

Discussion Material for Workshop #2

Local Governance and the GVRD

June 23, 2004

*Prepared for the Intergovernmental
Relations Technical Working Committee*

Tsawwassen First Nations Treaty Negotiations

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Introduction

This report is prepared for a June 23, 2004 workshop addressing the matter of local governance and the GVRD. It is the second of three workshops organized by the Intergovernmental Relations Technical Working Committee (IGRTWG) as part of the Tsawwassen Treaty Negotiation process. A subsequent workshop will deal with service provision and financing. The first workshop, dealing with land use planning, was held on May 12, 2004.

This work is occasioned by the March 15, 2004 signing of the “Tsawwassen First Nation Agreement in Principle”. This agreement between the TFN, Canada and the Province of BC sets out a framework of both general and specific principles to guide a Final Agreement regarding TFN rights, lands, processes, and authorities.

Participants at the workshop include representatives from the Tsawwassen First Nation (TFN), the federal Treaty Negotiation Office, the provincial Treaty Negotiation Office, the Greater Vancouver Regional District (GVRD), the Corporation of Delta, and the Lower Mainland Treaty Advisory Committee (LMTAC).

The goal of the Workshop #2 is to develop a thorough understanding of the GVRD decision making process, the characteristics of membership in the GVRD, and issues related to creating a new membership or alerting an existing one.

Much of the technical information presented is based on material kindly provided to the consultant by, in particular, staff at the Tsawwassen First nation, the GVRD, the Corporation of Delta, LMTAC, and the UEL.

Overview of the Sample Questions

The governance workshop centres on six sample questions. Various aspects of the questions involve overlapping answers and commentary, and thus each question can't be neatly answered in isolation. The sections that follow provide both direct and indirect answers, and have been arranged by topic rather than by specific question.

A thumbnail response to each question is given below, before the report discusses issues in more depth.

Questions for the GVRD:

1. How are the GVRD and GVSDD structured and how does decision making occur?

The GVRD consists of multiple entities, each with its own board of directors. In addition to the GVRD itself, which provides a core set of services like 911 service and air quality, the main ones are the Sewerage and Drainage District, the Water District, and the Housing District. The board of each consists of directors from the participating members. The GVRD board contains 23 members with a total of 35 directors and 119 votes (including Abbotsford, which is a member only for the regional parks function). A member's voting strength and number of directors depend on its population. Issues for consideration come to the board from staff, from standing committees, from special committees, and from board directors themselves. The board adopts policies, regulations, and bylaws by weighted vote.

2. What are the levels of obligation and responsibility for electoral areas and for member communities?

Obligations depend on which functions a member participates in. Currently, all members participate in and have an obligation to fund a core set of GVRD functions: general government services, labour relations, regional parks, strategic planning, 9-1-1- service, air quality, and minor electoral area functions. Participation is not dependent on municipal or electoral area status. Some parts of the electoral area have an obligation to fund land use planning and building inspection and to abide by the GVRD regulations for these services. Municipalities do not have this obligation to the GVRD because these services are under municipal authority, not GVRD authority. A partial exception to this is the need for a municipality's official community plan to contain a regional context statement that explains how the OCP will advance the goals of the Livable Region Strategic Plan.

3. What obligations/responsibilities vary based on the size of the community?

There are no meaningful GVRD obligations or responsibilities that are linked to a community's population. Status as a municipality versus rural status makes a difference in terms of directorship on the board, and also affects the obligations to fund certain local services like planning and building inspection (though this varies among parts of Electoral Area A).

4. Identify a range of options and the obligations and responsibilities attached to being an electoral area and being a member local government.

While most municipalities share the same set of GVRD obligations, the municipality of Bowen Island is exempt from the LRSP requirements because it is part of the Islands

Trust. As well, various parts of Electoral Area A are subject to varying GVRD authority for land use planning, ranging from full GVRD authority (Indian Arm, for example) to partial authority (UBC, where the GVRD's role is generally restricted to the OCP) to no authority (the UEL).

