



FONVCA AGENDA

THURSDAY September 17th 2009

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

Time: 7:00-9:00pm

Chair: Brian Platts – Edgemont C.A.

Tel: 604-985-5104

Regrets: Paul Tubb, Lyle Craver, Del Kristalovich, Cathy Adams

1. Order/content of Agenda

2. Adoption of Minutes of July 16th

<http://www.fonvca.org/agendas/sep2009/minutes-jul2009.pdf>

3. Old Business

3.1 OCP Roundtable – Updates

4. Correspondence Issues

4.1 Business arising from 1 regular emails:

4.2 Non-Posted letters – 0 this period

5. New Business

Council and other District issues.

5.1 Synopsis of Sustainability

<http://www.pollutiononline.com/nl/845483/733151>

5.2 School Board All-Candidates Meeting

- comments by Eric Andersen

5.3 Resilient Cities

See <http://www.gaininggroundsummit.com/theme.htm> for Theme of the Oct 20-22/2009 Vancouver Conference

5.4 ACT: Adaptation to Climate change Theme

<http://www.sfu.ca/act/> and SUN article of Sep 10/2009

"Brace for wild B.C. weather..."

http://www.metrovancouver.org/planning/development/agriculture/AgricultureDocs/Climate_Variable_Mapping_report_final.pdf

5.5 Spirit Trail Through Norgate

- concerns by K'nud Hille

5.6 Smoking on public patios

Council workshop on issue (date unknown)

"Intrusion into public affairs" or protecting the health of our citizens in accordance with Community Charter, s. 8(3)(i) and LGA, s.523. See page 87 of CC by Buholzer, NSN Page 3 of August 26/2009.

6. Any Other Business

6.1 Legal Issues

(I) Can a councilor be charged under section 30.4 of the Freedom of Information and Protection of Privacy Act which reads: *An employee, officer or director of a public body or an employee or associate of a service provider who has access, whether authorized or unauthorized, to personal information in the custody or control of a public body, must not disclose that information except as authorized under this Act.* Perhaps section 73(a) applies?

Protection of public body from legal suit

73 No action lies and no proceeding may be brought against the government, a public body, the head of a public body, an elected official of a public body or any person acting on behalf of or under the direction of the head of a public body for damages resulting from

(a) the disclosure, or failure to disclose, in good faith of all or part of a record under this Act or any consequences of that disclosure or failure to disclose

(II) Supreme Court of BC: Viridis vs. City of North Vancouver – Bewicke zoning suit

<http://www.canlii.org/en/bc/bcsc/doc/2009/2009bcsc1118/2009bcsc1118.html>

The key element [57] is that a Mayor's "initiation" of reconsideration must be within 30 days of defeat BUT this may mean council will not reconsider it for a much longer period! Note also in [60] "courts have held that the failure of a council to observe its own procedures is only an irregularity and not fatal to the bylaw passed, **unless the required procedure is a statutory procedural requirement.**"

The question is: When is a statutory violation just a procedural error – or visa-versa?

6.2 Any Other Issues (2 min each)

- Page F6 SUN 22Aug/2009 on tank systems to capture rainfall – at \$2/storage litre- environmentalism and common sense collide.
- BC on-line gambling web-site raises weekly stakes from \$120 to \$10,000. Who are the addicts?
- Families need cars... – A4 SUN July 23/09
- Municipal Law – outline and references
- Municipal Election Violations A4 SUN Sep 16

7. Chair & Date of next meeting.

Thursday October 15th 2009

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.

Correspondence/Subject Ordered by Date
13 July 2009 → 13 September 2009

LINK	SUBJECT
http://www.fonvca.org/letters/2009/13jul-to/Lyle_Craver_3sep2009.pdf	Mobile homes on West 16 th

For details/history see

<http://www.fonvca.org/letters/index-letters-total-jul2009.html>

FONVCA

Minutes July 16th 2009

Attendees

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

The meeting was called to order at 7:10 PM
Regrets: Paul Tubb – Pemberton Hts. C.A.

1. ORDER / CONTENT OF AGENDA

Approved with added items:

- 6.2a External links on dnv.org - Corrie
- 6.2b Rail Noise – K'Nud
- 6.2c Home based business

2. Adoption of Minutes of June 18th

<http://www.fonvca.org/agendas/apr2009/minutes-jun2009.pdf>

Correction to item 1. 6.2b Pesticides - by John Hunter not Don Hunter/

Correction to item 3.1 – “A third meeting is set for July 25th...” should read “A third meeting is set for June 25th ...”

Corrected minutes approval moved by Dan, seconded by Cathy, carried.

3. OLD BUSINESS

3.1 OCP Roundtable Update – initial roundtable meeting went well. Process is paramount issue. Sep 2nd 6-9pm at DNV Committee Rm. is next meeting of Roundtable group. Corrie read the terms of reference (see

<http://www.dnv.org/upload/pdocsdocuments/ph5101!.doc>)

The Community Vision will flow out of the consultation process. At all three sessions the audience selected the topics for discussion. There was excellent participation and very thoughtful discussion. Turn-out by the public was good, but not large. Public engagement is probably the greatest challenge for the OCP process. For latest see

<http://www.identity.dnv.org>

Any available digital photos taken at the events will be posted on the www.fonvca.org web site.

4. CORRESPONDENCE ISSUES

4.1 Business arising from 3 regular e-mails

- a letter from Corrie about response to DNV relating to FONVCA registration with DNV requirements
- 2 letters from Wendy relating to CNV issues.

4.2 Non-posted letters – 0 this period.

5. NEW BUSINESS

Council and other District Issues

5.1 DCC's Explained

Corrie provided some updated results from other municipalities (single family home rates):
Surrey: \$26,061

Maple Ridge: \$16,010

Abbotsford: \$25,000

Coquitlam: \$20,920

New Westminster: \$17,300

For details on DNV rates (which have not been updated for some time) see Bylaw 6945 at <http://www.dnv.org/article.asp?c=603&a=254>

DCC's are meant to cover the costs of providing services to newly created residential (and other) services. The current DNV rate for a single family home is \$14,300 to \$18,502 depending on the lot size. Other rates apply to multi-family units, commercial, and industrial properties.

5.2 Rainbarrel Economics revisited.

Corrie reminded members of the uneconomic aspects of using rainbarrels to “save” rainwater. The feast or famine of nature is nicely explained at <http://santaferreview.com/review1.1.html>

To quote John McCarthy, a mathematician at Stanford University: “He who refuses to do arithmetic is doomed to talk nonsense”. The June 18/2001 DNV report by R.O. Huffman, had also concluded **they are not cost effective**, taking 500-1000 years to pay back. For a copy of the document see <http://www.fonvca.org/agendas/jul2009/rain-barrel.pdf>

This should appropriately address the contrasting view of articles published in the May 28/2009 NorthshoreOutlook by Maria Spitale-Leisk. It seems that some bad ideas never die.

Corrie also noted that there is no chloramine in GVRD water – after an extensive public participation process in 1994 chlorine, although more expensive, this more environmentally friendly option was instead chosen.

5.3 Thesis: Global Warming is Man-Made

An important meeting United Nations Climate Change Conference is to take place Dec7-18/2009 in Copenhagen.

<http://en.cop15.dk/>

A number of scientific articles on this issue were listed.

<http://livinggreen.info/LvGnGlbIWarmgIPCCRpt.pdf>

<http://www.aip.org/history/climate/co2.htm>
http://www.whrc.org/resources/online_publications/warming_earth/scientific_evidence.htm
<http://climate.noaa.gov/education/pdfs/ClimateLiteracyPoster-8.5x11-March09FinalLR.pdf>
<http://ourchangingclimate.wordpress.com/2008/05/21/scientific-debate-and-the-media/>

5.4 2008 Annual Reports

The important components that make up the Annual Report are:

- Corporate Plan
- Draft Financial Plan
- Natural Steps Action Plan

There is considerable difficulty in finding the 4 key documents on the DNV website. They need to be grouped together in a single web page – and with easy access to prior years annual report.

Overall, Corrie felt that the 2008 Annual Report was a significant improvement over the 2007 report. Links to some other municipal annual report (as well as those for the DNV were provided and shown below.

