal Gas Tax Fund to protect the value of the investment over time. The government should also commit to a long-term extension of federal infrastructure programs.

An adequate gas tax escalator will not only protect against inflation but allow the fund to grow in response to added pressures on municipal infrastructure from population and economic growth. Without an escalator, a permanent gas tax fund will still deliver \$40 billion to communities between 2010 and 2030, but each year the purchasing power of the transfer will drop, thereby reducing the ability of municipalities to meet the growing needs of their communities. On the other hand, an adequate escalator would increase the value of the transfer by a minimum of 3.5 per cent per year, delivering an additional \$16 to \$30 billion to municipalities over 20 years.

Strategies:

To achieve these objectives, FCM urges the Government of Canada to work with provincial, territorial and municipal governments to:

- recognize the size of the municipal infrastructure deficit and its implications for Canada's competitiveness, productivity, sustainability and quality of life;
- develop and fund—in collaboration with provincial, territorial and municipal governments—a national plan to eliminate the municipal infrastructure deficit and address its causes;
- introduce an escalator to the permanent Gas Tax Fund;
- commit to a long-term extension of federal infrastructure programs; and
- as a longer-term objective, commit to a new long-term revenue sharing agreement with the federal government that includes sharing the equivalent of one cent of the GST.

FCM also urges the provinces and territories to do the following:

- provide additional revenue capacity to meet municipal needs;
- shift municipal financing arrangements to provide unconditional funding rather than conditional grants; and
- ensure that no new provincial sales tax burden is imposed on municipal governments under sales tax harmonization.

GST

In the spirit of the new intergovernmental partnership, the federal government must stop making legislation, regulations and tax rulings retroactive and stop charging GST on latecomer fees.

In the 2004 budget, the federal government increased the GST rebate to 100 per cent. This is an important step toward reducing the municipal tax burden. FCM will continue to work with its members and federal officials to resolve ongoing issues involving municipal governments and the GST.

Strategies:

- FCM will continue to monitor the application of the GST on municipal operations and communicate its concerns to federal officials and ministers.

PAYMENTS IN LIEU OF TAXES (PILT)

The federal government must commit to a better working relationship with municipalities in those areas where exclusive federal jurisdiction and prerogative directly intersect with the orderly administration of municipal affairs. Examples of such areas are payments in lieu of taxes (PILT), information sharing and airport authority regulation.

Because of the efforts of FCM, the federal government has provided PILTs on federal properties for the past 50 years. The federal government is constitutionally exempt from paying property taxes, but nevertheless agrees with FCM that it should pay municipalities, just as an equivalent taxpayer would.

The *Payments in Lieu of Taxes Act*, introduced in 2001, was a substantial advance, but municipalities have some concerns. The Minister of Public Works and Government Services Canada (PWGSC) decides whether PILT applies when federal tenants default on their tax obligations. Recently, PWGSC has been refusing to make these payments.

There are also a number of other PILT-related issues, which hamper and distort PILT, damaging municipal finances and administration.

- One such issue involves synchronizing PILT with municipal payment schedules. Currently, payments are generally made province-wide, interfering with individual municipal budgets.
- Whole classes of property have been removed from PILT, including wharves, drydocks and gasoline pumps, which in private circumstances would be taxable.
- Due to longstanding concerns about the PILT Best Practices initiative, FCM has officially withdrawn from the project. Some of the draft “best practices” recommended by the project are not generally accepted appraisal principles and would substantially lower PILTs.
- Municipal governments routinely find it hard to get full access from the PWGSC and Crown corporations to relevant policies, financial data, leases, contracts and other documents needed to determine PILT.
- Once responsibility for PILT was devolved to the departments and agencies whose property is involved, they started trying to reduce PILT in response to departmental budgetary pressures.
- In some jurisdictions, airport authorities have moved to a passenger-based tax formula. In Ontario, this has been imposed by provincial regulations. The rate per passenger can vary substantially from airport to airport. Some jurisdictions have agreed to continue to tax airports using PILT formulas. Others have moved to full municipal property taxes. In Mississauga, the passenger-based formula has led to a significant tax loss. Also of concern is remittance of development charges, sub-tenant tax defaults, building permits and overall co-ordination of policies with host municipalities.

The Montreal PILT Decisions

In summer 2007 a Federal Court released three groundbreaking decisions favouring the City of Montreal in PILT disputes with the federal government and two of its Crown Corporations. The cases involved the federally-owned P.E. Trudeau International Airport, the Canadian Broadcasting Corporation (CBC), and the Montreal Port Authority. FCM subsequently called on the government and its Crown corporations to withdraw their appeals of the Federal Court decisions and pay their fair share of municipal taxes.

The federal government opted not to appeal the case involving Montreal-Trudeau Airport. While this demonstrated an increased acceptance by the government of its responsibility to make full and fair PILT payments for its properties, the CBC and the Montreal Port Authority appealed their cases to the Federal Court of Appeal. The Court reversed the previous rulings and found in

favour of the Crown corporations. In its ruling, the Court gave Crown corporations broad powers to determine their own tax rates. The Court's only condition was that the federal property owners choose a rate that is "reasonable," a highly unpredictable guideline that will likely fuel further challenges in the future. Montreal has since indicated that it will seek leave to appeal to the Supreme Court of Canada and FCM has sought intervener status.

Strategies:

- FCM will urge and help the Government of Canada to improve the laws, regulations, policies and best practices governing payments in lieu of taxes and bring forward the concerns and special circumstances of municipal governments regarding these payments.
- FCM will continue to incorporate the Montreal decisions into its legal and political PILT strategies.
- FCM will urge the Government of Canada and Crown corporations to provide full access to relevant policies, financial data, leases, contracts and other documents needed by municipal governments to properly assess payments in lieu of taxes.
- FCM will urge the Government of Canada to review airport authority legislation and regulations that confer special privileges on airport authorities, but which harm municipal finances and practices.

Section B: Intergovernmental Arrangements

Introduction

Municipal government is the bedrock on which Canadian democracy rests. As the order of government closest to people, municipal government has expanded in response to changing local needs. Municipal councils provide essential public services and infrastructure that meet citizens' needs.

Although Canadians expect municipal institutions to act as though they constitute an order of government, the Constitution does not recognize municipal governments as such, nor do most provinces and territories. Because of this, municipal governments do not have the autonomy required to exercise adequate powers or to command adequate resources to meet local needs.

Key Principles

FCM is committed to ensuring that the Government of Canada renew its relationship with Canada's municipalities. While much progress has been made over the past two years, more work must be done. FCM will be guided by the following clear principles, which will form the basis for discussions with the Government of Canada:

- accountability and transparency;
- fairness (helping those in greatest need while ensuring all governments contribute their fair share);
- fiscal, economic, social, cultural and environmental sustainability;
- adequate, predictable and stable funding;
- long-term planning;
- respect for provincial and territorial jurisdictions and local priorities;
- partnership among all three orders of government;
- program flexibility; and
- non-partisanship.

The agenda for cities and communities is about more than money. It is about re-inventing how governments work together to serve Canadians. At the heart of this approach to government is collaboration among the three orders of government. This will require accountability and transparency. The goal must be the creation of a culture of inclusion at the federal level.

A new intergovernmental partnership must be based on the principles of sustainable development if it is to build communities that balance economic opportunity, social well-being and environmental conservation. This partnership will encourage participation in decision-making, long-term planning and program flexibility. It will ensure that municipal governments have enough revenue and authority to meet their growing responsibilities, and it will also encourage the efficient, effective and equitable allocation of resources among communities. The cities and communities agenda must respect jurisdiction and focus on cooperation, collaboration and consultation.

FCM Policies

MUNICIPAL STATUS IN THE GLOBAL COMMUNITY

Working with the federal, provincial and territorial governments, Canadian municipalities must assume the powers, recognition and resources that are enjoyed by their counterparts around the globe.

The position of Canadian municipal governments is out of step with the rule of law and principles found in the international community. This lack of recognition, powers and resources distinguishes Canadian municipal governments from their counterparts around the globe.

The International Union of Local Authorities (IULA), the Council of Europe and Habitat II Conference have formally recognized that municipal governments must be able to exercise power in relation to any matter that is not expressly excluded from their mandate. IULA and the Council of Europe have also formally recognized that municipal powers must be adequate to meet local needs and not subject to adverse intervention by other orders of government.

RESPECT FOR THE MUNICIPAL INTEREST

For issues within federal jurisdiction, FCM calls on the federal government to recognize the municipal interest where federal jurisdiction directly intersects with municipal activities.

Municipal government reform in Canada's provinces and territories is gaining momentum. Unfortunately, reform is sometimes driven by the fiscal concerns of other orders of government rather than by a vision of empowered municipal government.

The federal government withdrew from many urban programs in the 1980s and early 1990s, compromising the economic and social stability of many municipal governments, which are grappling with new or under-funded responsibilities, such as immigrant settlement, Aboriginal opportunity, affordable housing and homelessness, public health, environmental stewardship, emergency preparedness and public security.

This trend was also seen in a rapid provincial and territorial devolution of programs and fiscal responsibilities, without adequate consultation and without an appropriate expansion of municipal government powers, resources and autonomy. Increasingly, federal, provincial and territorial governments are off-loading such duties and responsibilities as airports, ports, harbours, policing, health, welfare, highways, bridges, economic development, public transportation, affordable housing and environmental protection.

Strategies:

- FCM will pursue an advocacy campaign to advance the municipal sector's partnership agenda. Specifically, this would entail seeking a commitment to a new intergovernmental partnership from the Government of Canada that includes the following:
 - agreeing to real consultation with municipal governments before decisions are made on issues affecting municipal responsibilities and finances and community competitiveness and quality of life;
 - ensuring that local priorities are considered fully in decisions affecting local interests;
 - establishing a municipal lens for federal decision-making;
 - building on existing bipartite and tripartite program co-ordination; and
 - using community capacity-building models to achieve national objectives.

THE ROAD TO AUTONOMY FOR MUNICIPAL GOVERNMENT

Canadian municipalities must enjoy the powers and authority necessary to serve the broader interests of their citizens and to bring about change and innovation in a global economy.

Canadians want governments to be responsible and efficient. Canadians rightfully expect all orders of government to co-operate in the delivery of public services. Unless the role of municipal governments in the Canadian political system is recognized, the quality of our democracy, the efficiency of our public services and the equitable treatment of taxpayers are all compromised.

Many of the international principles of local self-government can be realized, without amending the Constitution, by changing provincial and territorial legislation. The provinces and territories can expand the jurisdiction and capacity of municipal institutions to permit greater local autonomy and greater innovation, as we have recently seen with the *City of Toronto Act*.

Canadian courts and the federal government have recently changed the way they look at the role of municipal institutions. In a recent decision, the Supreme Court of Canada confirmed that local government powers must be interpreted broadly. Municipal authority may be limited only when a direct conflict exists between a local government bylaw and federal or provincial enactments.

Most provinces and territories have passed new municipal legislation since 1990 to adjust their legislative regime to allow local self-government and expand municipal autonomy. This includes legislation affecting the City of St John's (1990), British Columbia and the Northwest Territories (1993), Alberta (1994), Manitoba (1996), Nova Scotia (1998), Yukon and Nunavut (1998), Ontario (2001), Saskatchewan (2002), the City of Winnipeg (2002), and the City of Toronto (2005).

The British Columbia Community Charter (adopted in 2003) recognizes municipalities as an order of government and will provide opportunities for provincial consultation agreements with the Union of British Columbia Municipalities on specific legislative changes and potential reductions in transfers. This legislation ensures the following:

- municipal governments will be provided with adequate powers and discretion to address existing and future community needs;
- municipal governments must be able to draw on financial and other resources that are adequate to support community needs;
- before new responsibilities are assigned to municipalities, there will be provision for resources required to fulfill the responsibilities;
- the provincial government will respect municipal authority in areas of municipal jurisdiction;
- the provincial government and municipalities will attempt to resolve conflicts by consultation, negotiation, facilitation and, if necessary, formal dispute resolution, and in particular provincial governments must consult municipalities on new legislation or alterations to grants; and
- municipal governments will participate formally in the First Nations treaty-making process, offering advice and making recommendations to the provincial government.

FCM urges that every municipal government should, by way of provincial and territorial legislation, be an order of government that has:

- autonomy;
- the authority to act on every matter within its financial mandate that is not expressly excluded from its responsibility;
- adequate powers and financial and legal resources to ensure good local government and services, to meet existing and future community needs and to apply creative, innovative and entrepreneurial solutions that other orders of government cannot alter unilaterally;

- the assurance that other orders of government will comply with the municipal government's validly exercised authority;
- access to alternative dispute resolution mechanisms to resolve disputes out of court, harmoniously, with other orders of government;
- discretion to refuse to take on what previously were responsibilities of other orders of government and to agree to take on such responsibilities in return for new financial or other adequate resources in relation to these responsibilities;
- the authority to determine its own form and structure; and
- accessibility, democracy and accountability.

Strategies:

- FCM will work with provincial and territorial municipal associations to urge provincial legislatures to adopt a model charter and to advocate bilateral or trilateral agreements with municipal governments.
- FCM will also strengthen its outreach to educate other orders of government, the business community and the general public on the importance of enhanced autonomy for municipal government.

International Trade Agreements

International trade strengthens Canada's economy, draws foreign investment to our communities, and creates job opportunities across the country. Building trade links with the world is a team effort, one that involves Canadian communities, the private sector, and every order of government. Municipalities have a vested interest in understanding the opportunities presented by the international trade agreements that the federal government negotiates on behalf of all Canadians. The federal government must ensure that international trade agreements benefit both Canadian interests and all orders of governments that serve those interests, specifically where municipal processes and practices are for the benefit of the entire community.

Canadian municipalities have expressed a growing interest in trade agreements, both in terms of promoting increased trade and investment opportunities for their communities, and in terms of concerns about potential impacts some provisions may have on municipal programs and activities.

For the past several years, FCM and the Department of Foreign Affairs and International Trade (DFAIT) have partnered on a number of initiatives related to the municipal interest in trade and international affairs, covering issues such as the impact of bovine spongiform encephalopathy or BSE on our beef exports, softwood lumber negotiations, and international trade agreements. To facilitate the relationship and to address municipal questions regarding Canada's international trade agreements, FCM and DFAIT established the Joint Working Group on International Trade in 2001. The FCM/DFAIT Working Group allows for municipal perspectives and concerns to be factored into the international trade policy formulation process.

FCM played a key role in providing input into the development by DFAIT of a number of resources for communities and local governments. These resources aim to help municipalities better understand Canada's international trade obligations and include a web-based tool *International Trade Agreements and Local Government: A Guide for Canadian Municipalities* (2005) (www.municipalguide.gc.ca), and a plain language, pocket-size booklet, *International Trade Agreements: A Pocket Guide for Canadian Municipalities* (2007).