Other local governments in the GVRD:

5. *Using Bowen Island as an example, outline how governance relationships, servicing and infrastructure management changed following incorporation. Are there any lessons to be learned?*

Bowen got its own director on the GVRD board as a municipality, rather than share one director with the rest of electoral area (which was then Area C). Responsibility for local services on Bowen shifted from the GVRD to the municipality following Bowen's incorporation. The shifts in GVRD service responsibilities were phased in over the first year by way of a contract between the municipality and the GVRD. A phase in of responsibility allowed the new municipality to gradually adapt to its new status rather than having to assume a full list of functions on day one.

6. *What are the unique issues associated with the participation in the GVRD of small local governments.*

Some of the issues involve the small degree of influence small communities may feel they have among their much more populous neighbours; the degree to which voters feel they have an adequate say in the selection of their GVRD director; and, for the TFN in particular, whether GVRD membership could be structured in a way that is consistent with the authorities given in the AIP and the Land Code.

The GVRD

The GVRD Structure

While commonly referred to as a single entity, the Greater Vancouver Regional District actually consists of multiple bodies:

- The Greater Vancouver Regional District
- The Greater Vancouver Water District
- The Greater Vancouver Sewerage and Drainage District
- The Greater Vancouver Housing Corporation
- The GVRD has twelve directors on the Translink board (there are also three director seats for provincial appointees but they are presently unfilled).

The first three are the principal entities in the context of land use policies, local service delivery, financing of local services, and local governance structure.

Each of the three entities of interest – the GVRD, GVWD, and GVSDD – has a board of directors that sets policies and regulations via resolutions and bylaws. The directorships of the three boards are not quite the same because not all communities are part of the water district or the sewerage district.

Each board operates as a confederation of members. Like a ward system, the members are defined by their geographic boundaries; for example, the City of Vancouver and City of Burnaby are separate members. However, unlike a traditional ward system where members might have about the same population, the members of the GVRD vary considerably in size. The largest (the City of Vancouver) has over 700 times the population of the smallest (the Village of Belcarra).

There are two fundamental types of members:

- Municipalities (the bulk of the GVRD population lives in municipalities). Directors from municipalities must be members of their respective municipal councils. Each director is selected by the municipal council itself. It is often but not always the mayor.
- Electoral Area A (the only non-municipal part of the region). Electoral Area A contains UBC, the University Endowment Lands, Barnston Island, and settled pockets in Howe Sound, Indian Arm, and the west side of Pitt Lake. The electoral area director on the GVRD board is chosen by voters in a separate election every three years.

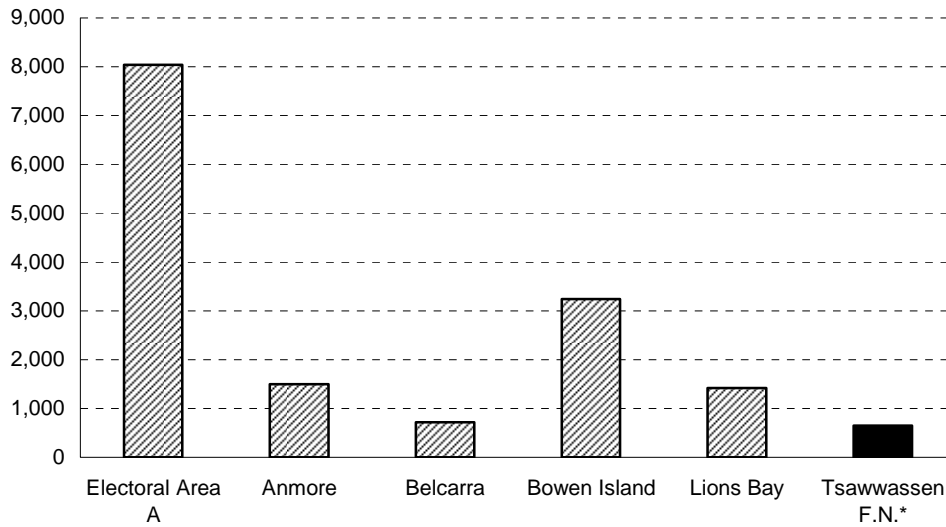
Size differences among GVRD member areas are reflected in two ways in terms of voting and representation.