District of North Vancouver:

<http://www.dnv.org/article.asp?a=4493>
and 2009-2011 Corporate Business Plan at
http://www.dnv.org/upload/documents/Council_Presentation/CorpPlan09.pdf and
2009-2013 draft financial plan can be found (no direct link) at
<http://www.dnv.org/article.asp?c=1021&a=4037>
and the Natural Steps Action Plan at
<http://www.dnv.org/upload/pdocsdocuments/ptwl01!.pdf>

City of North Vancouver:

<http://www.cnv.org/attach/2009%2007%2006PM2008MunReport.pdf>

West Vancouver:

http://www.westvancouver.net/uploadedFiles/Your_Government/Financial_Information/Reports/Annual_Reports/2008%20Annual%20Report%204web.pdf

Maple Ridge:

http://www.mapleridge.ca/assets/Default/Finance/pdfs/Annual~Reports/annual_report08.pdf

Richmond:

<http://www.richmond.ca/cityhall/finance/reporting/reports.htm>

Pitt Meadows:

<http://www.pittmeadows.bc.ca/EN/topnav/whatsnew/46236.html>

Some interesting graphs are available at

<http://www.fonvca.org/agendas/jul2009/2008-annual-report/>

6. ANY OTHER BUSINESS

6.1 Legal Issues

Fighting (White Rock) City Hall when Council exceeds its authority by considering matters not in the OCP/Zoning. This was a case where a municipality refused to issue a building permit. Although the development met the OCP

requirements, subjective requirements not listed in the OCP were used to reject the development. All members are encourage to read the judgement by Justice Janice Dillon as it touches on many of the inner workings of municipal law.

<http://www2.canada.com/surreynow/news/story.html?id=0d8f633b-ccd7-40be-8530-5f72344512ec>

- BC Supreme Court ruling by Justice Janice Dillon at...

<http://www.canlii.org/en/bc/bcsc/doc/2009/2009bcsc719/2009bcsc719.html>

The developer won the case and White Rock was ordered to issue the building permit.

6.2 Any Other Issues (2 min each)

a) External links on DNV.ORG

There is a DNV policy that within a certain period prior to Municipal Elections external links which provide information about or bias towards any municipal candidate must be removed until after the election. However, contrary to council policy, the last municipal election provided hypertext links to some of the candidates. The policy should be adhered to until such time that it is amended – and that only after a proper public debate on the issue. Some members felt that URL's to candidates should be provided – but not on election day – to be consistent with other media restrictions. If links are allowed they should only relate to election material – not to personal business aspects of a candidate ie. no material on the linked site should relate directly to the candidates' business affairs.

b) Railway Noise

Noise resulting from shunting rail cars and blowing train whistles were a concern for Norgate residents. K'Nud read a letter from Weston referring his concerns to Minister of Transport John Baird.

Meetings with Waterfront Liason Committee have not been satisfactory – with regulation bodies attendance being erratic. Next step will be to apply to the Province.

c) Home Based Business

Cathy spoke about her experiences (some time ago) with a neighbourhood landscaping business run by a resident on her residential street and the difficulties of getting rid of it.

7. CHAIR AND DATE OF NEXT MEETING

7:00pm Thursday September 17th 2009

Brian Platts – Edgemont Community Assoc.

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

Meeting was adjourned at ~ 9:00PM.

5.1

A Synopsis of Sustainability and Other Related Definitions

Written by Ferdous Noman, Research Analyst
Frost & Sullivan Environmental & Building Technologies

Introduction

From the time you wake up in the morning to the time you go back to sleep at night, a wise decision related to the environment can be made. This can either be the coffee you drink in the morning to the lights you turn off at night there are choices to be made that have far-reaching consequences on our society, economy, and on the environment both at the local and the global scale. Tagged along are the terms sustainability, sustainable development and corporate social responsibility.

Sustainable Development

Let's begin with the definition of sustainable development. The Brundtland Commission, led by the former Norwegian Prime Minister Gro Harlem Brundtland defined sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs". From resource consumption viewpoint, one way of simplifying this definition implies using resources more efficiently and ensuring that our future generations have ample resources for themselves.

A simple example of an environmentally sustainable practice can be retrofitting incandescent lamp with energy efficient compact fluorescent lamp (CFL), also known as compact fluorescent light bulb. The CFL can replace an incandescent lamp, use less energy and have a longer rated life. The U.S. Environmental Protection Agency and the U.S. Department of Energy's joint program ENERGY STAR qualifies bulbs to the program that use about 75 percent less energy than standard incandescent bulbs and last up to 10 times longer. The bulbs can save about \$30 or more in electricity costs over each bulb's lifetime and produce about 75 percent less heat, so they're safer to operate and can cut energy costs associated with home cooling. Reduced energy consumption can lead to lesser emissions of greenhouse gases to the environment. This example explains how corporations are offering innovative products and helping to reduce the environmental impact. A cleaner environment today and for future generations is one of the critical aspects of sustainable development.

Corporate Social Responsibility (CSR)

CSR evolved from the definition of sustainable development and the concept of the Triple Bottom Line (TBL). The TBL concept developed by John Elkington (1999) proposed that business goals were inseparable from the societies and environments within which they operate. A business can achieve short-term economic gain, but a failure to account for social and environmental dimensions would result in making those business practices unsustainable.

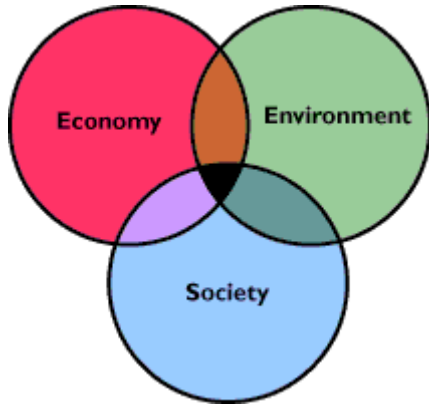
The World Business Council for Sustainable Development (WBCSD) defined CSR as "The commitment of business to contribute to sustainable economic development, working with employees, their families, the local community and society at large to improve their quality of life".

Numerous corporations in North America and globally have embraced sustainable development and are developing innovative environmental programs that are integrated with core business operations and practices. Just as a consumer can benefit financially by retrofitting to a CFL and contribute to the sustainability of the environment, corporations can similarly benefit financially by pursuing sustainable business practices. Innovative technologies and changing internal processes will not only decrease the ecological footprint of the corporations by contributing to

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environmental sustainability but also make good financial sense. Figure 1 below shows the three dimension of sustainability, which is also referred to as the triple bottom line (TBL).

Figure 1: The Three Dimensions of the TBL – Environment, Society and Economy



Why pursue the sustainability path?

Pursuing sustainability demonstrates commitment and leadership towards environmental stewardship and there's a business case for pursuing sustainable development. Bob Willard; a leading corporate sustainability strategies expert and author of *The Sustainability Advantage: Seven Business Case Benefits of a Triple Bottom Line* (New Society Publishers, 2002); describes the benefits of investing in sustainable development. These seven benefits include reducing hiring and retention costs and improving productivity, decreasing manufacturing and operating expenses, increasing revenue, and reducing risk.

CSR in Canadian Businesses

A 2006 Ipsos Reid¹ and Canadian Business for Social Responsibility (CBSR)² poll of Canadian businesses and the Canadian public shows that 68% of Canadians pay attention to issues related to CSR. The poll also shows that three-quarters of leading Canadian companies are actively engaged in key CSR activities. Box 1 below shows the results of the poll.

Box: Summary of Ipsos Reid and CBSR Poll	
% of Respondents	Attention towards CSR
15	"Great deal"
53	"Some"
30	"CSR not on radar screen"

Note: Research for this poll was conducted online with 141 CSR leaders in major Canadian businesses from December 2005 to January 2006. Respondents are members of a CSR Business Leader Forum set up and run by Ipsos Reid. Sample size of Canadians surveyed for the research included 1,003 adults.

Source: www.ipsos-na.com

¹ Ipsos-Reid is a Canadian survey-based marketing research and market intelligence company

² CBSR is a business-led, non-profit CSR consultancy and peer-to-peer learning organization

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A number of Fortune 500 Companies are pursuing the sustainability path. The table below shows what some Fortune 500 Companies are doing to help protect the environment and create more value for stakeholders and protect our planet. Regardless of their size; in terms of revenue and net profit; these companies are pursuing sustainability goals. Whether its your morning coffee, the clothes you wear throughout the day, the computer you use at work or the lights you turn off at night, they all have a sustainability story behind them. Some of these innovative changes in operations, processes and manufacturing technologies are listed in Table 1 below.