While not providing legal advice or the Canadian government's positions, the guide will help municipalities deal with day-to-day questions that arise from provisions in trade agreements that affect municipal activity, such as provisions governing regulation, zoning and environmental regulations. It will also help clarify questions about government procurement, financial assistance and public-private partnerships.

Strategies:

- FCM will expand its efforts to ensure that municipalities continue to play an important role in Canada's success in the global marketplace and take advantage of the opportunities that trade brings to cities and communities.
- FCM will continue its efforts to better inform Canadian municipalities about international trade negotiations and to address their questions, as well as to ensure that their views and concerns on trade matters are brought to the attention of the federal government through the FCM/DFAIT Joint Working Group on International Trade.

Trade, Investment and Labour Mobility Agreement (TILMA)

The Trade, Investment and Labour Mobility Agreement (TILMA) is an agreement between the Alberta and British Columbia provincial governments to eliminate obstacles to interprovincial trade, investment and labour mobility. TILMA applies to the programs, policies, regulations and standards of both provincial governments and their "entities," which includes municipalities. Though municipal governments are not parties to the agreement, they are subject to it.

The Government of Canada has expressed a clear interest in seeing TILMA, or elements of TILMA, extended to other parts of the country. As a national organization, FCM represents the interests of municipalities in dealings with the federal government and ensures that FCM members are kept informed about the municipal implications of federal government policies and positions.

Strategies:

FCM will continue to:

- call on the Government of Canada to publicly recognize the importance of consulting municipal governments on all issues that affect their mandate, including trade, investment and labour mobility agreements;
- work with provincial/territorial municipal associations to clearly define the municipal implications of interprovincial trade, investment and labour agreements and ensure timely sharing of information and co-ordination.

INTERNATIONAL RELATIONS

Working with the United States and international partners, FCM can influence the policy agenda of other nations through constructive dialogue and policy support to our partners.

Building our relationship with American cities is vitally important to Canadian municipalities. In recent years, Canadian municipalities have been hurt by a number of American policy actions. These include American responses to the BSE crises, the softwood lumber dispute, proposed passport restrictions and cross-border environmental issues.

Strategies:

- To build our capacity to lobby on such cross-border issues as trade, environment and border security, FCM will continue to strengthen institutional ties with the National League of Cities and the U.S. Conference of Mayors, both formally through joint working groups and informally through staff exchanges, annual conferences and ad hoc task forces.

Approved March 2009

Standing Committee on Municipal Finance and Intergovernmental Arrangements

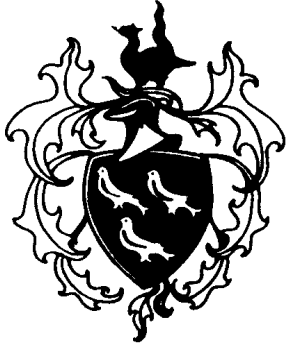
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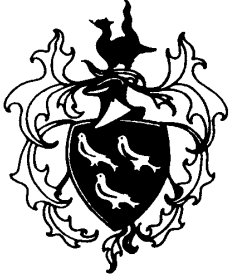


Town of Nanton

Municipal Sustainability Planning

*"Linked to the Past -
Connected to the Future"*

February 2, 2009



Town of Nanton
Municipal Sustainability
Plan

“To facilitate a sustainable future for Nanton”.

Town Council’s Mission Statement as of June 2006

Introduction:

“Sustainability” is defined as living in a way that meets the needs of the present without comprising the ability of future generations to meet their own needs.

Municipal Sustainability Planning is an opportunity for municipalities to look long-term at the communities they want and take proactive steps to move there.

Why?

In 2004, the Federal government outlined plans to give municipalities a portion of the federal gas tax. One of the principles for sharing these taxes was the concept of “environmental sustainability”, which became known as the “New Deal for Cities and Communities” or as the “Gas Tax Fund”. In order for communities to continue to access the maximum funding available from the federal government, the federal-provincial agreement states that all municipalities will have to develop an *Integrated Community Sustainability Plan*. Eligible capital based projects which can be funded through this program include public transit, community energy, local roads, water, wastewater and solid waste infrastructure improvements. Funds can also be utilized for capacity building within a community, including development and implementation of a Sustainability Plan, collaborative, integrative or knowledge based infrastructure improvements and transportation studies which address safety and/or environmental impact concerns. The level of funding is based on an annual per capita allotment.

The Alberta Urban Municipalities Association (AUMA) supports and encourages communities in the creation of Municipal Sustainability Plans. A Municipal Sustainability Planning Guide, created by AUMA, and available online at www.msp.auma.ca, was extensively referenced throughout the creation of this document.

Understanding Sustainability

Supported by the AUMA, “The Natural Step” (TNS) is a universally adopted approach which was developed by Dr. Karl-Henrik Robert to create a framework

for discussion of sustainable concepts. With declining resources and increasing demand for these resources, one of the components is the “Funnel” (Figure 1) created by a narrowing margin between these resources. In order to keep these two lines from intersecting, sustainability planning is crucial. First, awareness of the current situation must be understood. Then, by a method of “Backcasting” (Figure 2), in which planning for the future stems from a future desirable outcome, a plan to achieve the vision is realistically addressed. With the development of an action plan to achieve the end result, sustainable planning is achieved.

Figure 1 - The Funnel

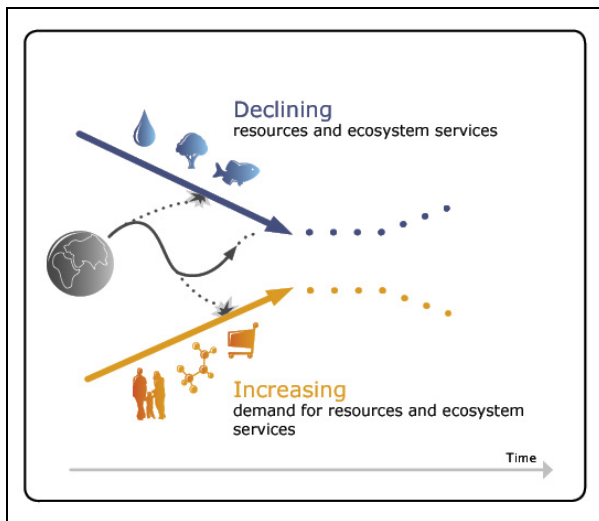
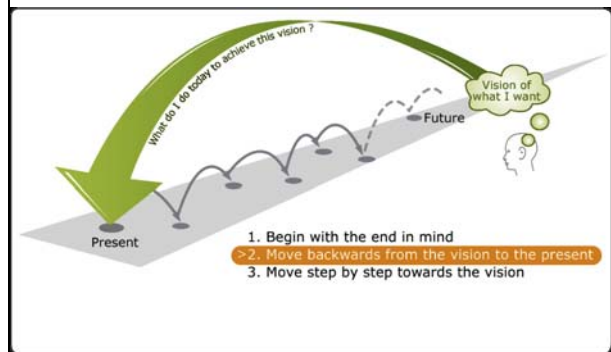


Figure 2 - Backcasting



Source: <http://www.thenaturalstep.org/en/canada>

Principles of sustainability, in accordance with The Natural Step method, are used to guide decisions made in a community to move it toward a more sustainable future. In a sustainable society:

- Nature is not subject to systematically increasing*
- Concentrations of substances extracted from the Earth's crust
 - Concentrations of substances produced by Society
 - Degradation by physical means; and
 - People are not subject to conditions that undermine their ability to meet their basic human needs.

In other words, the objectives for a community planning for sustainability are to reduce its dependence on:

- Fossil fuels, extracted underground metals and minerals
- Chemicals and other manufactured substances that can accumulate in nature
- Activities that harm life sustaining ecosystems; and

- To meet the hierarchy of present and future human needs fairly and efficiently.

Moreover, the Municipal Sustainability Plan (MSP) will reinforce the community's vision statement, goals and strategies and provide tools to assess the implications of decisions in five areas, as referred to in the AUMA guide as the "five dimensions of sustainability". These dimensions are:

- Governance
- Economy
- Environment
- Social
- Culture and Recreation

With an understanding of these sustainability principles and concept of the five dimensions of sustainability, the next step taken was to engage in a process for the development of an MSP.

Methodology & Process Development:

Secure Council's Commitment

At the Regular Meeting of Council held November 3, 2008, the following Resolution was presented and accepted, enabling an ad hoc committee, consisting of three Town staff members, to take action towards the creation of a Municipal Sustainability Plan.

RESOLUTION #279 - 08/11/03

WHEREAS Council supports the development of a Municipal Sustainability Plan (MSP) for the Town of Nanton; and

WHEREAS Council has defined its community Vision, Mission Statement, Values, Goals, Success Factors and Challenges in the 2008 Business Plan as accepted by Council on June 2, 2008 (Res # 166 – 080602); and

WHEREAS Council endorses communication and consultation with residents and community stakeholders in the development of the Municipal Sustainability Plan;

THEREFORE BE IT RESOLVED THAT the *process* for the development of a Municipal Sustainability Plan for the Town of Nanton is adopted as follows:

Step 1: Ad hoc committee to identify existing resources, documents and plans, both adopted and under review by Council, that support and can be supported by a comprehensive Municipal Sustainability Plan (MSP).

Step 2: Notification of this initiative will be provided in writing to residents and key stakeholder groups within the community and a questionnaire circulated in the October 31, 2008 utility bill mail out requesting feedback regarding the Vision,

Mission Statement, Values and Goals for Nanton, including and related to social, cultural, environmental, economic and governance elements.

Step 3: Analysis of public input gathered and presented to Council for review at the December 1, 2008 Regular meeting.

Step 4: Review DRAFT MSP, including initiatives, at a presentation to Council at the January 19, 2009 Committee of the Whole meeting.

Step 5: Final MSP acceptance at the February 2, 2009 Regular Council Meeting.
CARRIED

Taking Stock of the Community

The Town of Nanton has been actively working towards future planning for this community. A summary of existing tools, infrastructure and resources is compiled below, as well as acknowledgement of the challenges that communities, including Nanton, currently face.

Plans and Documents:

- Annual Business Plan
- Three-year Budget Plan
- Long Range (10 Year) Capital Plan
- Annual Council-Staff Planning Session Results
- Inter-municipal Development Plan – proposed 2009
- Municipal Development Plan, amended 2009
- Area Structure Plan – pending 2009
- Infrastructure Master Plan, updated 2008
- Design Standards and Guidelines for Subdivisions, adopted 2006
- Off-site Levy Bylaw – pending 2009
- Land Use Bylaw, amendments pending 2009
- Water Conservation Bylaw, amended 2009
- Recycling Bylaw
- Water and Sewer Bylaw

Key Resources:

- Staff
- Citizens
- Community groups
- Volunteers
- Business Community
- Access to grants
- Member of Legislative Assembly (Provincial)
- Member of Parliament (Federal)
- Calgary Regional Partnership membership
- Municipal District of Willow Creek
- Access to other financial resources and professional expertise

Constraints/Challenges:

- Limited financial resources

- Volunteer burnout
- Staffing limitations
- Time management
- Economic fluctuations
- Communication

Gathering Community Input

The MSP committee prepared a questionnaire that was circulated to residents with the October 31, 2008 utility bills (see Appendix A). Out of approximately 1,000 households that received this information, 59 responded (6%). This information was documented and presented to Council as information at its regular meeting on December 1, 2008 (on file).

Although it represented a very small sample of residents, much of the feedback gathered from the questionnaire can be incorporated into the backcasting analysis, as many common ideas and comments were expressed by the respondents.

Developing a Sustainability Plan for Nanton – 5 Phase Approach

As suggested in the AUMA's guidelines for communities creating a Municipal Sustainability Plan, five phases of plan development were followed:

- Phase 1 – Vision*
- Phase 2 – Define Success*
- Phase 3 – Current Reality*
- Phase 4 – Action Plan*
- Phase 5 – Implement/Monitor*

Imagine the Future – Phase 1

Established through Council and Staff planning sessions and supported within the Business Plan, Town Council has adopted the following values and vision statements.

Community values: *diversity, integrity, family, health, safety, adaptability, learning, volunteerism, progressiveness, neighborliness, sportsmanship, pioneer spirit, and environment.*

Vision: *Nanton, a caring Community where our historical values inspire a prosperous future for all.*

Similarly, the feedback obtained from the community survey results presented many common descriptions, noted below.

Community values: *friendliness, peacefulness, cleanliness, beauty (within town and in surrounding areas), walkability, community spirit, accessibility, social networks, health services, schools, recreation facilities, postal services, churches, hometown spirit, proximity to larger centres, safety, social stability, clean air*

Desired characteristics of Nanton 20 years in the future:

*Strong sense of community
Highway 2 relocation complete
Larger schools
Increase in employment opportunities
Increase of retail opportunities
Increase of green spaces
No “sprawl”
Walkable and accessible communities
Small town character
Mainstreet improvements
Upgraded infrastructure
Larger library
More industrial opportunities
Active tourist destination
Clean air and environment
Prosperous
Orderly growth – but within the capacity to service
Without prejudice/discrimination
Cooperative community initiatives; working together
Increased educational opportunities
Safe environment to raise families
No traffic problems – perhaps commuter options
Diverse housing options
Diverse recreational options
Enhanced water supply
Balanced budget, reasonable taxes*

Define Success – Phase 2

For the purposes of this report, success was defined by major theme area for each dimension based in part on the comments received in the community questionnaire results as well as from the strategic plans and documents that Council(s) have adopted.

This information is summarized in Appendix B, Backcasting Analysis, together with the Current Reality and proposed Actions for each dimension.

View Current Reality – Phase 3

See Backcasting Analysis Chart (see Appendix B)

Plan to achieve our Future – Phase 4

Action Plan Charts (attached as Appendix C)

The descriptions of success proposed for each dimension must be attainable through action and use of available resources. Prioritization based on the community's needs while providing for future investment is a matter of balance. The challenge is to efficiently apply the proper resources to undertake those initiatives that provide desirable returns over the long term.

Four questions can be applied to each of these actions to assess their value. They are:

1. Will this action move us toward Nanton's definition of success?
2. Will this action move us toward the Sustainability Principles?
3. Will this action provide flexibility for future community leaders to take action?
4. Will this action generate sufficient economic and political return to seed future investments?

This listing of actions is by no means exhaustive, but it does serve as a starting point for discussion and examination by relevant stakeholders.

Implementation & Monitoring - Phase 5

Within the Action Plan, responsibilities, timelines and resources have been suggested to guide each strategy's implementation. Much of the work ahead will depend on the commitment of the community's leaders and its citizens, working together to achieve their common vision of success as adopted by this Plan. The Action Plan cannot be static; it requires the input and participation of its stakeholders over time to ensure that the desired results are being achieved. And if not, what modifications are necessary to lead the way to achievement?