- *Voting strength:* A member's voting strength is linked to its population, with one vote for every 20,000 people, rounded up to the nearest whole number. For example, Port Moody, with 26,690 people, has two votes. The City of Vancouver has 28 votes. These population-weighted voting strengths are used to determine virtually all board decisions.
- *Directors:* Each member gets one seat on the board (that is, one director) for every five votes, rounded up to the nearest whole number. Vancouver thus has 6 directors and Belcarra has one.

Size of GVRD Areas

Municipalities	2003 Pop'n estimate	Land area (hectares)
Anmore	1,496	780
Belcarra	716	517
Bowen Island	3,244	5,031
Burnaby	205,261	8,845
Coquitlam	122,696	12,336
Delta	100,571	16,850
Langley City	24,577	1,018
Langley Township	91,359	30,305
Lions Bay	1,419	233
Maple Ridge	71,359	25,978
New Westminster	59,426	1,538
North Vancouver City	48,136	1,077
North Vancouver District	85,839	16,161
Pitt Meadows	16,148	8,561
Port Coquitlam	57,308	2,876
Port Moody	26,690	2,621
Richmond	174,201	12,420
Surrey	390,145	30,176
Vancouver	568,442	11,309
West Vancouver	42,867	8,909
White Rock	19,539	505
Electoral Area A (2001 est'd pop)	8,040	84,020
GVRD Totals	2,119,479	282,066

Populations of GVRD Small Communities



* including non-members

Directors and Votes in the Three Main GVRD Bodies

	Greater Van. Regional District <i>No. of members = 23*</i>		Sewerage + Drainage District <i>No. of members = 18</i>		Greater Van. Water District <i>No. of members = 18</i>	
	Directors	Votes	Directors	Votes	Directors	Votes
Anmore	1	1			1	1
Belcarra	1	1				
Bowen Island	1	1				
Burnaby	2	10	2	10	2	10
Coquitlam	2	6	2	6	2	6
Delta	1	5	1	5	1	5
Langley City	1	2	1	2	1	2
Langley Township	1	5	1	5	1	5
Lions Bay	1	1				
Maple Ridge	1	4	1	4	1	4
New Westminster	1	3	1	3	1	3
North Vancouver City	1	3	1	3	1	3
North Vancouver District	1	5	1	5	1	5
Pitt Meadows	1	1	1	1	1	1
Port Coquitlam	1	3	1	3	1	3
Port Moody	1	2	1	2	1	2
Richmond	2	9	2	9	2	9
Surrey	4	18	4	18	4	18
Vancouver	6	28	6	28	6	28
West Vancouver	1	3	1	3	1	3
White Rock	1	1	1	1		
Electoral Area A^	1	1	1	1	1	1
Total, all but Abbotsford	33	113	29	109	29	109
Abbotsford*	2	6				
Total directors + votes*	35	119	29	109	29	109

* Abbotsford participates only in regional parks function

^ Has a vote on the GVWD board but is technically not a member

Matters that come before the board for a resolution or bylaw can originate from the board itself, from a standing committee, or from staff.

The GVRD board has established a number of standing committees to assist in the examination, discussion and recommendation of policies and actions. With the exception of the Labour Relations Committee, whose members are appointed by their respective municipal councils, committee members are appointed by the GVRD chair. Standing committees can, and do, have members who are not GVRD board members, provided at least half are GVRD board members. It is the GVRD practice to include non-board members to broaden the discussion and perspective.

The board and the committees generally meet once a month. Meetings are open to the public (except on restricted issues like land purchases and staffing matters).