Table 1: Some Fortune 500 Companies Pursuing Sustainability

Name of Corporation	Description of Process or Program - Business Case for SD		
<p>Starbucks</p> <p>2007 Fortune 500 Rank: 310</p>	<div data-bbox="378 621 594 816" data-label="Image"> </div> <p data-bbox="639 583 1008 613">Recycling & Reducing Waste</p> <p data-bbox="639 613 1419 732">In the 2006 fiscal, Starbucks bought around 2 billion cups. Environmental Defense calculates that Starbucks' move in 2006 to use new hot cups with 10 percent post-consumer recycled paper would achieve the following annual environmental improvements:</p> <table border="1" data-bbox="362 863 1463 1020"> <tr> <td data-bbox="362 863 873 1020"> <p>Resource savings</p> <p>11,300 fewer tons of wood consumed</p> <p>58 billion BTUs of energy saved</p> <p>47 million gallons of wastewater avoided</p> <p>3 million pounds of solid waste prevented</p> </td> <td data-bbox="873 863 1463 1020"> <p>Equivalency</p> <p>or about 78,000 trees</p> <p>enough to supply 640 homes for a year</p> <p>enough to fill 71 Olympic-sized swimming pools</p> <p>equivalent to 109 fully-loaded garbage trucks</p> </td> </tr> </table> <p data-bbox="362 1056 1321 1085">Source: Environmental Defense (www.environmentaldefense.org/papercalculator)</p>	<p>Resource savings</p> <p>11,300 fewer tons of wood consumed</p> <p>58 billion BTUs of energy saved</p> <p>47 million gallons of wastewater avoided</p> <p>3 million pounds of solid waste prevented</p>	<p>Equivalency</p> <p>or about 78,000 trees</p> <p>enough to supply 640 homes for a year</p> <p>enough to fill 71 Olympic-sized swimming pools</p> <p>equivalent to 109 fully-loaded garbage trucks</p>
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<p>Gap</p> <p>2007 Fortune 500 Rank: 144</p>	<p data-bbox="362 1155 631 1184">Energy Conservation</p> <p data-bbox="362 1184 1468 1335">Currently monitoring energy consumption in about 40 percent of the company's U.S. stores through a computerized energy management system (EMS). EMS enables Gap to monitor the performance of the lighting, heating, ventilation and air-conditioning systems in programmed stores. The program helped Gap to reduce energy consumption in U.S. stores in 2006 by 8.7 percent since 2003.</p> <p data-bbox="362 1367 607 1396">Sustainable Design</p> <p data-bbox="362 1396 1455 1547">One alternative to conventionally farmed cotton is organic cotton, which is grown without the use of synthetic pesticides and fertilizers that can be harmful to the environment. Gap is beginning to explore the use of organic cotton for some product offerings. In February 2007, select Gap stores introduced T-shirts and tanks made with 100% organic cotton. To preserve the natural colors and qualities of the organic cotton, these products are not chemically dyed.</p> <p data-bbox="362 1579 570 1608">Reducing Waste</p> <p data-bbox="362 1608 1459 1822">In 2006, Gap incorporated an environmental procurement guideline into the "request for proposal" (RFP) process for all non-merchandise suppliers. These guidelines informs suppliers of the our company's preferred environmental attributes for non-merchandise materials. For example, the guidelines stated that Gap preferred to use paper with recycled fiber content and unbleached, process chlorine-free pulp. As a result of this policy, much of the paper and corrugate Gap purchased directly has a minimum post-consumer content of 15 percent, and some has post-consumer content as high as 68 percent.</p> <p data-bbox="362 1854 626 1883">Supply Chain Impact</p>		

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	<p>One of the principles of Gap Inc.'s Code of Vendor Conduct requires factories to develop an environmental management system. In 2005, all of Gap Inc.'s Vendor Compliance Officers received environmental management system training so they could help factories comply with this requirement. To ensure that factories understand the importance and benefits of a strong environmental program, our efforts currently focus on helping them develop and implement these systems. Our hope is that all factories we work with will have an acceptable environmental management system in place by late 2007.</p> <p>Sustainable Building Fly ash, a waste by-product from burning coal, was used in the concrete for the foundation of Gap Inc. headquarters at 2 Folsom Street in San Francisco. This diverted 1,800 tons of the ash from landfills and eliminated approximately 2,000 tons of carbon dioxide emissions that would have been generated during cement production.</p> <p>Source: Gap Inc. (www.gapinc.com)</p>
<p>Intel</p> <p>2007 Fortune 500 Rank: 62</p>	<p>Environment, Health & Safety Senior Executives review EHS performance indicators every quarter. Indicators include energy use, water use, global warming emissions, NO_x, CO and VOC emissions, waste generated and recycled.</p> <p>Emissions Reduction The perfluorocarbon (PFC) chemicals used in chipmaking are also a dangerous greenhouse gas. By 2010, Intel has promised to reduce emissions by 10% from 1995 levels.</p> <p>Energy Efficiency Energy efficiency initiatives at Intel operations such as air conditioning improvements, boiler efficiency, chilled water improvements and other improved operating processes and procedures have resulted in reduced energy consumption in 2006 by more than 160 million kilo-watt hours (kwh).</p> <p>Source: Intel (www.intel.com)</p>
<p>Hewlett-Packard</p> <p>2007 Fortune 500 Rank: 14</p>	<p>Recycling & Reducing Waste HP released the HP rp5700 Long Lifecycle Business Desktop PC, which can be made with up to 95-percent recycled components. Packaging is made with at least 25 percent recycled cardboard.</p> <p>Energy Efficiency Another new line, including the HP Compaq dc5700, dc5750 and dc7700, offers configuration options to use as little as half the energy of standard computers. According to HP and the Green Electronics Council, an industry group, these computers are the first to meet new certification requirements from the U.S. Environmental Protection Agency (EPA). Specifically, they are certified as "gold" on the Electronic Products Environmental Assessment Tool (EPEAT), which rates products on up to 50 environmentally related criteria, such as the use of hazardous materials, energy efficiency, and ease of recycling.</p> <p>Source: Manufacturing Business Technology (www.mbtmag.com)</p>
<p>GE</p> <p>2007 Fortune 500 Rank: 6</p>	<p>Research & Development As part of the new "Ecoimagination" initiative, GE is growing its research in cleaner technologies from US\$900 million in 2006 to \$1.5 billion in 2010.</p> <p>Emissions Reduction</p> <ul style="list-style-type: none"> ▪ GE will reduce the company's greenhouse-gas emissions by 1% by 2012; without any action, emissions would have gone up 40%.

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	<ul style="list-style-type: none"> ▪ The Dry Low NO_x (DLN) 2.6+ reduces nitrogen oxides emissions from GE's turbines by 40%. <p>Clean & Renewable Energy GE installed solar panels at corporate headquarters in Fairfield, Connecticut. The solar panels produce green power - emission and fossil fuel free source of renewable energy. This project is a first step in an initiative to apply solar photovoltaic technology on GE buildings worldwide.</p> <p>Source: General Electric (www.ge.com)</p>
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Measuring Sustainability and Corporate Responsibility

From the examples shown in the table above, we can say that there is a clear business case for pursuing sustainable development and adopting sustainable business practices. So how can sustainability and corporate social responsibility be measured? Currently there are a number of indices in North America and in Europe that measure sustainability. Some examples are presented in the Table 2 below.

Table 2: Sustainability Indices

Name of Index	Index Summary	What does it Measure?
Dow Jones Sustainability Index (DJSI)	<p>The DJSI are the first global indexes tracking the financial performance of the leading sustainability-driven companies worldwide.</p> <p>The DJSI North America Index (DJSI North America) captures the leading 20% in terms of sustainability out of the largest 600 North American companies of the Dow Jones Global Index. The components are selected according to a systematic corporate sustainability assessment that identifies the leading sustainability-driven companies in each industry group. Corporations are evaluated based on a variety of general and industry-specific sustainability criteria including climate change strategies, energy consumption, human resources development, knowledge management, stakeholder relations and corporate governance.</p> <p>Source: Dow Jones Sustainability Index www.sustainability-index.com</p>	<p>Corporate sustainability assessment criteria include:</p> <ul style="list-style-type: none"> ▪ environmental performance ▪ environmental reporting ▪ industry specific criteria
Corporate Responsibility (CR) Index	<p>CR Index; developed by Business in the Community, UK (BITC, UK) assists companies to integrate and improve responsibility throughout their operations by providing a systematic approach to</p>	<p>According to BITC, "The Index is a benchmarking tool that assesses and compares responsible business behaviour by evaluating:</p>

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	<p>managing, measuring and reporting on business impacts in society and on the environment.</p> <p>Source: Business in the Community www.bitc.org.uk</p>	<ul style="list-style-type: none"> ▪ responsible business strategy ▪ the integration of the strategy into the business ▪ the management of corporate responsibility within the organization ▪ performance in a range of social and environmental impact areas”.
<p>Pacific Sustainability Index (PSI) analyzed at the Roberts Environmental Center</p>	<p>The Pacific Sustainability Index (PSI) analyzes the quality of the sustainability reporting. The two questionnaires applied include a base questionnaire for reports across sectors and a sector-specific questionnaire for companies within the same sector. The questions are based on and periodically adjusted to the most frequently-mentioned topics in over 900 corporate sustainability reports analyzed from 2002 through 2007 at the Roberts Environmental Center.</p> <p>Source: Roberts Environmental Centre www.roberts.cmc.edu/PSI</p>	<ul style="list-style-type: none"> ▪ Analyzes sustainability reports ▪ Both qualitative and quantitative information available publicly on websites are analyzed. ▪ Social and Environmental criteria include: intent, reporting and performance. <p>Additional information:</p> <ul style="list-style-type: none"> ▪ Web-based PSI self-scoring system available online.

Concluding Remarks

Corporate social responsibility is a continuously evolving innovative discipline. In order to create maximum value for stakeholders at all levels, progress towards sustainability needs to be monitored, measured and communicated. To pursue sustainability, a corporation must improve its environmental performance through improved operational processes. Improved operational processes will eventually yield a healthy economy and society. Thus, being corporately responsible will allow corporations to fully capture the economic opportunities associated with pursuing sustainability.

