

THE CORPORATION OF THE DISTRICT OF BURNABY

To: MEMBERS OF THE MUNICIPAL COUNCIL

File: F.F. 7-1

Re: The Municipal Amendment Act (1983) - Bill 9
And The Greater Vancouver Regional District's
Planning Function

Madam and Gentlemen:

At the Greater Vancouver Regional District Directors' meeting on 1983 October 26, the subject matter of Bill 9, the Municipal Amendment Act (1983), was discussed and the following resolution was passed:

"WHEREAS the provincial legislature has enacted The Municipal Amendment Act (1983) which removes the statutory authority of regional districts to undertake regional planning and to enact Official Regional Plans;

AND WHEREAS it is the desire of (The Corporation of the District of Burnaby) to receive the benefits of the non-regulatory development coordination and development information services provided by the Greater Vancouver Regional District;

AND WHEREAS the Minister of Municipal Affairs has confirmed in a letter dated October 13, 1983 that Council may contribute to the continuation of this service through an agreement with the Greater Vancouver Regional District under Section 770(2) of the Municipal Act;

NOW THEREFORE BE IT RESOLVED that (The Corporation of the District of Burnaby) agrees to enter into an agreement with the Greater Vancouver Regional District to provide development coordination and development information services;

AND BE IT FURTHER RESOLVED that such agreement shall commence on January 1, 1984 and terminate on December 31, 1988 unless earlier terminated either by mutual consent or by one of the parties;

AND BE IT FURTHER RESOLVED that, in the event that one party wishes to terminate the contract, such party shall provide the other party with one year's notice of such action by November 30;

AND BE IT FURTHER RESOLVED that by October 1 of each year, Greater Vancouver Regional District shall forward to (The Corporation of the District of Burnaby) a list of services to be provided in the following year and an estimate of the cost of such services to (The Corporation of the District of Burnaby), and that such list be subject to the approval of (The Corporation of the District of Burnaby) by resolution within 30 days of its receipt;


AND BE IT FURTHER RESOLVED that the list of services to be provided in 1984 contained in Schedule A attached hereto is hereby approved by (The Corporation of the District of Burnaby), provided that the cost of the services to (The Corporation of the District of Burnaby) shall not exceed \$109,065.00 in 1984;

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AND BE IT FURTHER RESOLVED that appropriate officers of (The Corporation of the District of Burnaby) be directed to enter into such an agreement on behalf of The Corporation."

I would therefore recommend that the Council approve this resolution and become involved in regional planning under Section 770(2) of the Municipal Act which allows individual municipalities or groups of municipalities to contract with the Regional District for work on joint development strategies.

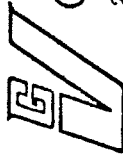
Respectfully submitted,



William A. Lewarne,
M A Y O R

WAL/dew

Attachment - Background information for
Members of Council.



Greater Vancouver Regional District

2294 WEST TENTH AVENUE VANCOUVER, BRITISH COLUMBIA V6K 2H9 TELEPHONE 731-1155

Please refer to our file number:

TO: GVRD Board of Directors
FROM: Mayor Don Ross
Chairman
RE: The Municipal Amendment Act (1983)
DATE: October 26, 1983

This Act received Royal Assent on October 21, 1983 and comes into effect by regulation of the Lieutenant-Governor in Council, which is expected momentarily.

This legislation has been strenuously opposed by local governments throughout the province through the UBCM and in the metropolitan areas by the five Regional Boards in the Lower Mainland and Capital Regional District. Everyone concerned felt that at least the non-regulatory aspects should be continued and many supported continuation of the regulatory role in regional planning. The means proposed were either to drop the bill, retain Section 807 of the Municipal Act, or provide letters patent to do what is provided in Section 807.

In response to these concerns, the Minister of Municipal Affairs stated in a press release dated October 6, 1983 that "intermunicipal planning has an assured future in British Columbia. Section 770 (2) of the Municipal Act will allow individual municipalities or groups of municipalities to contract with regional districts for work on joint development strategies. Taking a joint approach to intermunicipal development strategy is especially useful in metropolitan areas like Greater Victoria and the Lower Mainland."