GVRD Standing Committees for 2004

<p>Communities Committee: Anmore Belcarra Bowen Island Electoral Area A Lions Bay North Vancouver City Vancouver</p>	<p>Planning and Environment Committee: Bowen Island Delta Lions Bay New Westminster North Vancouver City Port Coquitlam Port Moody Vancouver White Rock</p> <p>Waste Management Committee: Burnaby Coquitlam Langley Township Pitt Meadows Port Coquitlam Richmond Surrey Vancouver White Riock</p> <p>Water Committee: Anmore Burnaby Coquitlam Langley City North Vancouver District Port Coquitlam Surrey Vancouver West Vancouver</p>	<p>Corporate and Intergovernmental Committee: Belcarra Coquitlam Langley City Maple Ridge North Vancouver City North Vancouver District Richmond Vancouver West Vancouver</p> <p>Labour Relations Bureau: Burnaby Coquitlam Delta GVRD Langley City Langley Township Lions Bay Maple Ridge New Westminster North Vancouver City North Vancouver District Pitt Meadows Port Coquitlam (non-voting) Port Moody Richmond (non-voting) Surrey (non-voting) Vancouver West Vancouver White Rock</p> <p><i>Not all members belong to the LRB Individual councils appoint members to the LRB.</i></p>
<p>Finance Committee: Delta Langley City Lions Bay Maple Ridge New Westminster Richmond Surrey Vancouver West Vancouver</p>	<p>Housing Committee: Coquitlam Langley Township North Vancouver District Port Moody Richmond Surrey Vancouver West Vancouver White Rock</p>	
<p>Parks Committee: Abbotsford Belcarra Bowen Island Burnaby Delta Electoral Area A Langley Township Maple Ridge New Westminster Pitt Meadows Surrey</p>		

The Communities Committee is the principal vehicle for the GVRD's small members. Five of the seven on the committee are the five smallest areas by far. This committee focuses predominantly on matters affecting the smaller members and allows a fuller discussion of small-community

issues than might be practical at the full board level. It also frees up the board to concentrate more on regional matters.

The GVRD (as opposed to the Water District or the Sewerage and Drainage District) has two quite different roles as a regional government.

- It provides a variety of *region-wide services*, functions and policies for all members as a whole (all the municipalities and Electoral Area A combined). These services account for the vast majority of the GVRD's resources, staff, and budgets.
- It provides certain *local services* to small communities, including:
 - Land use planning for parts of Electoral Area A (mainly the OCP for UBC and zoning for all but UBC, the UEL, and Barnston Island).
 - Building inspection for all parts of Area A except UBC and the UEL.
 - Funding for the Fraser Valley library system (applies to all of Area A except UBC and the UEL).
 - Funding for the Sasamat fire department. This department serves both Anmore and Belcarra and they share in its funding by way of a tax requisition from the GVRD.

Local services account for a very small share of the total GVRD budget.

Overview of GVRD Services and Functions

	Bowen Island	Abbotsford*	All other municipalities	UBC	UEL	Barnston Island	Rest of Area A	
Region-wide functions								
General gov't services	✓		✓	✓	✓	✓	✓	} GVRD acting as a regional body
Air quality	✓		✓	✓	✓	✓	✓	
Hospital planning	✓		✓	✓	✓	✓	✓	
Labour relations	✓		✓	✓	✓	✓	✓	
Regional parks	✓	✓	✓	✓	✓	✓	✓	
Strategic planning			✓	✓	✓	✓	✓	
911 Service	✓		✓	✓	✓	✓	✓	
Transit	✓		✓	✓	✓	✓	✓	
Municipal radio	✓		✓	✓	✓	✓	✓	
Public housing	✓		✓	✓	✓	✓	✓	
Solid waste disposal ²	✓		✓	✓	✓	✓	✓	
Local area services								
Elections and referenda				✓	✓	✓	✓	} GVRD acting as a local body
General administration				✓	✓	✓	✓	
Land use planning - OCP				✓				
Land use planning - zoning							✓	
Fraser Valley library funding						✓	✓	
Building permits + inspection						✓	✓	

¹ Market residential buildings only

* Abbotsford participates only in the regional parks function

² Landfill planning and management (not garbage collection)

Financing of Services

As with most local governments, property taxes are the main source of funding for GVRD services. A member's share of the tax load varies with its share of the total tax base (that is, the