Frost & Sullivan is researching the CSR arena. Please stay tuned for future Market Insights and Market Engineering Research on CSR and sustainability.

5.3

T H E M E



Resilient Cities

Urban Strategies for Transition Times

Vancouver, Canada,
October 20-22, 2009

The Idea of the Conference

North American cities are facing transformational challenges in sustainability, economy, and urban management. Sustainability imperatives, the call for climate action, the prospect of a quickly shifting energy future, pressure for new approaches in almost every urban system, and the shock of the economic downturn have North American cities scrambling to comprehend and manage the shift toward ecological practices and greater resilience.

At the heart of this *Resilient Cities* conference are these ideas:

- Cities are powerful agents for climate action and ecological governance;
- It's crucial to develop powerful new sustainability collaborations between business, civic leadership and the communities that make up our cities;
- The emergent green economy, new green jobs, and a green way of doing old jobs together represent an important new economic development/training/education strategy;
- The concepts and practices of ecological citizenship need to spread more thoroughly through all segments of society and all constituencies;
- Cities—as social and political units—are leading the way in sustainability innovation in the areas of governance, policy and implementation. This capacity, these skills, need to be perfected and widely shared;
- Practitioners from all sectors—technical professions, elected folks, developers, non-profit agencies, post-secondary institutions, community leadership, etc.—are in on this reawakening to commons values. It's time to maximize collaboration and partnerships. It's time for the whole city to go green.

The conference will explore strategies to make cities more robust, and will enable participants to advance their thinking on three key subjects:

- innovation in sustainability governance and best current practices for managing sustainable urban systems;
- capturing opportunities in the green economy;
- strategies for building widespread sustainability collaborations that engage the community level.

The program will emphasize integrated thinking on these themes and will place a large project of work in front of the conference community: to build a portrait of urban life in which sustainable urban practices, economy, and engaged communities are successfully aligned. Both *ecology* and *economy* share the Greek word for *home*. We need to link sustainability to ideas of safety, security and opportunity, and we need fresh narratives and different metrics that will enable our urban societies to politically and socially support the shift to renewal and regeneration. We need to make choices that favour the long term and honour our sense of community.

5.3

Conference Assets

Vancouver, host city for the conference, is a living laboratory for many of the conference themes. The city—widely recognized for the urban planning miracle called “Vancouverism”—is also an urban sustainability leader that has worked hard to hold a durable public conversation, maintain a high level of community interest, and enlist a broad base of support for the sustainability agenda. In other words, Vancouver—the city and the region—has developed important expertise in ‘process architecture.’

Vancouver’s successes and challenges will be a backdrop for the conference and the conference will assist Vancouver leadership in governance, business, education, organization and community to study opportunities to strategically promote Vancouver internationally as a centre of sustainability innovation and expertise.

Resilient Cities will feature speakers and thought leaders who are some of the most imaginative and compelling voices available to address the conference themes. [Click here for more information.](#)

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About

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ACT is a group of people at SFU with a common cause: to develop effective responses to the challenges of climate change. [[learn more](#)]

Canadians face major impacts of climate change over the coming years, such as violent storms, sea-level rise, compromised water supply, energy challenges and health risks. To date, the climate change debate in North America has focused on emissions reduction; however, there is a clear need for a parallel emphasis on adaptation measures. Without this planning, the damage and costs caused by climate change effects will be unsustainably severe, and it is vital that we equip our decision-makers now with resources to guide them through the challenges. SFU has formed ACT in response to this need.



Find us on [Facebook](#) by logging into [Facebook](#) and clicking the link or search for "ACT" within Facebook



- **To address climate change with a progressive mindset** that is proactive rather than reactive; that acknowledges and works with people on the front lines of the communities and eco-systems facing the impacts; and is inclusive, both in terms of the scope of endeavor and the stakeholders;
- **To formulate policy recommendations** through research, consultation and dialogue, that will help to guide both the public and private sectors as they meet the challenges of climate change;
- **To build awareness of the need to ACT** swiftly and knowledgeably to address the impacts of climate change.

ACT RELEASES SECOND SET OF POLICY RECOMMENDATIONS - CLIMATE CHANGE ADAPTATION AND EXTREME WEATHER **September 8th, 2009**

Today, ACT has released its second set of policy findings – on extreme weather events – authored by Dr. Gordon McBean of the Institute for Catastrophic Loss Reduction, and Dr. Dan Henstra, of the University of Windsor. The authors will join ACT Executive Director Deborah Harford and Western Professor Gregory Kopp at a news conference at 11:00 a.m., Wednesday September 9, 2009 at Western's Insurance Research Laboratory for Better Homes, also known as the Three Little Pigs Research Project, to discuss the findings.

Click here to [download](#) the summary recommendations.
Click here to [download](#) the background report.
Click here to [download](#) the press release.
Click here to [download](#) a map to the press conference site.

For more information on the session or the report, visit the [extreme weather events page](#) or email ACT's Executive Director Deborah Harford at adapt@sfu.ca

ACT POLICY AUTHOR PRESENTS AT PEW CENTER WORKSHOP ON CAPITOL HILL **March 17th, 2009**

ACT is proud to announce that Jon O'Riordan, the policy author for ACT's first session - Climate Change Adaptation and Biodiversity – presented his findings on natural capital at a workshop of the Pew Centre for Global Climate Change held on Capitol Hill in Washington, DC. Jon was the only Canadian to present at the workshop.

The Pew Center on Global Climate Change brings together business leaders, policy makers, scientists, and other experts to bring new approaches to climate change issues, working to protect the climate while sustaining important economic growth. Over the past ten years, Pew has issued over 100 reports from top-tier researchers on key climate topics including economic and environmental impacts, and domestic and international policy solutions. The Center, which distributes its reports to more than 4,000 opinion leaders throughout the world with thousands more downloaded monthly from the Center's website, is regularly featured in major news stories from the Associated Press, Nature Magazine, The New York Times, and other media.

ACT RELEASES BACKGROUND REPORT TO BIODIVERSITY RECOMMENDATIONS **January 28th, 2009**

ACT presents the **Adaptation to Climate Change and Biodiversity Background Report**, a compendium of research references and conclusions supporting our first set of policy recommendations: **Climate Change Adaptation and Biodiversity: Transitioning to an Ecosystem-based Economy in British Columbia**. An updated version of the recommendations is

June 4, 2009: ACT in Globe and Mail 'Academics launch unique approaches to climate change'

January 12, 2009: ACT's Dr. Richard Lipsey featured in Globe and Mail article

December 5, 2008: ACT Biodiversity policy report featured in The Tyee

December 4, 2008: ACT Biodiversity findings featured in Vancouver Sun.

also now available - please see below for links to both files:

[Climate Change Adaptation and Biodiversity: Transitioning to an Ecosystem-based Economy in British Columbia](#) (updated version of summary recommendations) [532 KB]

[Climate Change Adaptation and Biodiversity: Background Report](#) [1.2 MB]

[PICS RELEASES ACT WHITE PAPER ON CLIMATE CHANGE PLANNING FOR BC](#)
[January 14th, 2009](#)

PICS (the Pacific Institute for Climate Solutions) has released a white paper authored by ACT - **Climate Change Adaptation: Planning for BC**. The paper explores climate challenges facing BC in the context of nine top-of-mind issues; explores local, national and international responses; and proposes recommendations designed to facilitate "smart adaptation" strategies that acknowledge and leverage the links between adaptation to unavoidable climate impacts and emissions reduction, or "mitigation".

The white paper is one of eight commissioned by PICS, a new inter-university initiative of SFU, UBC, UVic and UNBC made possible by the BC government.

Click here to download the report - [Climate Change Adaptation: Planning for BC](#) [3.1 MB]

Click to download pdf copies of the [PICS media release](#), and [background summaries](#) for the collection of discussion papers. Visit the [PICS website](#).

[ACT RELEASES FIRST SET OF POLICY RECOMMENDATIONS - CLIMATE CHANGE ADAPTATION AND BIODIVERSITY](#)
[December 3rd, 2008](#)

ACT's inaugural session, Communities in Jeopardy: Plant, Animal and Human, ran from September 2007 to April 2008. The report from that session is called **Climate Change Adaptation and Biodiversity: Transitioning to an Ecosystem-based Economy in British Columbia**, authored by Jon O'Riordan, former deputy minister in the BC government's Ministry of Sustainable Resource development, and supplemented by researcher Eric Kimmel, who wrote the accompanying economic analysis.