We have not gained our preferred option of maintaining regional (or intermunicipal) planning in legislation under Section 807 of the Act. Nor have we been able to secure 'letters patent' to carry out the non-regulatory aspects of the function. Nevertheless, the Minister has recognized the necessity of such joint action and specified the legislative means to accomplish it, i.e., Section 770 (2) of the Municipal Act.

While I have not entirely given up on these other options (I am pursuing them with the Premier at time of writing) I believe we must make plans to live with the proposal suggested by the Minister of Municipal Affairs, namely, that we use this section of the Act to provide non-regulatory services of the regional planning function (regional development services) by agreement with our member municipalities.

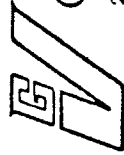
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This approach is outlined in the attached package in the form of a draft letter to GVRD member municipalities, which I ask you to peruse carefully. In the course of preparing this package, staff have discussed various aspects of it informally with a number of municipal and regional officials.

As a result of this process, there are several concerns which must be considered by the Board before we proceed further:

- o The cost of providing these regional development services cannot be included in the members' tax requisition as we have in the past for the regional planning function because we will not have legislation or letters patent assigning such a function to us. Consequently, even though the actual amount for these services would not increase the amount to be paid by each municipality would have to be reflected in the municipal budget and not as a regional levy. Accordingly, there could be a decrease in the regional levy but there would need to be an equivalent increase in the municipal budget. How this charge would be reflected in the municipal budgets has not been addressed.
 - o Under Section 770 (2) of the Municipal Act the Regional District can enter into agreements with the municipalities only. The electoral areas would therefore be excluded from participating or paying a portion of the cost. Presumably the share of the development services costs attributable to Electoral Areas could be charged to Electoral Area planning. We have prepared the suggested cost sharing on that basis.
 - o Since there is always the possibility of one or more municipalities deciding not to participate or to opt out of the agreement, we must decide beforehand whether in such situations to reduce the total program or increase the share to be borne by the municipalities who participate. Further, we also have to decide whether we make information available to municipalities who do not participate and whether that applies to the public and business located in that municipality.
- I would appreciate discussion and direction from the Board in respect to these and other matters which may be raised before we embark on this approach suggested by the Minister of Municipal Affairs.

DRAFT LETTER FOR BOARD REVIEW



Greater Vancouver Regional District

2294 WEST TENTH AVENUE VANCOUVER, BRITISH COLUMBIA V6K 2H9 TELEPHONE 731-1155

Please refer to our file number:

The Mayor and Members of Council
Corporation of _____

Your Worship and Members of Council:

Re: The Municipal Amendment Act (1983) and the GVRD's Planning Function

The extended discussions of Bill 9 - The Municipal Amendment Act (1983) introduced in the legislature on July 7, 1983 have come to an end with Royal Assent to the Bill on October 21, 1983.

In our efforts to secure amendments to this legislation to continue all or part of our regional planning function, I have been sustained and guided by the almost unanimous support of the GVRD's members councils. Unfortunately, we were not successful in persuading the Provincial Government to change the legislation in respect to regional planning.

Consequently, the proclamation of this Act will eliminate the GVRD's statutory responsibility to undertake regional planning and maintain a Technical Planning Committee. It will also cancel the Official Regional Plan.

The Provincial Government has repeatedly stated that it has no intention of eliminating the non-regulatory aspects of present regional planning functions in regional districts where municipalities wish to continue these aspects. In a letter dated October 13, 1983 (Appendix D), the Minister has informed us that these activities can be continued through agreements between member municipalities and the GVRD under Section 770 (2) of the Municipal Act (see Appendix E).

Although the GVRD Board believes this section is neither intended nor particularly well suited to this purpose, we have concluded that we have no alternative but to follow the course proposed by the Minister if we wish to continue to provide the non-regulatory services which the vast majority of GVRD member councils have repeatedly stated they want retained.