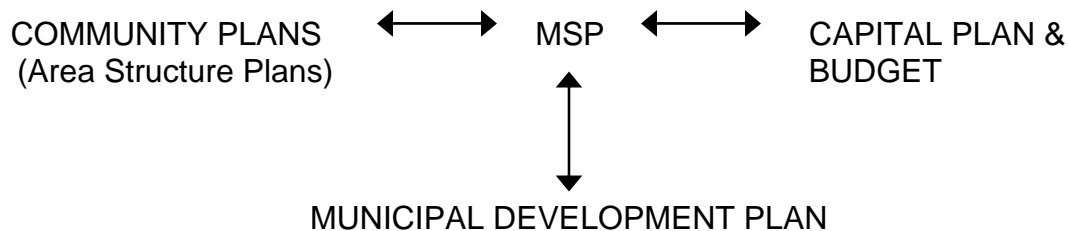
Council can and will be leaders in sustainable practices and decision making. The principles of sustainability must be enveloped within the community's statutory documents, bylaws, policies and other municipal programs and services, to further support the ongoing success of this Plan. Reviews of these documents will be mandatory to ensure their alignment with this plan as it too changes over time.

Community involvement is a must for the successful progression and implementation of this plan. A community planning session is being organized by the MSP committee for early 2009, where a qualified facilitator can educate and lead participants through the process of sustainability planning. This plan can serve as a starting point from which to systematically build and improve.

Future planning sessions for Council leaders and staff members will continue to precede the onset of annual budgeting deliberations, likely in the first quarter of

each year. Improvements to the Budgeting Process are continually being made with the support of council in adding and modifying practices for fiscal efficiencies and sound decision making. The MSP document will be reviewed and updated during this process, prior to adoption of the long range capital plan.

Figure 3 – Integration of Municipal Plans



Nanton's Sustainable Future – A Summary

In order to be sustainable, we must plan with an understanding of the consequences that today's actions will impact future generations. Sustainability is all about planning and implementing measures that will help our community become better place in which to live. Increasingly, as Nanton has been challenged to deliver services and guarantee healthy environments with decreasing resources, a Municipal Sustainability Plan will provide the tools to enhance our community's quality of life, increase our financial efficiency and "do more with less", in the long term.

A realization that this plan, its actions towards achieving our goal and even the goals themselves, are not set in stone, is key in the overall development of the plan. Continued public engagement and fine tuning will necessitate the evolution of this Municipal Sustainability Plan as Nanton advances into the future.

By planning for Municipal Sustainability, Nanton will endeavour to preserve its sense of community, build a strong economic atmosphere, introduce diverse recreational and cultural opportunities and encourage environmental conservation for its residents.

Appendices

Appendix A – Community Questionnaire on Sustainability

Appendix B – Backcasting Analysis

Appendix C – Action Plans

A listing of Sustainability Resources can be found at:

<http://msp.auma.ca/Overview/Resources/>

MUNICIPAL SUSTAINABILITY PLAN (MSP) QUESTIONNAIRE

GOVERNANCE:

How well do you feel Council has fulfilled its Mission Statement? Please comment: _____

Would you be willing to support an increase in the level of municipal services through Tax dollars or User Pay? _____

Do you read the bi-monthly "Nanton Notified" newsletter? Yes _____ No _____

Do you have any suggestions for content? _____

Have you visited the Town's website at www.nanton.ca? Yes _____ No _____

Do you find it informational? Yes ___ No ___ Do you have any suggestions for content? _____

ECONOMY: Please rate each one of the following economic issues from 1 to 8, 1 being most important.

__ Industrial Development __ Employment Opportunities __ Population Growth __ Education Opportunities

__ Adequate Land Base __ Expanded Retail Choices __ Affordable Housing __ Transportation

What could you or your group do to contribute to the economic success of Nanton? _____

ENVIRONMENT:

What could you do to improve water conservation in Nanton? _____

What other programs do you believe should be initiated for environmental stewardship? _____

What could you do to reduce your environmental footprint? _____

SOCIETY: What is important to you to maintain and preserve Nanton's sense of historical flavour? _____

What does neighbourly mean to you? _____

Do you feel that Nanton has adequate, diverse housing options for different income levels? Yes ___ If not, what is needed? _____

Do you feel Nanton is a safe place to live? Why? _____

How do you think Nanton could improve as a community? _____

RECREATION & CULTURE: Are you satisfied with the variety of recreation offered in this community? Yes ___ If not, what should be added? _____

Are you satisfied with the cultural opportunities in Nanton? If not, where do feel improvement is warranted? _____

FUTURE VISION: What do you value most about Nanton? _____

In 20 years, what do you think the ideal Nanton should look like? _____

Do you live in Nanton? Yes No

Thank you for your time and comments!
Don't forget to drop off this questionnaire for your chance to enter our draw.

BACKCASTING ANALYSIS (Note 1)

Dimension of Sustainability:	Theme Area	Description of Success (Note 2)	Current Reality (Note 3)	Actions necessary to achieve success (Note 4)
Governance	Fiscal Management	Processes are in place that facilitates effective and efficient planning and decision making with regard to municipal finances	<ul style="list-style-type: none"> -Current budget processes are continually evolving and improving -Introduction of performance measures and indicators in 2009 Business Plan 	<ul style="list-style-type: none"> -Continue to build on integrated and comprehensive 3-yr Business Plan and budgeting process and long range capital planning process -Integration and expansion of performance measures within the Business Plan in 2009
Governance	Communication & Public Involvement	<p>Public is well informed of Town Council issues and has the opportunity to contribute/provide input.</p> <p>Public is informed of changes to legislation and plans.</p>	<ul style="list-style-type: none"> - Residents rely on word of mouth for information - Town website appears underutilized by Community - Website does not have meeting agendas and minutes posted - Website is not always kept up to date - Bi-monthly newsletter mailed with utility billings 	<ul style="list-style-type: none"> - Improve communication with Public regarding meetings and agendas - Newsletter: follow-up on previously reported features - Website: have all updated business plans, bylaws & documents easily accessible -Develop informational brochures for public -Conduct public planning session regarding sustainability planning
Governance	Growth Management	<p>Development growth can be adequately serviced.</p> <p>Provision of needed infrastructure is not a financial burden on the community.</p>	<ul style="list-style-type: none"> -Perception that infrastructure may be inadequate for current as well as future needs 	<ul style="list-style-type: none"> -Create, review and/or revise existing statutory plans to incorporate sustainable practices -Incorporate projects as prescribed in the Infrastructure Master Plan within the long range capital plan

Dimension of Sustainability:	Theme Area	Description of Success (Note 2)	Current Reality (Note 3)	Actions necessary to achieve success (Note 4)
Economy	Tourism	Nanton is recognized and promoted as a desirable destination for travellers	-Numerous tourism assets attract roughly 30,000 visitors per year -Some collaborative marketing -Limited resources	-Participate in "Cool Little Towns" joint marketing initiative -Review marketing and signage options -Continue to support local events through partnerships and programs (Promotional Fund)
Economy	Main Street Nanton	Nanton has a vibrant downtown core true to its historical heritage	-Identified need for a more diverse offering of businesses in the downtown area -Historical assets/signage improved in past through Main Street program -Main Street guidelines are to be followed in Retail General Commercial district for signage	- Continue to facilitate and encourage Main Street enhancements i.e. beautification projects in keeping with a historical theme - Review inclusion of historical architectural control guidelines within the Land Use Bylaw for downtown core - Investigate available funding and criteria under the Provincial Municipal Heritage Partnership Program
Economy	Commercial and Industrial Development	Nanton has increased, diverse commercial and industrial activity which will create employment and will not deplete or jeopardize our environment	-Limited retail choices -residents must shop out of town for many products -Serviceable land is available in these land use districts -Employment is rated first priority in community questionnaire results	-Support business retention/expansion & attract new development -Encourage entrepreneurship -Plan for the provision of adequate land base and offsite infrastructure for growth -Participation in regional (Calgary Regional Partnership Economic Development Forum) strategies

Dimension of Sustainability:	Theme Area	Description of Success (Note 2)	Current Reality (Note 3)	Actions necessary to achieve success (Note 4)
Environment	Water – Provide, Protect and Preserve	Self-sustained, assured supply and treatment of potable water Community participation in setting and achieving conservation targets Realization of a regional water supply strategy	Rate structure based on usage Many residents active in water conservation methods Water Conservation Bylaw in place and enforced	- Incorporate system improvements as prescribed in the Infrastructure Master Plan -Continue to educate, encourage, and/or enforce conservation throughout the community -Water conservation measures adopted at all municipal facilities (lead by example) -Participate in CRP regional servicing strategy
Environment	Waste	Reduction in garbage collected per household (2 bag per week household maximum) Significant reductions in recyclable materials going to landfills	Residents support waste recycling Recycling centre reaching capacity	-Educate the public on the variety of items that can be recycled -Investigate recycling options -Investigate methods for delivery of service i.e. curb side pick up
Environment	Parks and Green Spaces	Abundant, beautiful, healthy and environmentally responsible green spaces which exceeds 10% of developable land	-Centralized park area not yet developed in Westview subdivision -Green spaces occupy approximate 25% of land space	-Educate, demonstrate and promote reductions in chemical dependence for fertilizing and weed control and use of drought tolerant vegetation -Investigate Parks & Trails Master Plan with ORRSC
Environment	Waste Water Treatment	Assured ability to collect and treat waste water	-Meets or exceeds AB Environment Standards -Aging infrastructure - Current plant designed for pop. 3,500 and expansion capacity to pop. 6,000	- Incorporate system improvements as prescribed in the Infrastructure Master Plan -Continued planning for the creation and funding for adding system capacity
Dimension of		Description of Success		Actions necessary to achieve

Sustainability:	Theme Area	(Note 2)	Current Reality (Note 3)	success (Note 4)
Social	Sense of Community	<p>Retain small town flavour and values</p> <p>Neighbourly communities which provide housing opportunities for all income levels and ages</p> <p>Public is aware of events pertaining to different interest areas</p>	<p>- Town developed lots for sale are 90-95% single family dwellings. Approximately 5-10% are for duplex or higher density development</p> <p>- Website lacks detailed information on community activities; rely on local newspaper/media, and to a very limited extent, signage</p>	<p>-Allow for diversity and the provision of housing options, including multi-family dwellings, rental accommodations and seniors residences</p> <p>-Create development policies which support the community value of small "townness"</p>
Social	Protection and Safety	<p>People look out for each other & trust their neighbours.</p> <p>Adequate law enforcement fire protection/resources provided.</p> <p>Disaster and emergency response preparedness</p>	<p>-Overall, perceived as a safe place to live because of law enforcement resources and because of the sense of community</p> <p>-Public concern with major highway traffic through town, traffic violations, the proximity to Calgary and youth crime</p>	<p>- Ongoing assessment of community needs and delivery of services</p> <p>-Support Regional Fire committee and update of Fire Bylaw</p> <p>-Provide education for Disaster services Emergency Response</p> <p>-Identify measures of success</p>
Social	Available Programs & Services	<p>Continued and expanded programs and opportunities in Health and Wellness, Government Services, Community Support Services (FCSS), Seniors & Youth Programs and Education</p>	<p>-Residents do not want to see a drop in the level of services and availability of programs</p> <p>-More research would be needed to determine level of effectiveness that these services provide and if current needs of the community are being met</p>	<p>-Support efforts of and maintain local services</p> <p>-Stay informed and involved in community, regional, and provincial strategies</p> <p>-Encourage volunteerism and community involvement</p> <p>-Identify measures of success</p>
Dimension of Sustainability:	Theme Area	Description of Success (Note 2)	Current Reality (Note 3)	Actions necessary to achieve success (Note 4)

Recreation and Culture	Recreation Facilities and Services	Diversity and adaptability of programs and recreational spaces to changing population, demographics and interests Optimal community participation in local programs and services	- Strong presence of hockey, curling, golf and rodeo activities - Many residents seek recreational activities in other communities (i.e. year round swimming) -Community seeks more diverse opportunities for youth	- Actively promote existing opportunities - Expand opportunities for youth i.e. Skateboard Park -Maximize use of existing facilities -Investigate public recreation expansions; including possibility of indoor pool
Recreation and Culture	Arts & Culture	Community possesses and encourages artistic and cultural activities.	-Strong sense of history, cowboy culture, pioneer spirit -Limited options for showcasing activities	-Continue to support local events through partnerships and programs (Promotional Fund) -Consider a library expansion plan/multi-use facility plan

Notes:

1. "Backcasting" is a term used in the The Natural Step (TNS) as a method to raise Awareness, create Baseline information, develop Clear descriptions of success, and get Down to action (ABCD).
2. Descriptions of Success are condensed and derived both from the questionnaire results and from previous planning session results, as available to date.
3. Current Reality descriptions include comments as made in response to the community questionnaire.

*Where the questionnaire did not ask specifically for comments, some areas may have been left blank intentionally.

ACTION PLANS – Governance

Description of success	Actions	Responsibility	Timing	Resources Required	Success Indicators
<p>Fiscal Management Processes are in place that facilitate effective and efficient planning and decision making with regard to municipal finances</p>	<p>-Continue to build on integrated and comprehensive 3-yr Business Plan and budgeting process and long range capital planning process -Integration and expansion of performance measures within the Business Plan in 2009</p>	Town Staff	Annually	Outside expertise	<p>*Service delivery objectives are met and are within budget *Sustainability principals and tools are used in the examination and prioritizing of investments and initiatives for 2010 budget</p>
<p>Communication & Public Involvement Public is well informed of Town Council issues and has the opportunity to contribute/provide input. Public is informed of changes to legislation and plans.</p>	<p>- Improve communication with Public regarding meetings and agendas - Newsletter: follow-up on previously reported features - Website: have all updated business plans, bylaws & documents easily accessible -Develop informational brochures for public -Conduct public planning session regarding sustainability planning</p>	Administrative Staff	2009-2010	Outside expertise (for web site improvements)	<p>*Increased attendance at Public Hearings and Meetings *Increased traffic to website *Active participation in community planning session *Cooperative initiatives created for MSP</p>
<p>Growth Management Development growth can be adequately serviced. Provision of needed infrastructure is not a financial burden on the community.</p>	<p>-Create, review and/or revise existing statutory plans to incorporate sustainable practices. -Incorporate projects as prescribed in the Infrastructure Master Plan within the long range capital plan</p>	Committee of the Whole Planning and Development	2009	Planners (ORRSC) Engineers Community Input	Council adoption of: IMDP with MDWC complete, MDP growth management development policies and density target in place and IMP & off-site levy bylaw in place