[Click here](#) to download a pdf version of the press release. [108 KB]

Click below to download media coverage of the findings release in pdf format:

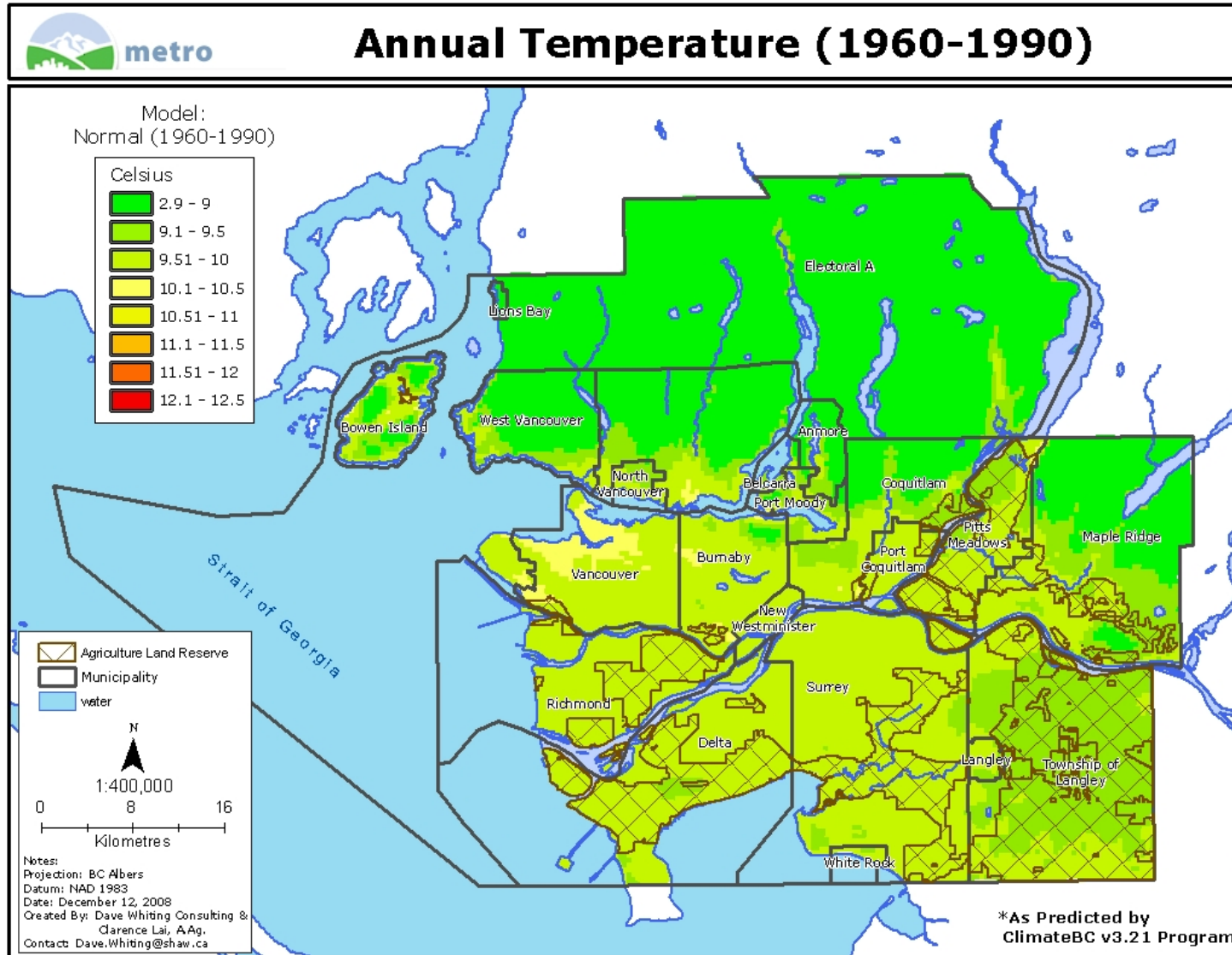
[The Vancouver Sun](#) [84 KB]

[The Globe and Mail](#) [36 KB]

[The Tyee](#) [56 KB]

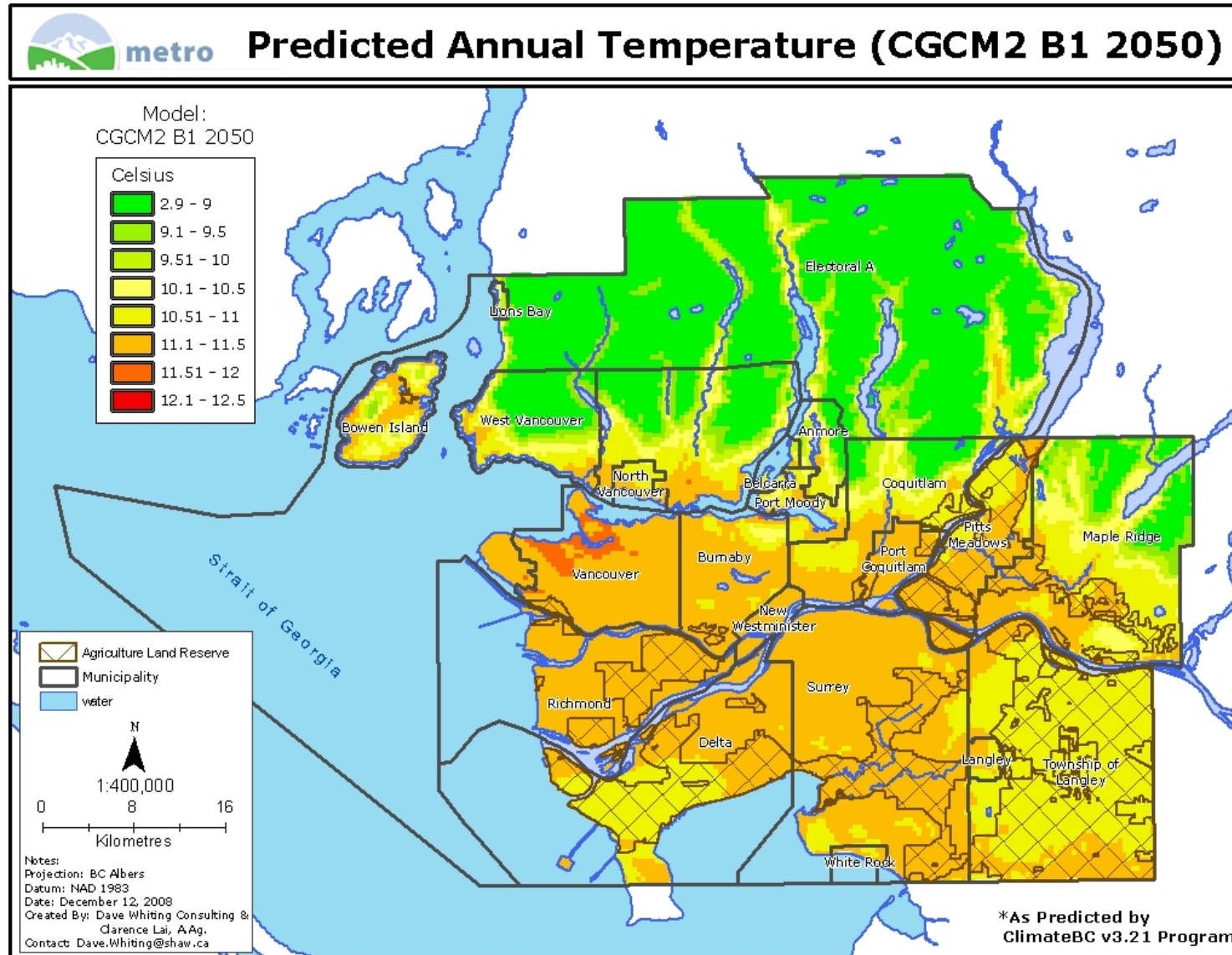
If you would like more information on the summary report, please email ACT Executive Director Deborah Harford at adapt@sfu.ca

5.4



Map 1 Mean Annual Temperature Normal (1960 - 1990)