The GVRD Board therefore has decided to ask each member council to consider entering into an agreement under Section 770 (2) of the Municipal Act to undertake the continuation of the activities presently provided by the regional planning function, minus the regulatory role. The main features of the agreement are:

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- A five-year term;
- Provision for a municipality or the Regional District to terminate the agreement on one year's notice; and
- Annual review and approval by the municipality of the following year's program and its cost to the municipality.
- Apportionment of the program's costs between municipalities on the basis of assessment (as at present).

Attached is a draft resolution (Appendix A) to this effect for consideration of the Council.

I am sure you will appreciate that time has not permitted us to establish in detail the work program, procedures and evaluation measures needed to operate the function. In the absence of a formal mandate we have yet to work out precisely how the function would operate. What would fill the gap brought about by the termination of the Board's Planning Committee, the TPC or the Lower Mainland Planning Review Panel has also not been considered. These are matters which must be given top priority in the next two months.

However, there is considerable urgency in establishing a legal basis for the continuation of these programs as soon as possible. Accordingly, we have simply taken the draft 1984 program and budget, deducted the activities and expenditures for the regulatory role, and listed the remainder of the program in Schedule A of the resolution. A more detailed summary of the 1984 draft program and budget is contained in Appendix B. The full document of the draft 1984 provisional budget for regional planning from which the above is derived is on file in your Manager's office.

Appendix C shows the share of the program's cost we are asking each municipality to bear if all decide to participate.

I am sure you and your staff will have some specific questions about this proposal. To this end:

- A Regional Board members and/or a staff member will be available to meet with Council or a Council Committee to clarify specific questions (please contact the Regional Manager, Mr. Doug MacKay, to arrange this); and
- A special meeting of the Regional Administrative Advisory Committee is being scheduled for early November to brief managers and senior staff on the proposed program.

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The Regional Board's present authority to disburse funds for this function will expire on December 31, 1983. Accordingly, the Board must be in a position to establish the 1984 program at its November meeting. It is essential, therefore, that Council's response to this proposal be in the hands of the Secretary to the Board no later than November 22, 1983.

The action of the Provincial Government poses a significant challenge to the GVRD and its member municipalities to show that we are determined to continue working together on a cooperative basis for the benefit of our taxpayers. I am confident we can meet this challenge.

Yours truly

Don A. Ross
Chairman
GVRD Board of Directors

B150/D105

APPENDIX A

DRAFT RESOLUTION FOR EACH MUNICIPAL COUNCIL

WHEREAS the provincial legislature has enacted The Municipal Amendment Act (1983) which removes the statutory authority of regional districts to undertake regional planning and to enact Official Regional Plans;

AND WHEREAS it is the desire of the Corporation of the _____ to continue to receive the benefits of the non-regulatory development coordination and development information services provided by the Greater Vancouver Regional District;

AND WHEREAS the Minister of Municipal Affairs has confirmed in a letter dated October 13, 1983 that Council may contribute to the continuation of this service through an agreement with the Greater Vancouver Regional District under Section 770(2) of the Municipal Act;

NOW THEREFORE BE IT RESOLVED that the Corporation of _____ agrees to enter into an agreement with the Greater Vancouver Regional District to provide development coordination and development information services;

AND BE IT FURTHER RESOLVED that such agreement shall commence on January 1, 1984 and terminate on December 31, 1988 unless earlier terminated either by mutual consent or by one of the parties;

AND BE IT FURTHER RESOLVED that, in the event that one party wishes to terminate the contract, such party shall provide the other party with one year's notice of such action by November 30;

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AND BE IT FURTHER RESOLVED that by October 1 of each year, Greater Vancouver Regional District shall forward to the Corporation of _____ a list of services to be provided in the following year and an estimate of the cost of such services to the Corporation of _____, and that such list be subject to to the approval of the Corporation of _____ by resolution within 30 days of its receipt;

AND BE IT FURTHER RESOLVED that the list of services to be provided in 1984 contained in Schedule A attached hereto is hereby approved by the Corporation of _____, provided that the cost of the services to the Corporation of _____ shall not exceed \$ _____ in 1984;

AND BE IT FURTHER RESOLVED that appropriate officers of the Corporation of _____ be directed to enter into such an agreement on behalf of the Corporation.