ACTION PLANS – *Economy*

Description of success	Actions	Responsibility	Timing	Resources Required	Success Indicators
<p>Tourism Nanton is recognized and promoted as a desirable destination for travellers</p>	<ul style="list-style-type: none"> -Participate in “Cool Little Towns” joint marketing initiative -Review marketing and signage options -Continue to support local events through partnerships and programs (Promotional Fund) 	<p>Planning and Development</p>	<p>2009</p>	<ul style="list-style-type: none"> -Nanton and District Chamber of Commerce -Alberta Tourism/Travel Alberta -Tourism Operators -Local Businesses -Public and Private funding 	<ul style="list-style-type: none"> *Updated tourism brochure for Nanton completed and distributed *Cooperation and teamwork within the community and with regional and provincial partnerships
<p>Mainstreet Nanton Nanton has a vibrant downtown core true to its historical heritage</p>	<ul style="list-style-type: none"> - Continue to facilitate and encourage Main Street enhancements i.e. beautification projects in keeping with a historical theme - Review inclusion of historical architectural control guidelines within the Land Use Bylaw for downtown core - Investigate available funding and criteria under the Provincial Municipal Heritage Partnership Program 	<p>Planning and Development</p>	<p>2009 - 2011</p>	<ul style="list-style-type: none"> Nanton & District Chamber of Commerce Alberta Mainstreet Program & MHPPP Local Businesses Public and Private funding 	<ul style="list-style-type: none"> *Aesthetic enhancements and preservation of historical elements are pursued
<p>Commercial and Industrial Development Nanton has increased, diverse commercial and industrial activity which will create employment but not deplete or jeopardize our environment</p>	<ul style="list-style-type: none"> -Support business retention/expansion & attract new development -Encourage entrepreneurship -Plan for the provision of adequate land base and offsite infrastructure for growth -Participation in regional (Calgary Regional Partnership Economic Development Forum) strategies 	<p>Planning and Development</p>	<p>2009-2011</p>	<ul style="list-style-type: none"> Community Futures – Highwood MDWC CRP Nanton & District Chamber of Commerce 	<ul style="list-style-type: none"> *IMDP and MDP policies in place to support development and growth for commerce and industry in 2009 *increased # of businesses and development *increased employment *Cooperation and teamwork within the community and with regional and provincial partnerships

ACTION PLANS – *Environment*

Description of success	Actions	Responsibility	Timing	Resources Required	Success Indicators
<p>Water – Provide, Protect and Preserve Self-sustained, assured supply and treatment of potable water</p> <p>Community participation in setting and achieving conservation targets</p> <p>Realization of a regional water supply strategy</p>	<ul style="list-style-type: none"> - Incorporate system improvements as prescribed in the Infrastructure Master Plan -Continue to educate, encourage, and/or enforce conservation throughout the community -Water conservation measures adopted at all municipal facilities (lead by example) -Participate in CRP regional servicing strategy 	<p>Public Works Services Committee & Department</p> <p>Community Peace Officer</p>	<p>2009-2011</p>	<p>Fees for service</p> <p>Engineering</p> <p>Alberta Environment</p> <p>Calgary Regional Partnership-</p>	<ul style="list-style-type: none"> *WTP & reservoir meets or exceeds AB Environment Standards *Reduction in per household consumption of metered water (set targets) * Public compliance with Water Conservation Bylaw *Adoption of finalized regionalized Servicing Study by CRP members
<p>Waste Reduction in garbage collected per household (2 bag per week household maximum)</p> <p>Significant reductions in recyclable materials going to landfills</p>	<ul style="list-style-type: none"> -Educate the public on the variety of items that can be recycled -Investigate recycling options -Investigate methods for delivery of service i.e. curb side pick up 	<p>Public Works Services Committee</p> <p>Public Works Department</p>	<p>2009-2011</p>	<p>Fees for service</p> <p>Contracted service providers</p>	<ul style="list-style-type: none"> *Adoption and achievement of set targets over time
<p>Parks and Green Spaces Abundant, beautiful, healthy and environmentally responsible green spaces which exceeds 10% of developable land</p>	<ul style="list-style-type: none"> -Educate, demonstrate and promote reductions in chemical dependence for fertilizing and weed control and use of drought tolerant vegetation -Investigate Parks & Trails Master Plan with ORRSC 	<p>Recreation Department</p> <p>Planning and Development</p>	<p>2011-2012</p>	<p>Outside expertise</p> <p>Planning (ORRSC)</p>	<ul style="list-style-type: none"> * Guidelines in place for landscaping and natural spaces * Approval to proceed with Parks & Trails Master Plan from Council

ACTION PLANS – Social

Description of success	Actions	Responsibility	Timing	Resources Required	Success Indicators
<p>Retain Sense of Community Retain small town flavour and values</p> <p>Neighbourly communities which provide housing opportunities for all income levels and ages</p> <p>Public is aware of events pertaining to different interest areas</p>	<p>-Allow for diversity and the provision of housing options, including multi-family dwellings, rental accommodations and seniors residences</p> <p>-Create development policies which support the community value of small “townness”</p>	<p>Planning and Development</p>	<p>2009 - 2010</p>	<p>Planners (ORRSC)</p> <p>Developers</p>	<p>*Enhanced MDP principals and policies in place in 2009</p> <p>*Area Structure Plan criteria in place for mixed use communities/sustainability principals</p> <p>*Land Use Bylaw criteria reviewed in conjunction with MDP update in 2009</p>
<p>Protection and Safety People look out for each other & trust their neighbours.</p> <p>Adequate law enforcement fire protection/resources provided.</p> <p>Disaster and emergency response preparedness</p>	<p>- Ongoing assessment of community needs and delivery of services</p> <p>-Support Regional Fire committee and update of Fire Bylaw</p> <p>-Provide education for Disaster services Emergency Response</p> <p>-Identify measures of success</p>	<p>Protective Services Committee CPO Fire Department Director of Disaster Services</p>	<p>Ongoing</p>	<p>RCMP</p> <p>MD Willow Creek</p> <p>FREMS</p>	<p>* Retention and/or expansion of services</p>
<p>Available Programs & Services Continued and expanded programs and opportunities in Health and Wellness, Government Services, Community Support Services (FCSS), Seniors & Youth Programs and Education</p>	<p>-Support efforts of and maintain local services</p> <p>-Stay informed and involved in community, regional, and provincial strategies</p> <p>-Encourage volunteerism and community involvement</p> <p>-Identify measures of success</p>	<p>Council is involved through representation on boards and committees</p>	<p>Ongoing</p>	<p>Calgary Health Region Mosquito Creek Foundation MLA, MP FRESC Livingstone Range School Division</p>	<p>*Retention and/or expansion of services</p>

ACTION PLANS – Recreation and Culture

Description of success	Actions	Responsibility	Timing	Resources Required	Success Indicators
<p>Recreation Facilities and Services Diversity and adaptability of programs and recreational spaces to changing population, demographics and interests</p> <p>Optimal community participation in local programs and services</p>	<ul style="list-style-type: none"> - Actively promote existing opportunities - Expand opportunities for youth i.e. Skateboard Park -Maximize use of existing facilities -Investigate public recreation expansions; including possibility of indoor pool 	<p>Recreation Department</p> <p>Sports Organizations</p>	<p>2010-2012</p>	<ul style="list-style-type: none"> -Community Groups -Sports Organizations -Fundraising -Capital funding/grants -Outside expertise 	<ul style="list-style-type: none"> *Increased participation in existing programs *Continued improvements and planned upgrades for existing spaces * Recreational needs incorporated into growth management strategies
<p>Arts & Culture Community possesses and encourages artistic and cultural activities.</p>	<ul style="list-style-type: none"> -Continue to support local events through partnerships and programs (Promotional Fund) -Consider a library expansion plan/multi-use facility plan 	<p>Council</p> <p>Community Groups & Boards</p>	<p>2009-2011</p>	<ul style="list-style-type: none"> -Community fundraising -Capital funding/grants -Outside expertise 	<ul style="list-style-type: none"> *Spatial Assessment options adopted by Council 2009 *Presence of local artisans

CONCLUSION ON GOVERNANCE

The Summit closing plenary focused on governance and realizing our sustainability goals: how can the region achieve the various pictures of success that were agreed to, and how can we implement the action items that participants selected? The discussion featured the observations of two specialists in the field of municipal authority: Jim Craven, former Executive Director of the Municipal Finance Authority of BC and principal at James R. Craven and Associates and Dr. Michael Goldberg, Professor and Dean Emeritus, Sauder School of Business.

Summit moderator Max Wyman opened the session by thanking participants for their generosity in giving up their afternoon to engage in such an important discussion. He described the Summit as representing the finest example of participatory democracy at work and stressed that the outcomes represent a shared agenda, to be implemented collaboratively.

Jim Craven began his presentation by outlining the uniqueness of the local government model that has evolved in British Columbia with components such as the Agricultural Land Reserve, regional districts, municipal finance authority. He said that although this system has been criticized by some, it nevertheless provides important services that address the needs of both urban areas such as Metro Vancouver and the Capital Regional District, and rural regions that don't have the population numbers to warrant officially incorporating as municipalities. According to Craven, this governance architecture allows greater flexibility in managing and funding local infrastructures projects, and it avoids the problems that have been experienced by other municipalities such as Toronto and Halifax that chose to amalgamate. Craven suggested that even though the system was designed many years ago and probably does need some tweaking, it nevertheless provides "...a marvellous mechanism to accomplish (our) dreams, effectively and economically."

Dr. Goldberg concurred that the governance structure we have in the region represents "...a wonderful diversity of local councils and regional districts" that allows us to draw on an "enormously rich variety of successes" as we move forward. However, he noted that "virtually every issue that I saw in every session, looking at all of the details, implied there was an enormous role for the region, and that municipal actions were not likely to be effective dealing with all the issues we talked about today."

Dr. Goldberg concluded that the current regional governance system – which is 40 years old – needed re-examination: "I would like to propose that we enter into a dialogue that starts asking: Is the decentralized model that we've had, the bottom up approach, still relevant?...Do we need to consider rearranging authorities, in many cases giving the region supreme authority in certain areas, with municipalities having the residual authority...this is a dramatic change." The real impetus for this, he suggested, would not come from politicians, but from the citizens of the region themselves.

Ultimately, Mr. Craven and Dr. Goldberg agreed that the issues that were brought up at the Summit required a truly regional response and, to varying degrees, both advocated re-examining and possibly modifying the current system to enable that to occur. Their comments varied in emphasis. Mr. Craven emphasized how well-served the region had been by the existing system relative to the experiences of other, particularly, amalgamated cities, and described the needed modifications as 'tweaking'. Dr. Goldberg emphasized the need to seriously consider more significant change which might retain a two-tier system but dramatically shift the balance of authority for issues truly regional in nature.



NEWS RELEASE

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Ministry of Community and Rural Development
Union of British Columbia Municipalities

ELECTIONS TASK FORCE LAUNCHES CONSULTATION WEBSITE

VICTORIA – The task force dedicated to reviewing issues related to B.C.’s local government electoral process has a new website to provide information on the existing system and collect written comments from the public.

Co-chairs Bill Bennett, Minister of Community and Rural Development, and Harry Nyce, president of the Union of British Columbia Municipalities (UBCM), announced the launch of the Local Government Elections Task Force website, www.localelectiontaskforce.gov.bc.ca, as a key component of its consultation process.

“This website provides valuable information on the issues under review and gives every citizen in every part of our province a way to voice their opinion,” said Bennett. “Local government is an important part of our democratic system; it shapes every community and impacts every taxpayer. We want to hear people’s ideas for improving the way local government and school trustee elections take place.”

“The task force invites input from local governments, citizens, community groups and other organizations,” said Nyce. “Given the timeline we are working under, the feedback provided through the website will play a vital role in the deliberations of the task force.”

On Oct. 2, 2009, Premier Gordon Campbell announced the special joint task force, co-chaired by Bennett and Nyce, to make recommendations for changes to local government elections legislation. Other task force members are Surrey Councillor Barbara Steele, first vice-president, UBCM; Quesnel Mayor Mary Sjostrom, third vice-president, UBCM; Donna Barnett, Cariboo-Chilcotin MLA; and Douglas Horne, Coquitlam-Burke Mountain MLA.

The task force is reviewing specific issues related to various local government elections topics:

- Campaign finance, including contribution/spending disclosure and limits, and tax credits.
- Enforcement processes and outcomes.
- The role of B.C.’s chief electoral officer in local government elections.
- The election cycle (term of office).
- Corporate vote.
- Other agreed upon matters (for example, matters raised in UBCM resolutions such as candidate eligibility of volunteers).

Written input is sought as soon as possible, preferably by April 15, 2010.

The recommendations of the task force are to be presented to the Province and UBCM no later than May 30, 2010, in time for approved legislative changes to be implemented for the 2011 local government elections.

Comments can be provided:

Online at www.localelectiontaskforce.gov.bc.ca.

By email to localelectiontaskforce@gov.bc.ca.

By fax to 250 387-7972

By mail to:

Local Government Elections Task Force
c/o Ministry of Community and Rural Development
PO Box 9839 Stn Prov Govt.
Victoria BC V8W 9T1

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Media	Public Affairs Bureau	Paul Taylor
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Local Government Elections Task Force Backgrounder on Local Government Elections

January 2010



Local Government Elections Backgrounder

Background

Local government elections are held every 3 years and are conducted by local governments under the legislative framework of the *Local Government Act* and under parallel *Vancouver Charter* provisions for the City of Vancouver. These provisions apply to local government elections (both general elections and by-elections) and “other voting” (i.e., referendum voting – both required referendums and referendums seeking public opinion).

The local government election provisions govern elections for municipal elected office (mayor and councillors) and for electoral area directors on the regional district board. The *Vancouver Charter* provisions apply to the election of the mayor, councillors and the Vancouver parks board.¹

School board elections “piggy back” on the local government election process – meaning that their election processes rely on the *Local Government Act* election provisions and the vast majority of school board elections are conducted by municipalities and Regional Districts. The Islands Trust elections also rely on the *Local Government Act* provisions, as do the Cultus Lake Park Board elections and the elections of the 5 local community commissions.

All told over 1660 elected positions are filled under the election provisions, providing elected representation to over 250 government bodies. Thus, while the local government elections legislation is not “stand alone” legislation, there is effectively a single provincial process for all local government (and affiliated bodies) elections.

Currently the local government elections system is not directly connected to the provincial election system. Provincial elections are conducted under the *Election Act*. The *Referendum Act* governs provincial referendums and regulations under that Act currently apply significant provisions of the *Election Act* to referendum processes. Elections and referendums are conducted by Elections BC (EBC). EBC is an independent office of the Legislative Assembly and has a core staff of 41 which increases to 32,000 during an election. According to Elections BC staff, EBC has an annual operating (i.e., non event) budget of \$ 7.7 million² with an additional \$38 million for the 2009 election (and counting as the costs for the election are still being incurred).³ Currently, 85 elected positions are filled under the Provincial *Election Act*.

¹ The City of Vancouver has a very strong tradition of having “separate” legislation from the rest of the local government system. Up until 1993, *Vancouver Charter* amendments were done by private member’s bill. The 1993 *Local Elections Reform Act* was the first time that a government bill amended the *Vancouver Charter* and introduced parallel provisions to that of the *Local Government Act*.

² EBC annual budget has been frozen at this level (\$7.7million since 2008/9 fiscal) and is forecasted to remain frozen at this level through to 2011/12)

³ The cost for the election does not include the costs for the boundary redistribution or enumeration.