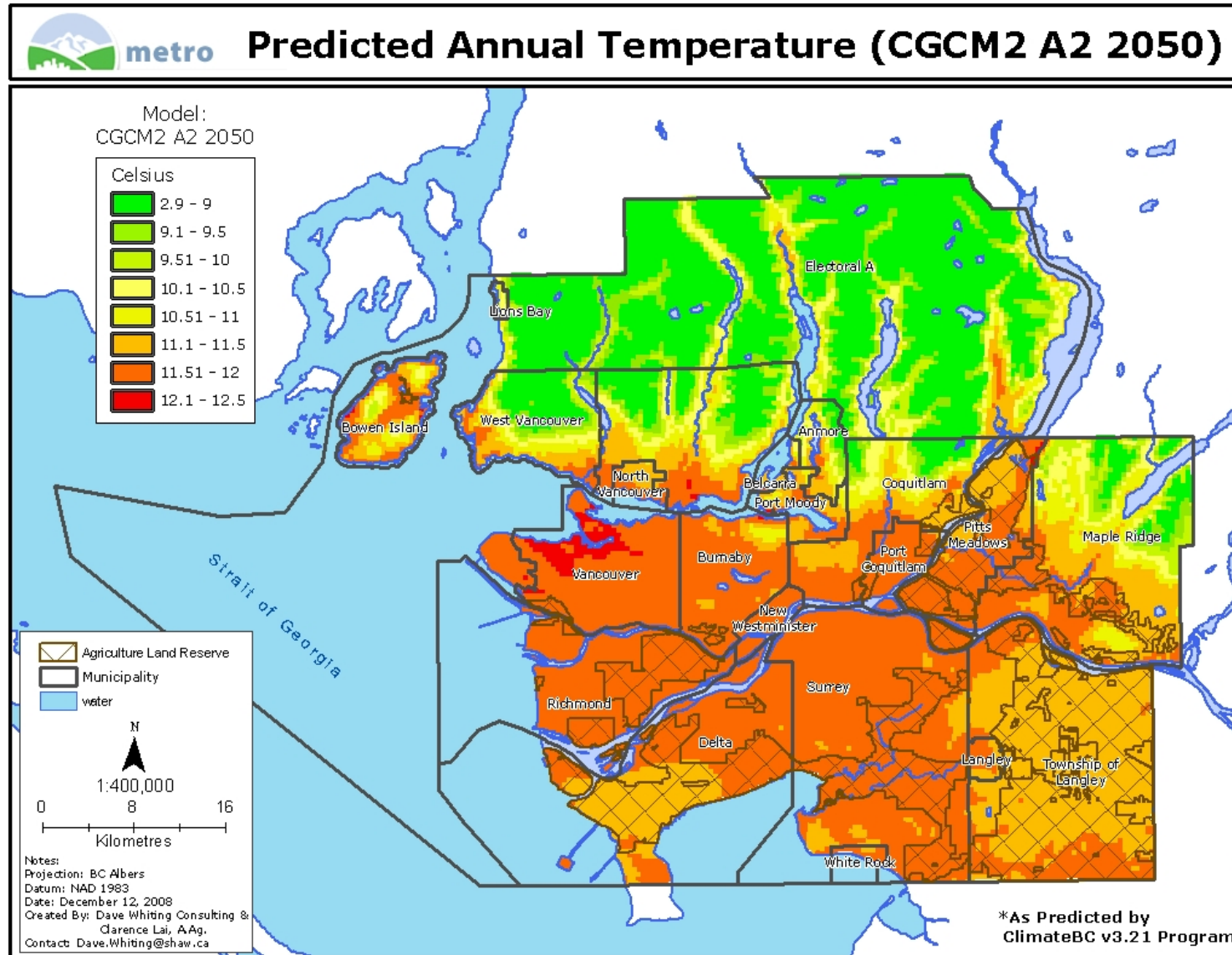
5.4



Map 2 Predicted Mean Annual Temperature CGCM2 B1 (2050)



5.4



Map 3 Predicted Mean Annual Temperature CGCM2 A2 (2050)

5.4



Environment
Canada

Environnement
Canada

Canada

[Home](#) > [Climate Change](#) > [About Climate Change](#) > 10 Things You Should Know About Climate Change

10 Things You Should Know About Climate Change

1. **Climate change refers to a long-term change in average weather conditions over time.** This includes changes in temperature, precipitation and winds. Climate change can be the result of natural processes or human activity.
2. **Global warming observed over the last 50 years has been largely attributed to human influences on the climate.** This human influence is largely a result of burning fossil fuels such as coal, oil and natural gas. Burning these fuels generates carbon dioxide, a greenhouse gas that is blamed for much of the warming. Land use changes, such as deforestation and conversion of land to agriculture, have also contributed carbon dioxide to the atmosphere.
3. **Natural processes can also cause climate change.** The Earth's climate has changed throughout its history, with the planet experiencing glacial periods or "ice ages", as well as natural warming cycles. These changes can be explained by changes in the Earth's orbit, changes in the sun's intensity, and by volcanic eruptions that produced aerosol and carbon dioxide emissions.
4. **Climate change is primarily attributed to the enhancement of the natural greenhouse gas effect caused by increased levels of gases in the atmosphere from human activity.** Greenhouse gases are atmospheric gases that absorb and emit thermal radiation. So-named for their ability to trap heat in, greenhouse gases greatly affect the temperature of the Earth. Major greenhouse gases in Earth's atmosphere are water vapour, carbon dioxide, methane, nitrous oxide and ozone.
5. **The ozone hole does not have a strong effect on global climate change,** although research indicates that it has affected the circulation (winds) in the southern hemisphere. The thinning of the ozone layer is caused mainly by chlorofluorocarbon chemicals (CFCs), used in the past in refrigerator and air conditioning units. The Montreal Protocol, which has effectively banned the emission of CFCs, has put the climate on a path towards gradual recovery of the ozone hole, but these actions alone will not slow climate change.
6. **Climate change is a warming trend, not just a warming cycle.** Global temperature naturally varies up and down from year to year and decade to decade. However, over the long term, global temperatures have been warming, and most of the warming over the past half-century has been attributed to human influences on the climate system, primarily greenhouse gas emission. This has resulted in glaciers melting, sea levels rising, and changes in weather patterns and precipitation.
7. **Climate change will have adverse effects on communities all over the world.** Extreme weather is likely to increase, potentially destroying human and animal habitats. As well, rising sea levels and changes in weather and precipitation will affect communities, agriculture and food supplies.
8. **Individuals, organizations and the international community can make a difference in dealing with climate change.** We must act. Measures such as reducing greenhouse gas emissions and gaining awareness of the issues surrounding climate change can make a significant difference.
9. **Canada will participate in the United Nations Framework Convention on Climate Change conference in Copenhagen (COP15) in December 2009.** The goal of this conference is to reach a new global agreement for fighting climate change.
10. **G8 leaders met in July 2009 in L'Aquila, Italy, and agreed to make an effort to limit global temperature increases to 2 °C.** While details on how countries will meet this goal still need to be worked out, this agreement is significant as scientists have warned that any temperature increase above two degrees could lead to major and irreversible climate change impacts.

[Printer-friendly version](#)

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Date modified: 2009-08-12

5.6

This Act is Current to September 9, 2009

COMMUNITY CHARTER

[SBC 2003] CHAPTER 26

Part 2 — Municipal Purposes and Powers

Division 1 — Purposes and Fundamental Powers

Municipalities and their councils

- 6 (1) A municipality is a corporation of the residents of its area.
- (2) The governing body of a municipality is its council.
- (3) New municipalities may be established, and the boundaries of existing municipalities may be altered, in accordance with Part 2 [*Incorporation*] of the *Local Government Act*.

Municipal purposes

- 7 The purposes of a municipality include
- (a) providing for good government of its community,
 - (b) providing for services, laws and other matters for community benefit,
 - (c) providing for stewardship of the public assets of its community, and
 - (d) fostering the economic, social and environmental well-being of its community.

Fundamental powers

- 8 (1) A municipality has the capacity, rights, powers and privileges of a natural person of full capacity.
- (2) A municipality may provide any service that the council considers necessary or desirable, and may do this directly or through another public authority or another person or organization.
- (3) A council may, by bylaw, regulate, prohibit and impose requirements in relation to the following:
- (a) municipal services;
 - (b) public places;
 - (c) trees;
 - (d) firecrackers, fireworks and explosives;
 - (e) bows and arrows, knives and other weapons not referred to in subsection (5);
 - (f) cemeteries, crematoriums, columbariums and mausoleums and the interment or other disposition of the dead;
 - (g) the health, safety or protection of persons or property in relation to matters referred to in section 63 [*protection of persons and property*];
 - (h) the protection and enhancement of the well-being of its community in relation to the matters referred to in section 64 [*nuisances, disturbances and other objectionable situations*];
 - (i) public health;
 - (j) protection of the natural environment;
 - (k) animals;

6.1(II)



Wednesday » September
16 » 2009

When a majority doesn't win

North Shore News

Wednesday, August 26, 2009

Dear Editor:

I write regarding your Aug. 19 story Court Dismisses Bewicke Zoning Suit.

From the time we were youngsters we have been taught a basic truth of our democracy: A majority wins. Decisions made in a family, on the playground, in clubs, elections -- anywhere that more than two people must make a decision -- a majority wins. I, along with millions of others, have always used this to reach a definitive conclusion to controversy. Often it's hard to accept, sometimes we are truly choked, but if we have been honestly outvoted we accept because "the majority wins."

This is not how Mayor Darrell Mussatto deals with defeat. Many interested citizens were in the gallery when city council voted against the Bewicke development. The mayor's anger was more than obvious -- it was palpable. He very much wanted this particular development to go ahead. In the weeks that followed, our mayor was instrumental in scheduling a new vote -- at which time one councillor's vote changed and the Bewicke subdivision was OK'd.

The question I'm left with is: If a majority of opinions from an affected community and an honest vote from a majority of city councillors can be affected by the mayor, are we still living in a democracy?