B148/D105

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SCHEDULE A: Development Coordination and Development
 Information Services to be Provided By the Greater Vancouver
 Regional District in 1984

	<u>1983 Cost</u>	<u>1984 Estimate</u>
<u>Direct Program Cost</u>		
1. Regional Data Base and Forecasts		
1.1 Maintain regional demographic and land use data base	110,000	70,000
1.2 Respond to data requests	21,000	30,000
1.3 Monitor and research regional trends	40,300	45,000
1.4 Prepare forecasts	39,300	40,000
2. Transportation		
2.1 Establish transportation data base	12,000	55,000
2.2 Provide transportation modelling services	87,900	85,000
2.3 Analyse shortfalls in the region's road network and propose a coordinated road improvement program	45,000	40,000
2.4 Prepare proposals for improved goods movement and carry out special transportation investigations	13,000	25,000
3. Regional Development Strategy		
3.1 Prepare a revised regional development strategy	1,650	55,000
3.2 Coordinate the improvement of downtowns	110,000	70,000
3.3 Respond to requests for studies of a minor nature	10,000	10,000
3.4 Coordinate local government perspectives on senior government studies and provide an area-wide view	19,000	20,000
3.5 Seek an improved framework for regional planning and decision-making	30,000	30,000
<u>Management and Support Services</u>		
4.1 Program administration	145,000	120,000
4.2 Office expenses, rent, computer services and share of GVRD central administrative services	237,400	222,756
TOTAL NON-REGULATORY SERVICES	921,550	917,756
REGULATORY SERVICES		
o discontinued by The Municipal Amendment Act (1983)	125,000	N/A
o to be continued by Regional District*	9,000	10,000
TOTAL ALL SERVICES	1,055,500	927,756

* providing comments on ALR appeals

APPENDIX B: Detailed Description of 1984 Program

DEVELOPMENT COORDINATION AND DEVELOPMENT INFORMATION SERVICES

1. Regional Data Base and Forecasts

- 1.1. Maintain regional demographic and land use data base.
1983 Cost: \$110,000; 1984 Estimate: \$70,000.

This program provides for the annual updating and maintenance of existing demographic, land use and commercial/industrial floorspace information. The lower 1984 expenditure reflects reduced need for consulting computer assistance to improve and operate programs.

- 1.2. Responding to data requests.
1983 Cost: \$21,000; 1984 Estimate: \$30,000

Data base information is collated and provided to municipalities, senior governments, businesses, consultants and the general public. Increased expenditure is expected in 1984 due to greater municipal and public awareness of the service.

- 1.3. Monitor and research regional trends.
1983 Cost: \$40,300; 1984 Estimate: \$45,000

This program is used to analyse data and research implications for regional development. Included in 1984 are an analysis of labour force and employment trends, and a study of the potential and region-wide implications of densification of housings in existing areas.

- 1.4. Prepare forecasts.
1983 Cost: \$39,300; 1984 Estimate: \$40,000

Forecasts for population, labour force, employment and housing are updated as required. In 1984 employment and housing forecasts will be prepared and sub-regional forecasts will be completed for use by municipalities and as input to the transportation model.

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2. Transportation

- 2.1. Establish transportation data base.
1983 Cost: \$12,000; 1984 Estimate: \$55,000

Greater Vancouver lacks a systematic regional data base for transportation modelling and analysis. This program is directed towards fulfilling that need. A municipal/regional/provincial working group has been determining needs and priorities. In 1984 the transportation information system will be developed and priority data collected. This is reflected in the significant increase in estimated cost for 1984.