What the legislation does

Given the importance of fairness, openness and accessibility to the election process, elections legislation is generally very prescriptive – and the local government election provisions are no exception. In addition to the fundamentals of the election process (i.e., who can vote, who can run, etc), the election provisions govern:

- the administrative aspects of the election process (e.g., the arrangements for voting including the appointment of election officials, notices, ballots, ballot boxes, etc);
- the nomination process and rules for candidates;
- the conduct of the voting (e.g., voting opportunities, how to get and mark a ballot; who can be present at voting opportunities, etc);
- the conduct of the count (e.g., when and where ballots are counted, how they are counted, process for rejecting and challenging ballots, etc);
- campaign financing rules, which include the disclosure of campaign contributions and expenses; and
- election offences and invalid elections procedures.

Consistency with federal and provincial election rules was, and is, a key principle underpinning the legislation. However, given that the legislative framework applies to all manner of communities - from small rural communities to large urban centres - the legislation sets out a basic standard for election administration and provides opportunities for communities to enhance these standards based on their own community needs. The standards and the choices for enhancements are all highly prescribed in the legislation. This is to ensure fairness, accessibility, and openness while still being responsive to the needs and capacities of different communities. As an example, the legislation provides that advance voting opportunities must be provided on the 10th day before general voting day and on one other day established by bylaw. Communities under 5, 000 may, by bylaw, opt out of the second advance voting day. All communities may, by bylaw, establish additional advance voting.

The provincial *Election Act* covers a similar range of issues to that contained in the local government provisions but there are several key differences. The provincial system sees the election of representatives to *one* government (as opposed to over 250 government bodies); with elections overseen and conducted under a single administrative body (EBC) which is funded by the province (whereas each local government runs and pays for its own elections). Given the single administration and single election, the provincial Act is far more prescriptive and detailed on many matters of election administration and process. The table below, details a *few* examples as to how these differences play out in the election provisions for provincial and local elections.

Province	Local Government
<ul style="list-style-type: none"> • The selection/appointment of the Chief Election Officer (CEO) requires a recommendation of the Legislative Assembly (LA) and a unanimous recommendation by a special Committee of the LA. 	<ul style="list-style-type: none"> • The local government appoints the CEO for an election. • CEO must not be a candidate, candidate representative or financial agent in the election and must take a solemn declaration that they will fulfill their duties

<ul style="list-style-type: none"> • CEO is an officer of the LA and has a set term of office • The CEO is required to be impartial and must not hold another office or engage in other employment or be a member of a political party • CEO must take a solemn declaration that to impartially exercise the powers and duties of office 	<p>impartially and in accordance with the Act.</p>
<ul style="list-style-type: none"> • a list of electors is mandated 	<ul style="list-style-type: none"> • can choose to use the provincial list, create their own list or have election day administration (or use a combination of all three);
<ul style="list-style-type: none"> • mail ballot voting is required to be available across the province 	<ul style="list-style-type: none"> • can choose to adopt mail balloting provisions or not
<ul style="list-style-type: none"> • advance voting opportunities are all at the same time on the same days across the province 	<ul style="list-style-type: none"> • there is only one set advance voting opportunity (i.e., same time and day across the province). • for communities over 5000 there must be second advance voting day but the day and time is set by the local government. • Any additional days and times at local government discretion

Additionally, provincial political representation is for a parliamentary democracy (Government and a publically funded opposition) which is underpinned by a party system. As a consequence the *Elections Act* has detailed provisions respecting party registration, reporting and involvement in system, such as participation in an Election Advisory Committee in legislative and regulatory amendments/development and rules regarding receipts for income tax purposes.

History of the Legislation

The current legislative framework came into being in 1993 and was the result of an extensive, collaborative review process involving the Union of BC Municipalities (UBCM) and Municipal Officers Association (the precursor of the Local Government Management Association). Also involved in that review process were the Ministry of Education, the BC School Trustees Association; and Elections BC. As part of the review process three discussion papers were released – a 1990 technical review (which was circulated to local government administrations); a discussion paper (1992) and a “white paper” (1992) which included the proposal in detail which were public circulated. The review process began in 1990 and culminated with the passage of the *Local Elections Reform Act* in 1993 – amending the *Municipal Act*, the *Vancouver Charter*, the *Islands Trust Act* and the *School Act*.

The review process was guided by several principles – principles that are fundamental to all elections in a democratic society. These principles were:

- Accessibility
 - ✓ All electors should be able to take part
 - ✓ The process should be efficient
 - ✓ Elections legislation should be clear and understandable

- Openness
 - ✓ Elections should be conducted in the public eye
 - ✓ Rules and procedures should be clear to all

- Honesty
 - ✓ Secrecy of the ballot is vital
 - ✓ The integrity of elections should be protected from abuse

- Fairness
 - ✓ Rules of due process and natural justice should apply
 - ✓ “One person, one vote”
 - ✓ Rules and procedures should apply equally to all

- Balance
 - ✓ The needs of public and local governments should be considered
 - ✓ The different roles of local governments and the province should be defined

- Flexibility
 - ✓ Consistency with provincial and federal elections rules is needed, but should not override the unique needs and circumstances of local government

- Respect
 - ✓ Voters have the right and ability to choose their representatives

Subsequent to the 1993 legislation, there have been several targeted reviews of the local government election provisions – both internal to government and external. These reviews include the 1998 UBCM/Ministry accountability working groups and Ministry lead public forums; the 1998 Kennedy

Steward and Patrick Smith (SFU) report on Local Government Accountability in BC; a 1998 Paul Tennant and Julian West critical response to the Steward/Smith report; a 1999 Ministry discussion paper on campaign expense limits; and the 2004 Thomas Berger Report for the City of Vancouver.

Additionally, after each local government election year, the local government department has surveyed local governments about the process and the legislation. The last two general election cycles have seen this survey formalized and expanded to include candidates.

As a result of many of these reviews and other on-going internal monitoring of the effectiveness of the election provisions, the 1993 legislation has seen significant legislative updating over the years.

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| 1994 | Amendments to reflect the experience of the 1993 local general elections – most of these amendments were of a minor nature. The most substantive amendments being to provide additional protections for access and use of personal information collected and used during the election process. |
| 1998 | “House- keeping” amendments to address problems raised by local governments (e.g., use of SIN numbers and access to records), etc |
| 1999 | Significant amendments to strengthen the campaign financing disclosure system; amendments: to introduce nomination deposits; facilitate the use of voting –counting machines; tighten up rules for election day advertising and respecting registration of voters, etc |
| 2000 | Amendments clarifying that only individuals could vote as non-resident property electors and improving notice requirements for “other voting” |
| 2008 | Significant amendments to streamline administrative aspects of the local elections process (e.g., simplifying registration of non-resident property electors); improve accessibility by simplifying advance voting and mail voting provisions; and increase the transparency of local elections campaign financing. ⁴ |

⁴ This list is of the most significant amendments; the elections provisions have been amended in other years as well, but those amendments were minor or consequential in nature.

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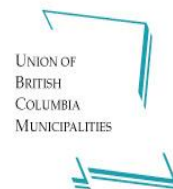
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Local Government Elections Task Force Local Election Cycles Discussion Paper

February 2010



Local Election Cycles (Term of Office)

Issue summary

The election cycle, or term of office, refers to the number of years an elected official serves between general elections. In British Columbia, the length of term of office for local government officials is three years. In recent years, there have been some calls for extending that term (i.e., to a four year term).

Across Canada, the term of office length varies from three to four years. Most recently Saskatchewan, Manitoba, Ontario, New Brunswick and Prince Edward Island have changed their local government term of office from three to four years. The reasons for moving from three to four years were virtually the same in each of these provinces and yet, change did not occur without consideration and challenges.

Advocates of increasing the term of office length argue that a longer term provides cost savings by reducing the number of elections; allows for a longer planning cycle for local governments; gives more time for new councillors to learn and conduct the duties of their office; and offers consistency with their provincial and federal counterparts.

Opponents of extending the term of office argue that longer terms are a barrier to participation; that longer terms may actually lead to more by-elections, thus eliminating any cost savings achieved by holding fewer general elections; that there would be fewer opportunities to hold referendums in conjunction with general elections, and that a longer time between elections gives electors less opportunity to express their opinions on the performance of their local elected officials.

Evaluating the arguments for and against extending the term of office for local elected officials involves considering principles of efficiency, accessibility and transparency. As well, the concept of flexibility and consistency must also be considered.

With these principles in mind, this paper seeks direction on whether further work is needed on extending the length of term of office for local government from the current three year model.

Background and Context

Legislation

Four Acts govern the length of term of office for local elected officials (municipal councils, regional district electoral area directors and school trustees): the *Local Government Act*; *Community Charter*; *Vancouver Charter*; and *School Act*.

General elections must be held every three years and on the 3rd Saturday of November. Local general elections are administered by a chief election officer, who is appointed by the council or board and is usually a staff member of the local government (most often the corporate administrator or chief administrative officer). Some local governments contract with outside experts to administer their local elections.

The rules governing by-elections in the *Local Government Act* and *Vancouver Charter* state that a by-election must be held when an office becomes vacant due to a resignation, death or disqualification, and must be on a Saturday no later than 80 days after the appointment of the chief election officer. Local governments have the option to defer a by-election if the vacancy occurs in the year of the local general election so long as the vacancy does not involve an official who is elected on a neighborhood constituency basis, or if the vacancy does not affect the quorum of council.

Voting is also held for reasons other than the election of a council or board members. Some issues such as long term borrowing bylaws require elector approval before they can proceed. Elector approval may be obtained by holding a vote (e.g. referendums). Such referendums, referred to as “other voting” under the legislation, are typically held in conjunction with local general elections for cost and administrative reasons, but are not restricted to election-day and may happen at any time.

There are also issues of a non-binding nature that may be the subject of local government referendums (e.g., in 2008 there were four referendums that were non-binding on the extension of term of office length).

Elector approval may also take the form of the Alternate Approval Process (AAP). AAP is used to gauge public opinion on issues that require local governments to obtain the approval of the electors (such as long-term borrowing) rather than going immediately to a referendum.¹

¹ In the AAP, a local government must publish a notice in a newspaper outlining the purposes of a proposed bylaw, agreement, etc. where the approval of the electors is required. After the second of two notices is advertised, electors have 30 days to essentially advise their local government that they believe the matter is of such significance that a referendum should be held. If more than 10% of the electors respond, then the local government cannot proceed with the proposed bylaw, agreement, or other matter without holding a referendum.

Provincial and Federal Election Cycles

The Canadian constitution requires that a provincial legislature or the House of Commons can sit for no longer than 5 years before an election is required. Governments can, however, legislate a shorter election cycle. The Province of BC, some other provinces and the federal government have legislatively-fixed election days, with elections every four years. It is important to note that due to the nature of parliamentary democracy, if a fixed election date exists, it is still possible for an election to occur sooner than the legislated date. Although unlikely with a majority government, a general election for provincial or federal parliament can be called at any time, regardless of the date or even if the four year maximum has not been reached (i.e. based on a vote of non-confidence in the government). Local governments do not have the power to call a local general election in the same manner, or to choose their own election cycle by bylaw – the province legislates local election cycles.

Elections Participation Rates

Between 2008 and 2009, all three orders of government held general elections. In the 2008 federal election, the participation rate was 59.8%; in the 2009 provincial election, the participation rate was 55.17%; and in the 2008 local elections, the average participation rate was 27.79%.

History of Election Cycle Changes

In 1987, amendments to the *Municipal Act* (predecessor to the *Local Government Act*) required all local elections to be held in 1990 and every three years after that. In the period 1973-1990, the *Municipal Act* required local governments to elect mayors biennially and councils annually; however, local governments were given the power to elect council biennially if they so chose. In the 1960s and up to 1973, all councillors were elected on an annual basis while all mayors were elected biennially. No power was given to local governments to choose otherwise during this period. Annual local elections were held on the same day for every municipality across the province.

The reasons for change in the late 1980s were to reduce costs, help increase voter participation and bring British Columbia in line with other local elections cycles across Canada. Momentum for the change to a three year cycle was initiated through Union of British Columbia Municipalities' (UBCM) resolutions in 1984, and again in 1986.

Interjurisdictional Comparison

The Canadian provinces and territories are roughly split between three and four year terms for municipal councillors. In the past ten years, there has been a trend of various local government associations seeking change from three year to four year terms.

In addition to UBCM, the local government associations of Alberta, Saskatchewan, Manitoba, Ontario, Nova Scotia and Prince Edward Island have all debated the issue of changing municipal

terms of office through their resolution process. Most of the associations endorsed the idea of increasing the term length. In Alberta, the membership rejected resolutions requesting change. In 2008, the Saskatchewan Urban Municipalities Association (SUMA) as well as the councils of Saskatoon and Regina passed resolutions calling on the provincial government of Saskatchewan to allow urban municipalities to hold elections every four years.

Changes were made in 2006 in Ontario and Prince Edward Island, and in New Brunswick in 2004, all from three to four year terms (PEI is still in transition, see Appendix 1). In February 2010, the Saskatchewan Ministry of Municipal Affairs announced plans to lengthen the term of office for urban municipal, northern municipal and school board officials to four years. Saskatchewan intends to introduce amendments to the *Local Government Election Act* in the fall of 2010 to lengthen the term of office to four years for the 2012 municipal and school board elections.

The stated rationale for changing election terms were universal across the country – improve the efficiency and effectiveness of council by giving them a longer term; realize cost savings to taxpayers; and achieve consistency with provincial and federal counterparts.

There has been no suggestion or movement in other provinces to *reduce* the term length from three to two years (or less).

UBCM Resolution History

Over the past decade, UBCM members have brought the idea forward of changing the term of office from three to four-years, in four resolutions. One was not endorsed, two were not admitted for debate and one was endorsed and received a provincial response. Additionally, a single resolution was brought forward recommending giving municipalities the option to choose from two-year staggered terms or a three-year all-at-once term. This resolution followed ideas included in resolutions from the mid-1980s but was not endorsed.

In 2007, UBCM members endorsed a resolution addressing the extension of term length. This resolution was sponsored by the City of Port Moody and it was their second attempt in as many years to have this issue endorsed by UBCM.

The debate around the 2006 and 2007 resolutions was very similar. The side in favour argued that an extension of term length would provide cost efficiencies, more time for strategic planning and delivery, and consistency with other provinces (notably Ontario). The side against argued that extended terms limit accessibility for candidates and diminish the attractiveness of running for local office as four years is a longer commitment. They noted that small or rural communities have enough difficulty recruiting new people to elected office under the current system, and a longer term may increase the number of by-elections needed.

In response to the endorsement of the 2007 resolution, the then Ministry of Community Services stated that extensive consultation would be required and suggested to those local

governments interested in furthering the issue that they hold a referendum during the 2008 local elections.