Joan Peters

North Vancouver

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MUNICIPAL LAW - LAW 343-F02 2007 Fall Term

COURSE INFORMATION

Prerequisites	None
Unit Value	1.5 units, 36 hours
Term Offered	Fall 2007
Classes	Monday and Wednesday 9:00 am to 10:30 am Rm. 142
Instructor	Deborah Curran
	Telephone: 882-0642
	Email: dcurran@dcurranandco.ca
	Office Hours: By appointment

MAJOR EDUCATIONAL GOALS/COURSE OBJECTIVES

Local governments, primarily municipalities and regional districts, oversee broad authority to regulate a wide range of activities in communities. They also operate many services and own substantial assets. Local government is arguably the most visible form of government as they regulate the physical development of cities and towns, and take care of day-to-day services such as water, liquid and solid waste, and parks. Municipal law explores the parameters of the legislative, administrative and quasi-judicial powers of local governments.

The purpose of this course is to provide students with an introduction to, and understanding of, the primary principles of municipal law in Canada, with a particular focus on the legislative regime in B.C. The central focus of the course will be on the diverse powers of municipal governments, and how the courts review and define municipal action. Consideration will also be given to the structural problems in the operation of local governments. Roughly half of the course is devoted to land use planning and related issues.

SUBJECT MATTER TO BE COVERED

- (1) The nature of local government and judicial control.
- (2) Statutory basis and governance.
- (3) Business regulation and licensing.
- (4) Contracts and the proprietary power.
- (5) Tort and limitations.
- (6) Growth management and land use planning.
- (7) Zoning and land use control.
- (8) Current issues in municipal law.

REQUIRED MATERIALS

Community Charter, S.B.C. 2003, c.26. All other materials are available through the course web site.

RESOURCES

Legislation (see QPLegaleze for most current versions):

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Community Charter – http://www.qp.gov.bc.ca/statreg/stat/C/03026_00.htm
Local Government Act – www.qp.gov.bc.ca/statreg/stat/L/96323_00.htm
Judicial Review Procedure Act - http://www.qp.gov.bc.ca/statreg/stat/J/96241_01.htm
Land Title Act – http://www.qp.gov.bc.ca/statreg/stat/L/96250_00.htm
Table of Concordance (historic Community Charter ↔ Local Government Act)
http://www.cserv.gov.bc.ca/lgd/gov_structure/community_charter/concordance/index.htm

Local Government Information:

Canadian Institute of Planners - <http://www.cip-icu.ca/English/home.htm>
CivicInfo BC – www.civicinfo.bc.ca/
Federation of Canadian Municipalities – www.fcm.ca
Links to all Local Governments in B.C. -
<http://www.civicnet.bc.ca/siteengine/ActivePage.asp?PageID=88>
Ministry of Community Services, Local Government Department –
<http://www.cserv.gov.bc.ca/lgd/>
Regulatory Best Practices Guide -
http://www.cserv.gov.bc.ca/lgd/gov_structure/library/regulatory_best_practices_guide.pdf
Union of B.C. Municipalities – www.civicnet.bc.ca

Texts:

Rogers, The Law of Canadian Municipal Corporations (on reserve)
Buholzer, British Columbia Planning Law and Practice (Courthouse Library)
Buholzer, The Community Charter: B.C. Local Government in Transition (on reserve)
Annotated BC Local Government Act (Courthouse Library)

METHODOLOGY

Lectures, classroom discussion and short presentations. It is expected that students will have read assigned materials prior to class and will be prepared to discuss them. In addition to the cases, articles and legislation set out in the syllabus, a lecture outline and overview of each topic are posted on the course web site for most weeks.

EVALUATION

- | | | |
|----|-------------------------------|-------------------------------|
| 1. | Short presentation | 10% |
| 2. | Research Paper and Final Exam | 45% paper, 45% exam OR |
| 3. | Open book final examination | 90% (December 20, 2007) |

The short presentation and final exam are mandatory. Students may choose to write a research paper and modified final exam (item 2) OR a final exam (item 3).

1. Short presentation (10%)
Each student will select a current issue involving a municipality (from the media, CivicInfo BC, other publications, or their personal experience) and report on its significance to the class (10 minutes maximum). Handouts or electronic presentations are encouraged. The purpose is to introduce the class to a wide range of topics involving municipal government that cannot be covered in the class materials. Up to two students will present at the beginning of each class. Students will be marked out of 10.
2. Research Paper (45%) and Final Exam (45%)
Students who choose the paper may write on a topic involving a local government issue. The

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issue may be generic (such as the involvement of local governments in agricultural land protection, their expanded ability to contract, or exercise of discretion in licencing), or specific to one local government (such as the limitations of Victoria's small lot development policy or Langford's use of big box stores for economic development). This requirement may be met by attending a municipal council meeting and writing a report on an issue addressed at the meeting. Students are expected to incorporate into the paper case law, legislative authority and, if appropriate, commentary/opinion on how a council dealt with the issue. Please note that this is a research paper – do not rely solely on case law introduced in the course or on media reports accessed on the internet. I suggest that the Research Paper be around 4000 words (excluding footnotes) in length, and double spaced. Extensions may be granted in advance of the due date for reasonable grounds. Papers submitted after the deadline without prior approval will be penalized at a rate of 1 mark per day (the paper is marked out of 45). Up to two students may fulfill their major paper requirement in this course. Students writing a paper are required to write the land use planning section of the final exam that will cover approximately half of the course material and will take 1.5 hours. Research papers are due on Wednesday November 21, 2007, and the final examination is scheduled for Thursday December 20, 2007 in Room 152.

3. Open book final examination (90%)
The final examination is scheduled for Thursday December 20, 2007 in Room 152 and will be three hours in length.

The Faculty's grading system will be used to translate numerical grades to letter grades. The relevant equivalencies between numerical and letter grades are as follows:

Numerical Percentage	Letter Grade Equivalent
90+	A+
85-89	A
80-84	A-
75-79	B+
70-74	B
65-69	B-
60-64	C+
55-59	C
50-54	D
49 >	F

OTHER IMPORTANT NOTES

Regulations: Students should obtain and review all regulations and policies contained in the University of Victoria Calendar, 2006-2007 ("U Vic Calendar"), both generally and specifically for the Faculty of Law. The Undergraduate Academic Regulations (2006-2007) at page 31 of the UVic Calendar set out the University's expectations about attendance and assignments.

Classroom Climate: An inclusive, respectful, and diverse classroom environment is crucial to our work in this course. To ensure that all class members feel welcomed and equally able to contribute to class discussions, both I as instructor and you as students must endeavor to be respectful in our language, our examples, and the manner in which we conduct our discussions. We have both an ethical and legal obligation to support this kind of environment (see the University's Discrimination and Harassment Policy (<http://web.uvic.ca/uvic-policies/pol-1000/1150HPP.html>)), and the Faculty is committed to promoting, providing and protecting a positive, supportive and safe learning and working environment for

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all its members. If you have any concerns about the climate of the class, please contact me.

Academic Integrity: As part of the academic community of both the Faculty of Law and the University as a whole, academic integrity is centrally important in the work of faculty and students. Please consult the University Calendar for policies respecting paraphrasing, plagiarism, and cheating. If you have any concerns or questions, or require clarification, please send me an e-mail or speak with me after class. The policy on academic integrity can be found on the web at the following address: <http://web.uvic.ca/calendar2006/FACS/UnIn/UARe/PoAcI.html>

Students with a Disability: If you have any type of disability, there are support systems, resources, and accommodation actions available to you. If you wish to access any of these supports, resources or accommodations, I encourage you to contact the Associate Dean or the Resource Centre for Students with a Disability (<http://rcsd.uvic.ca/home.ihtml>) and I am pleased to work with you to ensure your success in this course.

Accommodation of Religious Observances: The University of Victoria and the Faculty of Law have policies guaranteeing accommodation for those students who are unable to participate in a class or an aspect of the course owing to a religious holiday. If you will be missing a class, know that you will be unable to complete an assignment or exam, or otherwise require accommodation on account of a religious holiday, please speak with me so that we can work out a satisfactory form of accommodation.