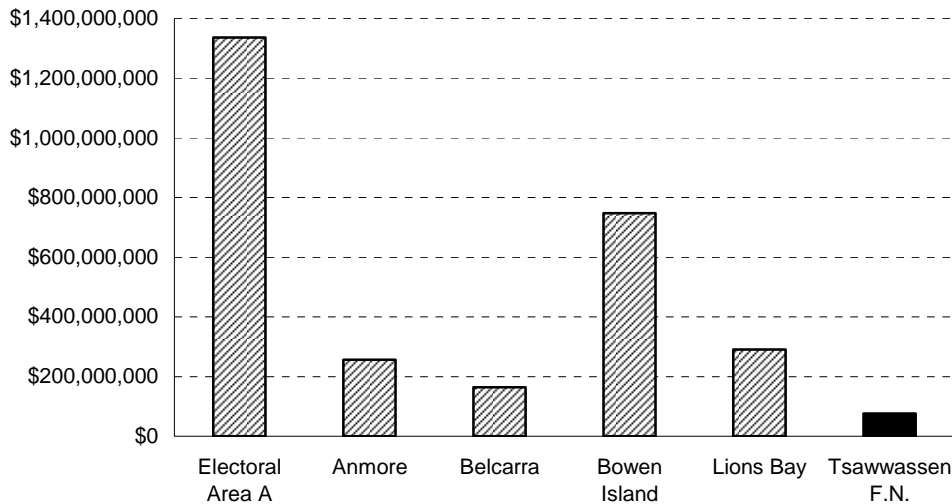
sum of all property assessments). For purposes of tax apportionment, assessments are weighted using the provincially-set hospital tax rate multiples, where \$1 of industry or business assessment represents more than \$1 of tax-paying power.

2004 Tax Base for Apportioning GVRD General Taxes

	Weighted tax base* (tax-paying power)	Pct of GVRD total
Anmore	\$256,326,870	0.1%
Belcarra	\$164,632,420	0.1%
Bowen Island	\$747,671,740	0.2%
Burnaby	\$30,212,229,800	9.7%
Coquitlam	\$14,725,814,860	4.7%
Delta	\$14,965,417,560	4.8%
Langley City	\$2,988,195,680	1.0%
Langley Township	\$12,123,185,110	3.9%
Lions Bay	\$290,845,070	0.1%
Maple Ridge	\$6,892,411,030	2.2%
New Westminster	\$6,065,144,740	2.0%
North Vancouver City	\$7,876,782,380	2.5%
North Vancouver District	\$14,252,019,350	4.6%
Pitt Meadows	\$1,567,806,950	0.5%
Port Coquitlam	\$6,101,057,260	2.0%
Port Moody	\$3,224,657,450	1.0%
Richmond	\$28,422,903,080	9.2%
Surrey	\$39,829,944,900	12.8%
Vancouver	\$102,967,224,180	33.1%
West Vancouver	\$13,019,787,730	4.2%
White Rock	\$2,585,501,690	0.8%
Electoral Area A	\$1,336,282,090	0.4%
Total	\$310,615,841,940	100.0%

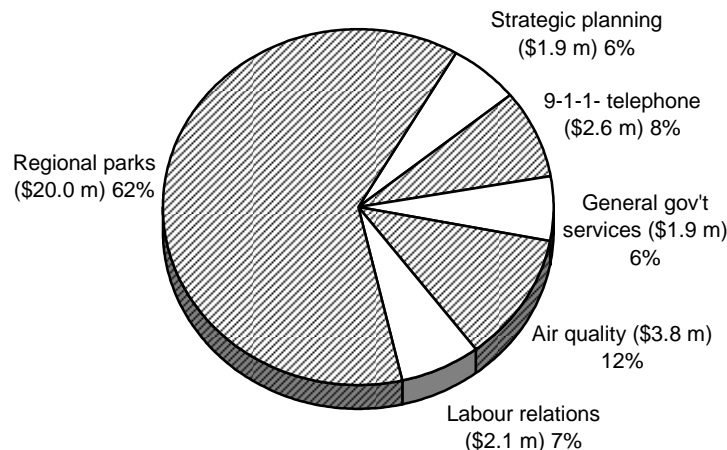
* Weighted using hospital tax rate multiples

Weighted Tax Base of the Small Communities



Of the core GVRD functions, the largest budget is for regional parks. The next two tables show the taxes needed to support the GVRD functions. After these, the total budgets are shown for all parts of the overall GVRD system, including water and sewerage.

2004 Taxes for the GVRD's Region-Wide Functions



As might be expected, the City of Vancouver is the largest taxpayer in the region, followed by Surrey.