Four local governments went on to hold referendums on the matter in 2008, with three of four referendums passing (in Port Moody, New Westminster and Trail – Merritt being the lone community where the referendum failed). See Appendix 2 for a summary of the various UBCM resolutions.

Discussion

Consideration of the issue of the election cycle means considering the objectives of the local government elections system and the principles that underlie it. Such principles are significant because there appears to be no body of academic literature, or quantitative or qualitative studies, on the effectiveness of term length, either longer or shorter.

Principles of accessibility, transparency, and efficiency are basic to all election systems and should be considered when thinking about extending the election cycle. Local elections provide the electorate access to local governance by voting for candidates, participating in referendums or running for office. Transparent elections are the mechanism by which the electorate holds their local elected officials accountable. Transparency not only includes fair and open elections but also other ways elected officials are held accountable (e.g., the financial accountability framework or ethical standards). However, the efficiency and effectiveness of local government may also be affected by the length of term of office, as well as their ability to operate elections in the most the cost effective manner.

As well, there are a number of other considerations to be evaluated when considering the length of the election cycle – including principles of consistency (i.e. with the term of office for provincial and federal elected officials) and flexibility (i.e. should all types of locally elected office be subject to the same election cycle?).

In the discussion below, the main focus is on municipal councils; however, in the “Other Considerations” section, questions are raised as to the impact of term extension on other elected offices (i.e. electoral area directors and school trustees).

The Case for the Current System (Against Extension)

Accessibility

Local government and federal/provincial governments are different -- There is a certain public familiarity with the current system as it has been in place for 20 years for local government elected officials as well as school trustees. Some might argue that if terms are extended to make local government terms of office the same as provincial and federal terms, it increases

the likelihood of a situation where the electorate is voting every year, every other year or multiple times in a single year for the various government elections -- with this, the potential for voter fatigue increases.

Some say that drawing comparisons between the local government system and the provincial and federal systems is not entirely accurate. The provincial and federal systems are parliamentary democracies where the government functions under the scrutiny of an Opposition and ultimately governs with the confidence of the entire House. A minority provincial or federal government can lose confidence², thus triggering a general election well before the end of the four year term of office.

By contrast, local governments function under a collegial system of corporate governance. A defeated motion in the local council chambers (e.g., a rejected bylaw) does not trigger the collapse of the government and a general election. In effect, the local government has a guaranteed time (i.e., three years) in office while the same is not necessarily true for the provincial and federal governments.

Term length needs to attract candidates -- Some would say that the current three year local government term of office may be a more attractive time commitment for potential candidates than a longer term. In many communities, it is already a challenge to attract potential candidates under the current system. For example, in 2008 local general elections, of the 1209 local government offices available, 1050 were elected and 159 were acclaimed (81 of these acclamations were electoral area directors, 32 were mayors and 46 were municipal councillors)³. These acclamations placed 50% of all electoral area directors, 25% of all mayors and 5% of all municipal councillors in office. Given that challenge, extending the term may result in more by-elections as elected officials leave office early. Therefore, extending the term would require consideration of the rules around by-elections and their timing (i.e. the time period before a general election when a by-election is not required to fill a vacancy)

More frequent opportunity for electors to participate – Some would argue that in the current system of elections every three years, the electorate has more opportunity to express their opinions on the performance of their elected officials as well as participate in referendums (since such votes are generally held at the time of general elections). With an extended term, this view says that the electorate has fewer opportunities to hold their elected officials accountable or to have a say on key issues addressed in referendums. Referendums often involve high profile local issues (such as long-term borrowing for major capital projects) which often attract a high level of public interest. As referendums are typically held in conjunction with general local government elections, some would be concerned that the possibility of fewer referendums (every four years rather than three years) could potentially reduce the visibility of

² Confidence motions are not tied to every vote in the house, only specific votes such as budget measures.

³ This number does not include school trustees, community commission representatives, and parks board representatives. The total number of elected offices available in the 2008 Local Government General Election was 1660 - including municipal mayors and councillors, electoral area directors, school trustees, community commissioners, and parks board members.

local issues. With a reduction of visibility of local issues, they would argue, overall public interest may decline, and with that, the potential to further lower participation in local elections.

Transparency

Accountability mechanisms would be affected -- The current financial accountability framework is built around the three year election cycle. Local governments are required to make financial plans for five years – the entirety of their own term and two years into the next. Extension would require consideration of the impact on that financial accountability framework.

As well, extending the term of office may raise questions about other aspects of accountability. With the current three year system, some would argue that the time to the next election is never too far away. With an extended term, the electorate must wait longer before they have the ability to express their views about elected officials' performance. For some, this could raise interest in the basis and the process for disqualifying elected officials once in office, as well as issues such as "recall" of elected officials and "initiative" to put forward issues for referendums. Currently there is some ability to undertake both under the provincial *Recall and Initiative Act*, but not locally.

Efficiency

Overall costs would not be that different -- Under the current system, the cost of elections must be absorbed in three years, rather than a longer term. As well, there are the administrative costs of setting up a new council every three years (which will obviously vary with the number of new council members elected). However, it may be that savings realized by spreading out local general elections over an extended term would be diminished by an increase of by-elections if more elected officials leave office early due to pressures of time commitments.

Where referendums for major projects are necessary, a longer time between local general elections may mean more "one-off" referendums, and with these, increased costs and administrative challenges of the additional referendums.

Staff expertise could be lost -- Local elections are typically administered by local government staff directly or with the assistance of external experts. There may be concerns that longer time spans between elections may result in the potential loss of local expertise on elections due to staff turnover. As well, some would say that less frequent elections may increase the need for education and training for staff (i.e., to re-learn a very detailed technical process which they run only once every four years). This may raise questions as to the availability and frequency of training (i.e. such as is available from the Local Government Management Association) and the need for resources to ensure such training meets such increased demand.

The Case against the Current System (For Extension)

Accessibility

Consistency with federal/provincial election terms is better -- Some would argue that there is more familiarity with, and a greater participation rate, in the four year cycle used by the provincial and federal governments than that of the three year cycle used by local governments. An extended term would bring local governments in line with the more familiar provincial and federal systems. Some argue that this may strengthen citizens' recognition of local government as a government of importance equal to the provincial and federal governments.

Additionally, it is argued that extending the local government election cycle to four years would ultimately reduce the number of elections across all three orders of government, thereby reducing the potential for voter fatigue over time. Since candidates would know when they run for office that the term length is 4 years (as they do for provincial and federal seats), it is argued that there should not be an appreciable increase of elected officials leaving office before the end of the term.

Efficiency

More time to implement local government vision -- It may be argued that when a large turnover in a council occurs, council faces a longer "learning curve." This could mean more time is needed to get the council to the point of being fully educated both on their roles and on the needs and wants of their communities. Unlike the current system where councillors have only three years to prepare and execute their plans before there is the potential for significant turnover, an extended year term provides additional time to council to implement its vision for the community.

Overall costs would be less -- Those in favour of extending the term of office argue that the cost of the election would be spread over four years - holding an election every four years instead of three years would save the costs of one election every 12 years. As well, the cost of administration to set up a new council would only be incurred every four years (varying with the number of new councillors).

Some say that a longer term would ease the general election administration burden on local government staff and could reduce administrative costs. They also argue that, as most long-term borrowing and other issues that require elector approval are already decided by AAP, less opportunity to hold referendums at the time of local general elections would not have a significant impact on citizens' right to have a say on community issues.

If there is turnover of senior local government staff following an election, there can be significant human resource-related costs and loss of continuity. An extended term, it is argued,

may lessen the financial impact of such costs, but may also give council and senior staff more time to build good working relationships.

Transparency

More frequent opportunity for electors to participate -- Referendums often involve issues that are high profile (e.g., long-term borrowing for major capital projects) but are typically tied to local government general elections for the sake of efficiency and cost savings. It is possible that with a longer election cycle, local governments may in fact choose to hold referendums more often. Some say that could heighten interest in local government issues by engaging the electorate more frequently on key issues for the community.

Accountability mechanisms could improve – As noted, the current financial accountability framework requires local governments to plan for five years. It could be argued that an extended term length may require an extension to that framework, but that in turn may actually provide more certainty for longer term planning on such things as capital projects. As well, longer terms could allow local governments to build reserve funds for projects, thus potentially reducing the amount needed for borrowing and thereby reducing the burden on the local taxpayer.

Some also argue that reviewing other aspects of the accountability framework – such as the process and basis for disqualifications from office, or other mechanisms not currently applicable to local government, would be seen a positive trade-off: less frequent local elections in exchange for strong accountability while in office.

Other Considerations

Beyond the case for and against extending the local election cycle, there are a number of linkages, design and administration issues to be examined if term length extension is considered. These include board of education elections, the disqualification framework, local flexibility and additional issues.

Board of Education Elections

School trustee elections are held at the same time as local government elections and in many places are typically administered by local governments on behalf of boards of education. Consultation would be needed to determine views on an extended term for these elected offices.

The question of extending terms has not been debated by the British Columbia School Trustees Association. If there were no interest in changing the term of office for boards of education, would it be practical for local government officials to continue administering board of

education elections? What rules would apply to such elections, how would they be managed, and what could be the costs to the boards of education?⁴

Disqualification

In addition to the local government financial reporting framework, how would other aspects of the accountability framework be impacted by an extension in the term office – notably the conflict of interest rules and ethical standards that apply to elected officials? Would there be a need to review the basis for disqualification (removal from office) for elected officials to address concerns about the length of time between elections?

Local Flexibility

Is there a place for local flexibility in the debate on term extensions? Does an extended term work for all local elected offices or only some -- for example, what impact would it have on a single electoral area director? Does it have a different impact in a small rural community than in an urban centre?

How would local flexibility affect certainty for electors? Would different rules in different jurisdictions work with the rest of local government system -- for example, municipal appointments to regional district boards?

Additional Issues

How would changing the term of office length impact the rules around by-elections for local governments and boards of education? Are there alternative mechanisms to by-elections and what would be their impact on different local elected offices (e.g., Minister's Orders to fill vacancies upon request)?

Would term of office changes raise interest in other aspects of the election cycle (i.e. the day of the general election)?

⁴ Currently boards of education are responsible for incremental costs only where trustees are elected from municipal areas; in electoral areas, costs are often shared by agreement between the board of education and the Regional District.

Direction questions

The following questions are intended to assist in Task Force discussion on whether further work is needed to assist in its consideration of extending the term of office, and if so, the key issues for further investigation.

Objectives

- What objectives for the local government elections system are gained by extending the term of office and what are lost?

Principles

- Does extending the term of office serve or hinder the principles of transparency, efficiency and accountability?

Practical considerations

- On what basis could practical challenges be addressed? E.g. should overlap with provincial and federal elections be avoided, and if so how would this be achieved?
- Is there is room for local flexibility, or is consistency and certainty for electors paramount?

Appendix 1: Terms of Office Across Canada

PROVINCE/TERRITORY	ELECTION TERM	DATE FOR ELECTION
BRITISH COLUMBIA	3 years	3rd Saturday of November
ALBERTA	3 years	3rd Monday in October or if by-law, Saturday immediately preceding the 3 rd Monday in October
SASKATCHEWAN	2 years for rural municipalities 4 years for urban & northern municipalities and school boards. (Change to take effect for 2010 elections)	4th Wednesday of October In resort villages – July 23 and thereafter, on the fourth Saturday following the nomination day In northern municipality, either: The 2nd last Wednesday in September, the last Wednesday in September or the 1st Wednesday in October
MANITOBA	4 years	4th Wednesday of October
ONTARIO	4 years (changed from 3 year term in 2006)	2nd Monday in November
QUÉBEC	4 years	1st Sunday in November
NEW BRUNSWICK	4 years	2th Monday in May
NOVA SCOTIA	4 years	3rd Saturday in October
PRINCE EDWARD ISLAND	4 years for Charlottetown, Summerside, Stratford, and Cornwall All others are 3 years until 2012 (see below)	1st Monday in November
NEWFOUNDLAND AND LABRADOR	4 years	Last Tuesday in September
NUNAVUT	2 or 3 years Term for 4 council members with the least votes may be reduced to 2 years, by local by-law	City, town, village and municipal taxing authority: 3rd Monday in October Hamlet, other than a municipal taxing authority: 2nd Monday in December Charter Communities and Settlement Corporations: date as fixed in the charter or order
NORTHWEST TERRITORIES	2 or 3 years Term for 4 council members with the least votes may be reduced to 2 years, by local by-law	City, town, village and municipal taxing authority: 3rd Monday in October Hamlet, other than a municipal taxing authority: 2nd Monday in December Charter Communities and Settlement Corporations:

		date as fixed in the charter or order
YUKON	3 years	3 rd Thursday of October

Ontario

The Association of Municipalities of Ontario (AMO) supported a change from three to four-year terms as far back as 2004, stemming from a resolution forwarded by Toronto and Brampton. AMO went out to survey their membership with the following results:

1. Lengthening the term of municipal council from three to four years was supported by 61% of respondents. The vast majority (91%) of proponents believed this change should be implemented across the province.
2. Almost all members (98%) preferred that board of education elections continue to take place at the same time as municipal elections.
3. 59% of respondents favoured maintaining the current date for elections on the second Monday in November.
4. The members (88%) also wanted municipal elections to occur in a different year than provincial elections

In addition to the aggregated response, members were also categorized by tier and whether they were urban or rural communities. There was no noticeable split between urban and rural, or lower and upper tier municipalities on any of the questions.

From these results, the AOM made the recommendation the Government of Ontario to change the length of term for municipal councils from three to four years. Similar to the rationale provided by UBCM for extending the length of term, the AMO's position for change was to enhance the ability of municipal councils to "undertake long-term strategic planning and implementation..." as well as acknowledge them as equals to their colleagues in the provincial and federal governments.

Prince Edward Island

At the 1995 Federation of Prince Edward Island Municipalities (FPEIM) convention, FPEIM adopted a resolution calling upon the provincial government to extend the term of office of municipal officials to be elected in 1996, to enable all municipal elections to take place concurrently. Beginning in the year 2000, all municipal elections in PEI were held at the same time, the first Monday in November, except the Resort Municipality, which holds its election in the summer of the election year when the population is at its peak. Councils served a three year term, and elections were held again in 2003 for another three year term.

In 2006, the Government of Prince Edward Island adopted legislation which creates a four year term of office for Charlottetown, Summerside, Stratford, and Cornwall. The term of office continues to be three years for all other municipalities.

As of 2007, the FPEIM has endorsed a resolution that the Government of PEI establish a term of four years for all municipalities.

By extending the terms for those elected in 1996 so all elections would be held on the same day in 2000, it seemed to have the opposite affect from which it intended. Under this

system, municipal elections in PEI would only coincide every 12 years. In order to achieve concurrent elections, PEI made a further change to their *Municipalities Act*:

- 2009 elections: municipal councils other than the cities mentioned above were elected for three years
- 2012 elections: municipal councils will be elected for two years
- 2014 elections: all municipal councils (cities mentioned above and all others) will be elected for four year terms and henceforth, all local elections will be held on the same day

Saskatchewan

The Province announced in February 2010 that the *Local Government Elections Act* will be changed to extend the term of office for urban municipalities, northern municipalities and school boards to four years. The rural municipalities will remain at 3 years.