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Course Outline

<p>Week of - September 10</p>	<p>I. INTRODUCTION</p> <p>A. Nature of Local Government</p> <ul style="list-style-type: none"> ▪ Overview of legislative structure ▪ Constitutional position & Charter of Rights Note: City of Montreal v. 2952-1366 Quebec Inc. ▪ Legislative authority Nowlan & Rolfe, Smart Growth Guide pp. 19-24 (please ignore reference to section numbers in BC legislation – read for structure only) Cenam Construction v. Cowichan Valley Regional District Greenbaum v. Toronto Ron Levi & Mariana Valverde. Freedom of the City: Canadian Cities and the Quest for Governmental Status 44 <i>Osgoode Hall Law Journal</i> 409 (2006) ▪ Relations with First Nations – no duty to consult Haida Nation 	<p>Legislation: Community Charter (CC)</p> <p>Local Government Act (LGA)</p> <p>CC ss. 1-11 276-279</p>
<p>September 17</p>	<p>B. Judicial and Legislative view of Local Government</p> <ul style="list-style-type: none"> ▪ Designing the authority and services of local government ▪ types of delegated power ▪ changing judicial deference to local government Shell Canada v. City of Vancouver Rascal Trucking v. Nanaimo United Taxi v. Calgary Stanley Makuch. Discrimination and Municipal Bylaws. <i>Canadian Municipal Law Reporter</i> ▪ structure of Community Charter CRD v. Kuo (2006 BCSC 1282) <p>C. Structure of Local Government in B.C.</p> <ul style="list-style-type: none"> ▪ organized and unorganized territory ▪ local government/municipalities/regional districts/improvement areas 	
<p>September 24</p>	<p>D. Judicial Control</p> <ul style="list-style-type: none"> ▪ substantive grounds Spray Tech v. Hudson (Town) <i>Dhillon v. Richmond</i> (1987 BCJ No.1566) <i>R. v. Bell</i> (1979 2 SCR 212) Save Richmond Farmland ▪ procedural fairness 	<p>CC ss.16-17 260-263 LGA 260-265 <i>Judicial Review Procedure Act</i></p>

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	<ul style="list-style-type: none"> ▪ standard of review ▪ statutory requirements & public law remedies <i>Shell Canada v. City of Vancouver</i> (recap) <i>Rascal Trucking v. Nanaimo</i> (recap) 	
Sometime in October	Thursday – field trip to Committee of the Whole meeting, Victoria City Council (9 a.m.)	
October 1	<p>II GOVERNANCE</p> <p>A. Elections</p> <ul style="list-style-type: none"> ▪ elector & officer qualification ▪ challenging elections <p>B. Disqualification and Conflict of Interest</p> <ul style="list-style-type: none"> ▪ statutory disqualifications ▪ procedure for disqualification ▪ conflict of interest <p><i>Re Hoepfner</i> (1976 BCJ No. 983) <i>Godfrey v. Bird</i></p> <p>C. Municipal Powers & Procedure</p> <ul style="list-style-type: none"> ▪ incorporation ▪ basic corporate/proprietary authority ▪ exercise of authority by bylaw and resolutions ▪ procedural bylaws and meeting procedure ▪ council ▪ sub-delegation ▪ assistance & emergency power ▪ disposal of land ▪ bylaws ▪ bylaw enforcement ▪ financial planning ▪ revenue ▪ buildings <p>D. Public Oversight <i>Botterill v. Cranbrook</i></p>	<p>CC s.81 LGA ss.49-52, 66-68, 143</p> <p>CC ss.100-113</p> <p>CC ss.6,8 125-128, 122 89-93, 123-129, 114-118 154-156 20-25 26-30 135-140 260-264 165-166, 173-174 192-194,197,210 53-55</p> <p>CC. ss.84-88, 93-99</p>

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<p>October 8</p> <p>(Thanksgiving - no class October 8)</p>	<p>III BUSINESS REGULATION & LICENSING</p> <ul style="list-style-type: none"> ▪ Constitution Act s.92(g) ▪ purposes ▪ definition of business <i>Re Regional Assessment Commissioner and Caisse Populaire De Hearst</i> (1983 1 SCR 57) ▪ power to regulate business ▪ licensing powers ▪ licensing discretion <i>Re Try-San International Ltd. and City of Vancouver</i> (1978) 83 D.L.R. (3d) 236 <u>Royal City Jewellers v. City of New Westminster</u> <i>Sunshine Valley Co-op Assoc. v. Grand Forks</i> [1949] 2 D.L.R. 51 <i>Heller v. City of Vancouver</i> (1980 BCJ No.1768) <i>Re Conmac Stages and Town of Sidney</i> (1981 BCJ No. 1720) <i>City of Prince George v. Payne</i> [1978] 1 S.C.R. 458 <i>Brownrigg v. North Cowichan</i> (1986 BCJ No. 2837) <u>377050 BC Ltd dba the Inter-City Motel v. Burnaby</u> (2007 BCCA 162) 	<p>CC ss.8,12,14,15,60</p>
<p>October 15</p>	<p>IV CONTRACTS & THE PROPRIETARY POWER</p> <ul style="list-style-type: none"> ▪ no indoor management rule/ultra-vires applies ▪ public policy constraints/fettering <i>Bay Village Shopping Centre v. Victoria</i> (1974 BCJ No. 596) <u>Nelson Citizen's Coalition v. Nelson</u> <i>Jack's Towing Ltd. v. Abbotsford</i> (2007 BCSC 93) ▪ delegation of power to contract <i>Silver's Garage v. Town of Bridgewater</i> [1971] S.C.R. 577 ▪ restitution & unjust enrichment Note: <u>Bond v. Esquimalt</u> ▪ statutory provisions <p>V TORT & LIMITATIONS</p> <ul style="list-style-type: none"> ▪ immunities & liability ▪ statutory limitation ▪ negligence & abuse of power <u>Bracken v. Vancouver</u> <u>The Owners, Strata Plan NW 3341 et al. v. Delta</u> <u>Parsons v. Finch</u> (Trial) <u>Parsons v. Finch</u> (Court of Appeal) <u>Municipal Insurance Association model bylaw</u> (FYI) 	<p>CC ss.6,8,11,12, 21,24,25,95,96, 114,154, 190-191</p> <p>CC s.187 LGA ss.285-291</p>

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<p>October 22</p>	<p>VI GROWTH MANAGEMENT</p> <ul style="list-style-type: none"> ▪ regional growth strategies Capital Regional District Regional Growth Strategy ▪ smart growth Smart Bylaws Summary (skim) 	<p>LGA ss.849-853 863-866</p>
<p>October 29</p>	<p>VII PLANNING</p> <ul style="list-style-type: none"> ▪ statutory programs Nowlan & Rolfe, Smart Growth Guide pp.27-50 (please ignore section references to legislation) ▪ official plan & its legal effects ▪ consistency requirements Heritage Preservation Society of New Westminster v. City of New Westminster Striegel v. Tofino ▪ public hearings Brooks v. Courtenay 	<p>LGA ss.875-879, 884 890-896</p>
<p>November 5</p> <p>Guest lecture: Lui Carvello (Staples McDannold Stuart)</p> <p>New Developments in Land Use Regulation</p>	<p>VIII ZONING & LAND USE CONTROL</p> <p>A. Basic zoning power</p> <ul style="list-style-type: none"> ▪ no compensation for adoption of bylaw or issuance of permit ▪ legitimate vs. illegitimate distinctions in zoning Whistler v. Wright Common Exchange v. Langley Central Saanich v. Amaryllis Enterprises Cowichan Valley Regional District v. Ward <i>Hauff v. Vancouver</i> (1981 BCJ No. 812) Yuen v. Oak Bay Petro-Can v. North Vancouver (District) <p>B. Subdivision of land</p> <ul style="list-style-type: none"> ▪ development requirements ▪ approving officer <i>Morgan v. Vancouver</i> (1988 BCJ No. 2245) Cole v. Anderson Cole v. Campbell River Island View Beach Estates v. Central Saanich ▪ development cost charges 	<p>LGA ss.903-914 938-941 Land Title Act ss. 77, 85 & 86</p>
<p>November 12</p>	<p>C. Site-specific Development Controls</p> <ul style="list-style-type: none"> ▪ overview 	<p>CC s.25 LGA ss. 919.1-</p>

6.2 (d)

<p>(Remembrance Day - no class November 12)</p>	<ul style="list-style-type: none"> ▪ development permits <i>Bignell Enterprises v. Campbell River</i> <i>Westfair Foods v. Saanich</i> <i>511784 B.C. Ltd. et al v. Salmon Arm (District)</i> <i>Imperial Oil Ltd. v. City of Vancouver</i> ▪ environmental protection ▪ heritage preservation ▪ variances 	<p>920.1, 947-959 966-971, 974-975</p>
<p>November 19</p> <p>Research Paper Due November 21</p>	<p>IX ISSUES IN MUNICIPAL LAW</p> <p>A. Relationships with First Nations</p> <ul style="list-style-type: none"> ▪ servicing <i>Tsawwassen Indian Band v. Delta (City)</i> <i>Burns Lake Indian Band v. Burns Lake (Village)</i> ▪ application of business licences & bylaws <i>Rempel Bros. Concrete v. Chilliwack</i> ▪ treaty settlements & community relations <i>Regional Governance and Governance in the Region</i> (Lower Mainland Treaty Advisory Committee) <i>Community to Community Forums</i> 	
<p>November 26</p>	<p>B. “Takings” (expropriation/effective expropriation) <i>Mariner Real Estate v. Nova Scotia</i></p> <p>C. Agricultural land <i>Farm Practices Protection (Right to Farm) Act</i> ss.2-3 <i>Davison v. Maple Ridge</i> <i>Central Saanich v. Jopp Ventures Corp.</i></p>	<p>LGA s.914</p> <p>LGA ss.915-919, 920(10) Land Title Act ss.86(x)</p>
<p>December 3</p>	<p>Course Review (based on practice exam)</p>	