- 2.2. Provide transportation modelling services.

1983 Cost: \$87,900; 1984 Estimate: \$85,000

GVRD maintains the only computer model capable of forecasting travel demands for the region. This program provides for significant improvement of the model in 1984 to increase its efficiency and accuracy, and for use of the model for municipal, regional and provincial studies. An intergovernmental committee is advising and assisting improvement of the GVRD's modelling capabilities.

- 2.3. Analyse shortfalls in the region's road network and propose a coordinated road improvement program.

1983 Cost: \$45,000; 1984 Estimate: \$40,000

This program provides for the analysis of road improvement proposals in relation to regional development objectives and forecast travel demand, and the identification of priority improvements and actions.

- 2.4. Prepare proposals for improved goods movement and carry out special transportation investigations.

1983 Cost: \$13,000; 1984 Estimate: \$25,000

Goods movement is an important aspect in determining priorities for regional roads improvements. This program provides for a special analysis of goods movement requirements. Study of specific transportation problems identified during 1984 is also included in this program item.

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3. Regional Development Strategy

- 3.1. Prepare a revised regional development strategy.
1983 Cost: \$1,650; 1984 Estimate: \$55,000

The termination of the Official Regional Plan necessitates a revised approach to a regional development strategy. This program provides for preparation of the most appropriate structure and processes for a regional development strategy, consolidating the concepts of the Livable Region Strategy and Official Regional Plan into a simple, clear document. Identification of actions needed to implement the strategy, and a review of the strategy with member municipalities and others is contemplated.

- 3.2. Coordinate the improvement of downtowns.
1983 Cost: \$110,000; 1984 Estimate: \$70,000

This program provides for completion of the regional town centre policy review started in 1983. Also undertaken would be identification of transportation improvements which would contribute most to achievement of the downtowns policy, a special study on urban design techniques for suburban centres, on-going promotion of regional town centres including further identification of the target market, and monitoring of higher density commercial and residential development activity.

- 3.3. Respond to requests for studies of a minor nature.
1983 Cost: \$10,000; 1984 Estimate: \$10,000

This program provides for minor studies at the request of the member municipalities, or the Regional Administrative Advisory Committee or municipal planners.

- 3.4. Coordinate local government perspectives on senior government studies and provide an area-wide view.
1983 Cost: \$19,000; 1984 Estimate: \$20,000

This program provides for an area-wide view and coordinated municipal response to senior government plans. Included are such activities as the Master Plan for the Port of Vancouver, Fraser River Estuary Study, Vancouver International Airport expansion, Lower Mainland Industrial Study, BC Place development, ALRT monitoring and the Royal Commission on the Economic Union and Development Prospects for Canada.

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- 3.5. Seek an improved framework for regional planning and decision-making.
1983 Cost: \$30,000; 1984 Estimate: \$30,000

The Municipal Amendment Act (1983) creates a legislative vacuum for Lower Mainland cooperation on regional development services. The objective of this program is to develop an appropriate basis for regional development services in the metropolitan area and Lower Mainland-wide cooperation.

4. Management and Support Services

- 4.1. Program administration.
1983 Cost: \$145,000; 1984 Estimate: \$120,000

This program provides for the administration and management of the department including program development, presentations to municipal councils and the Regional Board, as well as reception, general secretarial duties, responding to general enquiries, and budget control.

- 4.2. Office Expenses, Rent, Computer Services and a Share of GVRD Central Administrative Services.
1983 Cost: \$237,400; 1984 Estimate: \$222,756

This budget covers the above items.

REGULATORY SERVICES (to be funded by the Regional District)

Comment on Agricultural Land Reserve Appeals.
1983 Cost: \$9,000; 1984 Estimate: \$10,000

This program provides for preparation of GVRD Board comments on ALR appeals as required by the regulations of the Agricultural Land Commission Act.