The Saskatchewan Urban Municipalities Association (SUMA) convention passed a resolution in 2008 to extend the term of office from three to four years. The Ministry of Municipal Affairs consulted with the education sector as school board elections are held concurrent with municipal elections.

The move would not affect rural municipalities. Rural municipalities prefer the two-year term of office under which they currently operate, but do not object to a four year term for other local governments.

In Saskatchewan, municipalities are represented by two associations – one for rural municipalities and one for urban municipalities.

Manitoba

Manitoba lengthened its municipal term of office from three to four years in 1998, supported by a resolution from the Association of Manitoba Municipalities (AMM). The rationale for this change was it would give municipal councils more time to plan and implement their agenda in a similar fashion as both the provincial and federal governments enjoy.

While some AMM members have proposed resolutions to return to a three-year term, the resolutions have not succeeded

Nova Scotia

Nova Scotia lengthened the term of its municipal councils at the request of the Union of Nova Scotia Municipalities in 2000 because of projected cost savings and the enhanced ability of municipalities to plan for the future.

New Brunswick

New Brunswick changed its municipal term of office from three to four years in 2004. In this case, the Province was consolidating the *Elections Act* and the *Municipal Elections Act* and developing a continuous Registry of Electors. Cost-savings were a major factor behind the consolidation.

Coinciding with a move to establish a fixed election date for the Provincial election, the Department of Local Government asked for municipal input on a four year terms. Sensing

that the majority of municipal councillors were in favour of the change, the Province made the change before consultation was completed.

Appendix 2: UBCM Resolution History

Summary of Resolutions

2003 - B52: Choice in local election terms

Sponsor: Port Clements

Status: Not Endorsed

WHEREAS some municipalities would be better served by using a staggered election term for the following reasons:

- More efficient decision making in the early stage of council terms by introducing continuity from one council to another;
- An improved opportunity to attract competent candidates who cannot commit to a three-year term;
- Improved opportunities for new council members to receive training from experienced councillors:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request the Minister of Community, Aboriginal and Women's Services to amend the Local Government Act so that municipalities can choose between a two-year staggered and a three-year all-at-once term.

2005 - LR20: Civic election term length in BC

Sponsor: Port Moody

Status: Not admitted for debate

BE IT RESOLVED that the provincial government increase the interval between local government elections from three years to four years.

2006 - A9: Civic Election Term Length in BC

Sponsor: Port Moody

Status: Not Endorsed

WHEREAS many provinces, including Manitoba, Quebec, Nova Scotia, Newfoundland and New Brunswick, have four-year civic election terms, a term length which reflects the accepted period between elections in the provincial and federal contexts;

AND WHEREAS four-year election terms would likely be more productive for councils and staff and would save taxpayers money:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities ask the provincial government to increase the interval between civic elections from three years to four years.

2007 - C14: length of term for civic office

Sponsor: New Westminster

Status: Not admitted for debate

WHEREAS costs for elections are high for both individuals and local governments;

AND WHEREAS most other provinces are adopting a four-year term of office for local government councils:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities request that the provincial government of British Columbia extend the term of civic office for local government councils and regional district boards to four years.

2007 - B95: civic election term length in BC

Sponsor: Port Moody

Status: Endorsed

WHEREAS many provinces, including Manitoba, Quebec, Nova Scotia, Newfoundland, and New Brunswick, have four-year civic election terms, a term length which reflects the accepted period between elections in the provincial and federal contexts;

AND WHEREAS four-year election terms would likely be more productive for councils and staff and would save taxpayer money:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities ask the provincial government to increase the interval between civic elections from three years to four years.

Provincial Response: MINISTRY OF COMMUNITY SERVICES

Increasing the length of the term of office for local government elected officials would be a significant change to the election process. Among other things, it would affect the commitment that people must make to a position that may on occasion come into conflict with their jobs, families and other responsibilities. The requested change may result in an increase in the number of local government by-elections. Therefore, it is recommended that all of the implications of this proposal be fully investigated. Broad public consultation would be required before any commitment could be given to consider legislative changes. Individual local governments may wish to consider holding a referendum on this issue at the 2008 general local election.



Monday » March
15 » 2010

B.C. task force looks to amend election laws

Minister: Election impression is "Wild West"

Jessica Barrett

North Shore News

Friday, March 12, 2010

Municipal election scandals that rocked West Vancouver and several other B.C. communities in 2008 have eroded public confidence in local government elections, according to the minister in charge of a joint task force aimed at remedying the situation.

Bill Bennett, minister of community and rural development, said loopholes in the Local Government Act put the onus of enforcement on members of the public, creating an impression that local elections in B.C. are run like the "Wild West."

"Right now if you're a member of the public and you are critical of something that's happened in a local government election, you're essentially forced to lay a complaint with the RCMP or the police and end up in court," said Bennett. "For most citizens, that would be a remedy of last resort, but it's not reasonable to be the first option for someone that has a complaint."

Bennett is co-chairing the Local Government Elections Task Force with Union of British Columbia Municipalities president Harry Nyce. The six-member force, comprised of other UBCM executives and Liberal MLAs, is taking public submissions on suggested improvements to the act in writing until April 15. The suggestions will then be delivered to government in a report by May 30, with the aim of implementing potential changes before the next round of municipal elections in 2011.

Areas of review include campaign finance, disclosure requirements, enforcement procedures, terms of office and a review of the role of chief electoral officers in local elections.

Bennett said the current legislation, first enacted in 1993 and amended several times since, does have clear rules pertaining to electoral procedures for candidates, political parties and third-party elector organizations, but when it comes to enforcing those rules, the act is lacking. "What's missing is not so much the rules about what people can and can't do, but the enforcement and compliance piece and the investigations piece," said Bennett.

The shortcomings of the legislation became glaringly obvious to District of West Vancouver Coun. Michael Lewis and then-campaign manager David Marley during the 2008 election when their complaint against an unregistered elector organization ended in a futile attempt to hold the perpetrators to account.

The Local Government Act stipulates elector organizations register with the chief electoral officer -- in many cases the municipal clerk -- appoint a financial agent and file a detailed financial report no more than 120 days after the election.

"It's so people can see who it is that's trying to influence their vote during an election campaign," said Marley.

So when expensive-looking pamphlets supported by an anonymous, unregistered group known as the Low Tax, Low Growth Association began circulating in West Vancouver in the lead-up to the election, the pair decided to take action. Lewis was particularly concerned that the pamphlets endorsed him without his consent and the amount of money that appeared to have gone into mailing out the glossy, colour fliers was estimated to cost in excess of \$20,000. But when Lewis and Marley went to lodge their complaint, they found the Act has no clear procedure for enforcement.

"Right after the election we went to the District of West Vancouver chief electoral officer and she took the position she didn't have the mandate to deal with this, we should deal with the ministry of community services," said Marley. "They said no, it wasn't them, we should go to the attorney-general; they said we should go to the police."

Following the recommendations, Lewis and Marley went to West Vancouver police, who, after investigating, recommended charges against the individual or group behind the pamphlets. However Crown counsel declined to move forward, citing lack of likelihood of conviction.

Similar dead-end outcomes occurred in the communities of Summerland, Langley and Central Saanich, where RCMP investigations were launched over election irregularities ranging from candidates accepting anonymous donations over the \$50 limit to advertising by unregistered organizations. According to the act, offences of that nature are punishable by one year in jail and fines up to \$5,000.

Lewis said lack of prosecution for illegal activity in local elections renders the act "toothless" and is devastating to public faith in the democratic process.

"If you create the act and there's an enforcement component and you can't enforce it, it's all a little bit silly. It's like having a bylaw for littering and having no bylaw people out there giving tickets. It's hardly going to alter behaviour."

Both Lewis and Marley plan to make submissions to the task force. Lewis will also put a separate submission together with District of West Vancouver council. However both Lewis and Marley said they are concerned that the absence of public meetings in the consultation process may continue alienate the public and portray politics as an insiders' game.

Simon Fraser University associate professor of public policy Kennedy Stewart said the concern is legitimate. "If they come out with recommendations that are against what the public is thinking, they'll have some explaining to do," he said, noting many of the submissions will likely come from municipal politicians who have benefited from the system as it stands.

"(Government is) not very inclined to change the rules," Stewart said. However, he acknowledged the task force is on a tight timeline imposed by the premier that would likely preclude public consultation. He said the task force is an important first step in amending what is at the moment "the weakest set of regulations in Canada."

Along with colleague Patrick Smith, director of SFU's Institute of Governance Studies, Stewart has submitted a spate of recommendations to the task force. His suggestions include implementing strict campaign spending and contribution limits on candidates, political parties and elector organizations, banning union and corporate donations, outlawing endorsement of specific candidates and placing local government elections under the purview of Elections BC.

He said steps must be taken to restore public faith in politicians and the political system in the wake of the 2008 election controversies. "This kind of thing just drives people away from politics," he said. "Although some politicians like that, it's a lot easier to make decisions with fewer people involved."

As for the minister in charge, Bennett said he believes most of the controversies arising from the 2008 elections were the result of unwitting contraventions of election rules, but that doesn't mean the effect on public perception is any less severe.

"I actually believe that the vast, vast majority of people who try and get elected to local government are doing so for all the right reasons," Bennett said. "But it's important that the public believes that; it's not enough for the minister to believe that. It's important the public sees the process as being strong and transparent and fair. I think there are some improvements we can make that will help the public see the process more positively."

For more information or to make a submission visit www.localelectiontaskforce.gov.bc.ca.

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This Act is Current to March 3, 2010

LOCAL GOVERNMENT ACT

[RSBC 1996] CHAPTER 323

Part 25 — Regional Growth Strategies

Definitions

848 In this Part:

"affected local government", in relation to a regional growth strategy, means a local government whose acceptance of the regional growth strategy is required under section 857 or would be required if that section applied, and includes the South Coast British Columbia Transportation Authority continued under the South Coast British Columbia Transportation Authority Act;

"facilitator", in relation to a regional growth strategy, means the facilitator designated by the minister under section 856;

"improvement district board" means the board of trustees for an improvement district;

"initiate", in relation to a regional growth strategy, means initiation under section 854;

"municipality" includes the City of Vancouver;

"official community plan" includes

(a) an official settlement plan under section 809 (3) of the Municipal Act, R.S.B.C. 1979, c. 290, before that section was repealed by section 4 of the Municipal Amendment Act, 1985,

(b) Part 1 of a rural land use bylaw, and

(c) an official development plan under the Vancouver Charter;

"regional context statement" means a regional context statement referred to in section 866;

"regional matter" means a matter that involves coordination between or affects more than one municipality, more than one electoral area, or at least one of each, in a regional district.

Division 1 — Application and Content of Regional Growth Strategy

Purpose of regional growth strategy

849 (1) The purpose of a regional growth strategy is to promote human settlement that is socially, economically and environmentally healthy and that makes efficient use of public facilities and services, land and other resources.

(2) Without limiting subsection (1), to the extent that a regional growth strategy deals with these matters, it should work towards but not be limited to the following:

(a) avoiding urban sprawl and ensuring that development takes place where adequate facilities exist or can be provided in a timely, economic and efficient manner;

(b) settlement patterns that minimize the use of automobiles and encourage walking, bicycling and the efficient use of public transit;

(c) the efficient movement of goods and people while making effective use of transportation and utility corridors;

(d) protecting environmentally sensitive areas;

(e) maintaining the integrity of a secure and productive resource base, including the agricultural land reserve;

(f) economic development that supports the unique character of communities;

(g) reducing and preventing air, land and water pollution;

(h) adequate, affordable and appropriate housing;

(i) adequate inventories of suitable land and resources for future settlement;

(j) protecting the quality and quantity of ground water and surface water;

(k) settlement patterns that minimize the risks associated with natural hazards;

(l) preserving, creating and linking urban and rural open space including parks and recreation areas;

(m) planning for energy supply and promoting efficient use, conservation and alternative forms of energy;

(n) good stewardship of land, sites and structures with cultural heritage value.

Content of regional growth strategy

850 (1) A board may adopt a regional growth strategy for the purpose of guiding decisions on growth, change and development within its regional district.

(2) A regional growth strategy must cover a period of at least 20 years from the time of its initiation and must include the following:

- (a) a comprehensive statement on the future of the region, including the social, economic and environmental objectives of the board in relation to the regional district;
- (b) population and employment projections for the period covered by the regional growth strategy;
- (c) to the extent that these are regional matters, actions proposed for the regional district to provide for the needs of the projected population in relation to
- (i) housing,
 - (ii) transportation,
 - (iii) regional district services,
 - (iv) parks and natural areas, and
 - (v) economic development;
- (d) to the extent that these are regional matters, targets for the reduction of greenhouse gas emissions in the regional district, and policies and actions proposed for the regional district with respect to achieving those targets.
- (3) In addition to the requirements of subsection (2), a regional growth strategy may deal with any other regional matter.
- (4) A regional growth strategy may include any information, maps, illustrations or other material.

Area to which regional growth strategy applies

- 851** (1) Unless authorized under subsection (2) or required under section 852, a regional growth strategy must apply to all of the regional district for which it is adopted.
- (2) On request by the applicable board or boards, the minister may authorize a regional growth strategy that
- (a) applies to only part of a regional district, or
 - (b) is developed jointly by 2 or more regional districts to apply to all or parts of those regional districts.
- (3) The minister may establish terms and conditions for a regional growth strategy authorized under subsection (2) or required under section 852.
- (4) If the minister considers this necessary or advisable for a regional district service in relation to a regional growth strategy referred to in subsection (3), the minister may by order give directions respecting the operation of the service, sharing of costs, voting on bylaws and resolutions relating to the service, the intergovernmental advisory committee and other matters relating to the regional growth strategy.
- (5) To the extent of any inconsistency between this Act and an order under subsection (4), the order prevails.

Requirement to adopt regional growth strategy

<http://www.bclaws.ca/Recon/document/freeside/~/~/local%20government%20act%20%20rsbc...> 3/15/2010

- 852** (1) On the recommendation of the minister, the Lieutenant Governor in Council may, by regulation, do one or both of the following:

- (a) designate areas for which a regional growth strategy must be developed and adopted;
 - (b) specify a time within which the regional growth strategy must be adopted.
- (2) The minister must not make a recommendation referred to in subsection (1) unless, in the opinion of the minister, the area to which the regional growth strategy is proposed to apply has been experiencing significant change in its population, its economic development or an aspect of growth or development that involves coordination between local governments or affects more than one local government.