B156.1/D106

APPENDIX C

GREATER VANCOUVER REGIONAL DISTRICT

Apportionment of Costs of Development Coordination and
 Development Information Services for 1984

Basis of Apportionment

1983 assessed values taxable by mill rate for Regional Hospital District purposes:

<u>Cities:</u>	<u>1983 Assessments</u>	<u>Apportionment</u>	<u>Percent of Total</u>
New Westminster	\$ 224,586,167	\$ 27,560	3.00%
North Vancouver	250,734,023	30,769	3.35%
Port Coquitlam	123,664,563	15,176	1.65%
Port Moody	106,470,037	13,066	1.42%
Vancouver	3,098,101,601	380,184	41.43%
White Rock	52,404,400	6,431	.70%
<u>Districts:</u>			
Burnaby	888,767,528	109,065	11.88%
Coquitlam	308,991,636	37,918	4.13%
Delta	379,752,412	46,601	5.08%
North Vancouver	371,544,471	45,594	4.97%
Richmond	715,079,815	87,751	9.56%
Surrey	682,942,414	83,807	9.13%
West Vancouver	267,103,983	32,778	3.57%
<u>Villages:</u>			
Belcarra	3,038,705	373	.05%
Lions Bay	5,565,879	683	.08%
TOTAL	7,478,747,634	917,756	100.00%

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PROVINCE OF
 British Columbia

OFFICE OF THE
 MINISTER

Municipal Affairs

Victoria
 British Columbia
 V8V 1X4

APPENDIX D

October 13, 1983

His Worship Mayor Don Ross,
 Chairman,
 Greater Vancouver Regional District,
 2294 West 10th Avenue,
 Vancouver, B.C.
 V6K 2H9

Your Worship:


Thank you for your telegram of October 5, 1983, regarding Bill 9. As you are now aware, this legislation has received Committee approval, and awaits only reading and proclamation.

The concerns you have raised have, I believe, been resolved with my statement in the Legislature regarding the use of Section 770(2) of the Municipal Act. This Section would allow municipalities to enter into agreements with the Regional District to provide for inter-municipal planning, at the direct expense of the municipality requesting the service.

The data gathering service now performed by the planning section could still be carried on as part of the overall administration function of the region.

I trust that, with the use of Section 770(2), your fears of no inter-municipal planning will be overcome.

Sincerely,



Bill Ritchie,
 Minister.

c.c. The Honourable M. R. Bennett
 All Cabinet Ministers and
 Members of Government Caucus.

APPENDIX E

RS CHAP. 290

MUNICIPAL

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Additional regional district powers

770. (1) For that part of a regional district not within a city, district, town or village, the regional district has all the powers of a district municipality under Part 16, except sections 656 and 657. Subject to the *Waste Management Act*, a bylaw establishing a specified area requires either the assent of electors under section 674 (4), or a sufficient petition under sections 658 and 659.

(2) A regional district may undertake any work or service for a member municipality, other than an electoral area, on mutually agreed terms, if the work or service is within the powers of the municipality and the entire cost of the work or service is borne by the municipality.

(3) Section 269 (h) applies to a regional district, but the aggregate of all grants made in any year shall not exceed the product of 1/10 mill of the assessed values referred to in section 791 (1); and the annual cost shall be apportioned among all member municipalities on the basis provided under that subsection.

(4) The regional board may provide that grants made under subsection (3) be charged only to member municipalities benefiting from the organization to which the grant is made; but the aggregate of all grants under this section for which a member municipality may be charged may not exceed the limit in subsection (3).

(5) Section 280 applies to that part of a regional district not within a city, district, town or village, but a bylaw under that section shall not be adopted unless and until it has been submitted to the electors in all the electoral areas at large within the regional district and a majority of the electors who vote on the bylaw are in favour of its passage.

(6) [Repealed 1981-21-64, proclaimed effective July 24, 1981.]

1970-29-26; 1972-36-37; 1973-133-83; 1981-21-64, proclaimed effective July 24, 1981;
1982-41-44, proclaimed effective September 16, 1982.