Division 2 — Preparation and Adoption Procedures

Requirements for adoption

- 853** (1) The following are required before a regional growth strategy is adopted:

- (a) the regional growth strategy must be initiated in accordance with section 854;
 - (b) consultation must be conducted in accordance with section 855;
 - (c) the regional growth strategy must be accepted by affected local governments in accordance with section 857, except in relation to an amendment under section 857.1 [minor amendments to regional growth strategies].
- (2) As an exception to subsection (1) (c), a regional growth strategy may be adopted without acceptance in relation to a specific provision if
- (a) the provision is included on the basis that it is not binding on the jurisdiction of a local government that has refused to accept it, and
 - (b) the board considers that it is not essential to the regional growth strategy that the provision apply to that jurisdiction.
- (3) A provision included under subsection (2) becomes binding on a jurisdiction if, at any time after adoption of the regional growth strategy, the local government for the jurisdiction indicates to the board that it accepts the provision.
- (4) This Part, as it applies to the initiation, development and adoption of a regional growth strategy, applies to the amendment and repeal of a regional growth strategy.

Initiation of regional growth strategy process

- 854** (1) The preparation of a regional growth strategy must be initiated by resolution of the board.
- (2) If a regional growth strategy is to apply to less than the entire regional district or is to be prepared jointly with another regional district, this must be authorized under

<http://www.bclaws.ca/Recon/document/freeside/~/~/local%20government%20act%20%20rsbc...> 3/15/2010

- section 851 (2) or required under section 852 before the regional growth strategy is initiated.
- (3) If, at the time of initiation, the board proposes to deal with an additional regional matter referred to in section 850 (3), the initiating resolution must identify the matter.
- (4) The proposing board must give written notice of an initiation under this section to affected local governments and to the minister.

Consultation during development of regional growth strategy

- 855** (1) During the development of a regional growth strategy,
- (a) the proposing board must provide opportunity for consultation with persons, organizations and authorities who the board considers will be affected by the regional growth strategy, and
- (b) the board and the affected local governments must make all reasonable efforts to reach agreement on a proposed regional growth strategy.
- (2) For the purposes of subsection (1) (a), as soon as possible after the initiation of a regional growth strategy, the board must adopt a consultation plan that, in the opinion of the board, provides opportunities for early and ongoing consultation with, at a minimum,
- (a) its citizens,
- (b) affected local governments,
- (c) first nations,
- (d) school district boards, greater boards and improvement district boards, and
- (e) the Provincial and federal governments and their agencies.
- (2.1) In adopting a consultation plan under subsection (2), the board must consider whether the plan should include the holding of a public hearing to provide an opportunity for persons, organizations and authorities to make their views known before the regional growth strategy is submitted for acceptance under section 857.
- (3) A failure to comply with a consultation plan under subsection (2) does not invalidate the regional growth strategy as long as reasonable consultation has been conducted.
- (4) and (5) [Repealed 2008-23-16.]
- (6) For certainty, at any time during the development of a regional growth strategy, additional regional matters may be included in accordance with section 850 (3).

Facilitation of agreement during development of regional growth strategy

- 856** (1) The minister may appoint facilitators for the purposes of this Part, whose responsibilities are
- (a) to monitor and assist local governments in reaching agreement on the acceptance of regional growth strategies during their development by

- (i) facilitating negotiations between the local governments,
- (ii) facilitating the resolution of anticipated objections,
- (iii) assisting local governments in setting up and using non-binding resolution processes, and
- (iv) facilitating the involvement of the Provincial and federal governments and their agencies, first nations, school district boards, greater boards and improvement district boards, and
- (b) to assist local governments in entering into implementation agreements under section 868.
- (2) On being notified that a regional growth strategy has been initiated, the minister may designate a person appointed under subsection (1) as the facilitator responsible in relation to the regional growth strategy.
- (3) At any time until the end of the period for acceptance or refusal under section 857 (4) (b), the facilitator is to provide assistance referred to in subsection (1) (a) of this section if requested to do so
- (a) by the proposing board or an affected local government, or
- (b) by an electoral area director of the proposing board, if the request is supported by at least 2 other directors.
- (4) Once a facilitator becomes involved under subsection (3), the proposing board and affected local governments must provide information as requested by the facilitator and must otherwise cooperate with the facilitator in fulfilling his or her responsibilities.

Acceptance by affected local governments required

- 857** (1) Before it is adopted, a regional growth strategy must be accepted by the affected local governments or, failing acceptance, become binding on the affected local governments under section 860 (6).
- (2) Acceptance of a regional growth strategy by an affected local government must be done by resolution of the local government.
- (3) For the purposes of this section, before third reading of the bylaw to adopt a regional growth strategy, the board must submit the regional growth strategy to
- (a) the council of each municipality all or part of which is covered by the regional growth strategy,
- (a.1) the board of directors of the South Coast British Columbia Transportation Authority if the regional growth strategy is for the Greater Vancouver Regional District,
- (b) the board of each regional district that is adjoining an area to which the regional growth strategy is to apply, and
- (c) the facilitator or, if no facilitator for the regional growth strategy has been designated, the minister.

858 (1) Before the end of the 120 days referred to in section 857 (4) (b), the facilitator may require the proposing board and the affected local governments to identify any issues on which they anticipate that acceptance may not be reached.

(2) If an issue is identified under subsection (1),

- (a) the facilitator may require the proposing board and the affected local governments to send representatives to a meeting convened by the facilitator for the purpose of clarifying the issues involved and encouraging their resolution, and
 - (b) the proposing board and the affected local governments must provide information as requested by the facilitator and must otherwise cooperate with the facilitator in fulfilling his or her responsibilities.
- (3) For the purposes of this section, the facilitator may extend the period for acceptance or refusal under section 857 (4) (b) before or after the end of that period.

Resolution of refusal to accept

859 (1) The proposing board must notify the minister in writing if an affected local government refuses to accept a proposed regional growth strategy.

(2) After being notified under subsection (1), the minister must

- (a) require a non-binding resolution process to attempt to reach acceptance on the regional growth strategy, specifying a time period within which the parties must begin the resolution process, or
- (b) if satisfied that resolution using a non-binding resolution process under paragraph (a) is unlikely, direct that the regional growth strategy is to be settled under section 860.

(3) The choice of non-binding resolution process is to be determined by agreement between the proposing board and the local government or governments that refused to accept the regional growth strategy but, if the minister considers that these parties will not be able to reach agreement, the minister must direct which process is to be used.

(4) Any affected local government may participate in a non-binding resolution process under this section.

(5) Unless otherwise agreed by these parties, the fees of any neutral person participating in the non-binding resolution process and the administrative costs of the process, other than the costs incurred by the parties participating in the process, are to be shared proportionally between the proposing board and the affected local governments that participate in the process on the basis of the converted value of land and improvements in their jurisdictions.

(6) If changes to a regional growth strategy are proposed as a result of a resolution process under subsection (2) (a), the regional growth strategy must be submitted again to the affected local governments for acceptance in accordance with section 857.

(7) If acceptance is not reached within 60 days after a non-binding resolution process under this section is concluded, the regional growth strategy must be settled under

section 860 unless the proposing board and the affected local governments can reach an agreement on the provisions of the regional growth strategy before the settlement process is completed.

Settlement of regional growth strategy

860 (1) If acceptance by affected local governments cannot otherwise be reached under this Part, the regional growth strategy is to be settled by one of the following:

- (a) peer panel settlement in accordance with section 861 (1);
 - (b) final proposal arbitration in accordance with section 861 (2);
 - (c) full arbitration in accordance with section 861 (3).
- (2) If more than one affected local government has refused to accept a regional growth strategy, whether the refusals are in relation to the same or different issues, the regional growth strategy is to be settled for all affected local governments in the same settlement proceedings.

(3) The choice of process for settlement is to be determined by agreement between the proposing board and the local government or governments that refused to accept the regional growth strategy but, if the minister considers that these parties will not be able to reach agreement, the minister must direct which process is to be used.

(4) Any affected local government may participate in a settlement process under section 861.

(5) During the 60 days after the provisions of a regional growth strategy are settled under section 861, the proposing board and the affected local governments may agree on the acceptance of a regional growth strategy that differs from the one settled.

(6) At the end of the period under subsection (5), unless agreement is reached as referred to in that subsection, the provisions of a regional growth strategy as settled under section 861 become binding on the proposing board and all affected local governments, whether or not they participated in the settlement process.

Options for settlement process

861 (1) As one option, the provisions of a regional growth strategy may be settled by a peer panel as follows:

- (a) the panel is to be composed of 3 persons selected from the applicable list prepared under section 862 (1);
- (b) the selection of the panel is to be done by agreement between the proposing board and the local government or governments that refused to accept the regional growth strategy or, if the minister considers that these parties will not be able to reach agreement, by the minister;
- (c) subject to the regulations, the panel may conduct the proceedings in the manner it determines;

(d) the panel must settle the disputed issues of the regional growth strategy and may make any changes to the provisions of the regional growth strategy that it considers necessary to resolve those issues;

(e) the panel must give written reasons for its decision if this is requested by the proposing board or an affected local government before the panel retires to make its decision.

(2) As a second option, the provisions of a regional growth strategy may be settled by final proposal arbitration by a single arbitrator as follows:

(a) the arbitrator is to be selected from the applicable list prepared under section 862 (1);

(b) the selection of the arbitrator is to be done by agreement between the proposing board and the local government or governments that refused to accept the regional growth strategy or, if the minister considers that these parties will not be able to reach agreement, by the minister;

(c) subject to the regulations, the arbitrator must conduct the proceedings on the basis of a review of written documents and written submissions only, and must determine each disputed issue by selecting one of the final written proposals for resolving that issue submitted by one of the participating parties;

(d) the provisions of the regional growth strategy will be as settled by the arbitrator after incorporation of the final proposals selected by the arbitrator under paragraph (c);

(e) no written reasons are to be provided by the arbitrator.

(3) As a third option, the provisions of a regional growth strategy may be settled by full arbitration by a single arbitrator as follows:

(a) the arbitrator is to be selected from the applicable list prepared under section 862 (1);

(b) the selection of the arbitrator is to be done by agreement between the proposing board and the local government or governments that refused to accept the regional growth strategy or, if the minister considers that these parties will not be able to reach agreement, by the minister;

(c) subject to the regulations, the arbitrator may conduct the proceedings in the manner he or she determines;

(d) the provisions of the regional growth strategy will be as settled by the arbitrator, who is not restricted in his or her decision to submissions made by the parties on the disputed issues;

(e) the arbitrator must give written reasons for the decision.

General provisions regarding settlement process

862 (1) Lists of persons who may act on a panel under section 861 (1), as an arbitrator under section 861 (2) or as an arbitrator under section 861 (3) are to be prepared by

the minister in consultation with representatives of the Union of British Columbia Municipalities.

(2) Persons who may be included on a list for a panel under section 861 (1) are persons who are or have been elected officials of a local government or who, in the opinion of the minister, have appropriate experience in relation to local government matters.

(3) In the case of a specific regional growth strategy, a person may not be appointed to a panel or as an arbitrator if the person is, or was at any time since the regional growth strategy was initiated, an elected official of the proposing board or of an affected local government for the regional growth strategy.

(4) Subject to a direction by the panel or arbitrator or to an agreement between the parties, the fees and reasonable and necessary expenses of the members of a peer panel or arbitrator and the administrative costs of the process, other than the costs incurred by the parties participating in the process, are to be shared proportionally between the proposing board and the affected local governments that participate in the process on the basis of the converted value of land and improvements in their jurisdictions.

(5) The directors of the electoral areas to which the regional growth strategy is proposed to apply and the Provincial government may make representations in the settlement process, subject to any conditions set by the panel or arbitrator.

(6) The time limit for bringing any judicial review of a decision of a panel or arbitrator under section 861 is the end of the period for agreement under section 860 (5).

(7) The minister may make regulations regarding settlement processes under section 861, which may be different for different settlement processes, including regulations

(a) respecting matters that a panel or arbitrator may or must consider,

(b) respecting the authority of a panel or arbitrator to settle a regional growth strategy, and

(c) respecting the authority of a panel or arbitrator to require the cooperation of local governments in relation to the settlement processes.

Adoption of regional growth strategy

863 (1) A regional growth strategy must be adopted by bylaw.

(2) As soon as practicable after adopting a regional growth strategy, the board must send a copy of the regional growth strategy to

(a) the affected local governments,

(b) any greater boards and improvement districts within the regional district, and

(c) the minister.

Requirement to adopt finalized regional growth strategy

- (3) The membership of an intergovernmental advisory committee is to include the following:
- (a) the planning director of the regional district, or another official appointed by the board;
 - (a.1) for the purposes of an intergovernmental advisory committee established in the Greater Vancouver Regional District, the planning director of the South Coast British Columbia Transportation Authority or another official appointed by the board of directors of that authority;
 - (b) the planning director, or another official appointed by the applicable council, of each municipality all or part of which is covered by the regional growth strategy;
 - (c) senior representatives of the Provincial government and Provincial government agencies and corporations, determined by the minister after consultation with the board;
 - (d) representatives of other authorities and organizations if invited to participate by the board.

Implementation agreements

868 (1) Without limiting section 176 [corporate powers] of this Act or section 8 (1) [natural person powers] of the Community Charter, a local government may enter into agreements respecting the coordination of activities relating to the implementation of a regional growth strategy.

(2) For the purposes of this section, the Provincial government may enter into agreements under subsection (1) respecting Provincial commitments to act consistently with a regional growth strategy and to take actions necessary to implement a regional growth strategy.

(3) In addition to agreements with the Provincial government and its agencies, agreements under subsection (1) may be made with the federal government and its agencies, other local governments, first nations, school district boards, greater boards, the South Coast British Columbia Transportation Authority, improvement district boards and other local authorities.

Regular reports and review of regional growth strategy

869 (1) A regional district that has adopted a regional growth strategy must

- (a) establish a program to monitor its implementation and the progress made towards its objectives and actions, and
 - (b) prepare an annual report on that implementation and progress.
- (2) At least once every 5 years, a regional district that has adopted a regional growth strategy must consider whether the regional growth strategy must be reviewed for possible amendment.

- (3) For the purposes of subsection (2), the regional district must provide an opportunity for input on the need for review from the persons, organizations and authorities referred to in section 855 (2).

Provincial policy guidelines

870 (1) The minister may establish policy guidelines regarding the process of developing and adopting regional growth strategies and official community plans.

(2) The minister, or the minister together with other ministers, may establish policy guidelines regarding the content of regional growth strategies and official community plans.

(3) Guidelines under subsection (1) or (2) may only be established after consultation by the minister with representatives of the Union of British Columbia Municipalities.

Minister may require official community plans and land use bylaws

871 After a regional growth strategy has been adopted, the minister may require a municipality or regional district to adopt, within a time specified by the minister, an official community plan, a zoning bylaw or a subdivision servicing bylaw for an area that is covered by the regional growth strategy and to which no such plan or bylaw currently applies.

Contents | 1 | 1.1 | 2 | 3 | 4 | 5 | 5.1 | 5.2 | 6 | 7 | 8 | 9 | 10 | 10.1 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30