2004 GVRD Taxes for Core Regional Functions

	General government services	Air quality	Labour relations	Regional Parks	Strategic planning	9-1-1 telephone	Electoral & joint municipal services	Totals
Anmore	\$1,537	\$3,149	\$439	\$16,063	\$1,590	\$2,151	\$95,112	\$120,041
Belcarra	\$987	\$2,022	\$282	\$10,317	\$1,021	\$1,381	\$73,072	\$89,082
Bowen Island	\$4,484	\$9,184	\$1,281	\$46,854	\$4,637	\$6,273	\$3	\$72,716
Burnaby	\$181,210	\$371,117	\$258,213	\$1,893,311	\$187,354	\$253,496	\$109	\$3,144,810
Coquitlam	\$88,324	\$180,887	\$125,857	\$922,823	\$91,318	\$123,557	\$53	\$1,532,819
Delta	\$89,761	\$183,830	\$127,903	\$937,838	\$92,804	\$125,567	\$54	\$1,557,757
Langley City	\$17,923	\$36,706	\$25,539	\$187,261	\$18,531	\$25,072	\$11	\$311,043
Langley Township	\$72,714	\$148,917	\$103,612	\$759,724	\$75,179	\$101,720	\$44	\$1,261,910
Lions Bay	\$1,744	\$3,573	\$1,932	\$18,226	\$1,804	\$2,440	\$1	\$29,720
Maple Ridge	\$41,340	\$84,664	\$58,906	\$431,927	\$42,742	\$57,831	\$25	\$717,435
New Westminster	\$36,378	\$74,502	\$51,836	\$380,085	\$37,611	\$50,890	\$22	\$631,324
North Vancouver	\$47,244	\$96,756	\$67,320	\$493,615	\$48,846	\$66,090	\$28	\$819,899
North Vancouver	\$85,482	\$175,067	\$121,807	\$893,132	\$88,380	\$119,582	\$51	\$1,483,501
Pitt Meadows	\$9,404	\$19,258	\$13,399	\$98,250	\$9,722	\$13,155	\$6	\$163,194
Port Coquitlam	\$36,593	\$74,943	\$10,454	\$382,335	\$37,834	\$51,191	\$22	\$593,372
Port Moody	\$19,341	\$39,611	\$27,560	\$202,080	\$19,997	\$27,056	\$12	\$335,657
Richmond	\$170,477	\$349,138	\$48,703	\$1,781,179	\$176,258	\$237,482	\$103	\$2,763,340
Surrey	\$238,896	\$489,258	\$68,249	\$2,496,026	\$246,996	\$334,193	\$144	\$3,873,762
Vancouver	\$617,586	\$1,264,819	\$880,025	\$6,452,652	\$638,524	\$863,947	\$372	\$10,717,925
West Vancouver	\$78,091	\$159,931	\$111,276	\$815,912	\$80,739	\$109,243	\$47	\$1,355,239
White Rock	\$15,508	\$31,759	\$22,097	\$162,026	\$16,033	\$21,694	\$9	\$269,126
Electoral Area A	\$8,015	\$16,414	\$2,290	\$83,741	\$8,287	\$11,212	\$124,515	\$254,474
Abbotsford				\$504,275				\$504,275
Totals	\$1,863,039	\$3,815,505	\$2,128,980	\$19,969,652	\$1,926,207	\$2,605,223	\$293,815	\$32,602,421

Total Budgets for 2004

General gov't services	\$3,268,373
Air quality	\$6,475,195
Labour relations	\$2,668,790
Regional parks	\$41,239,056
Strategic planning	\$2,007,888
9-1-1- telephone	\$2,668,532
Electoral area services	\$232,539
Sasamat fire department	\$178,184
Total GVRD functions	\$58,738,557
Water District	\$99,759,886
GVSDD: sewerage	\$149,177,424
GVSDD: solid waste	\$79,562,157
Housing corporation	\$42,783,675
Total spending	\$430,021,699

All members share in the liability for municipal and GVRD borrowings through the Municipal Finance Authority, except for City of Vancouver borrowing. This liability would materialize if a member defaults on its loan repayment obligations. The extent of the liability would depend on the size of the default but it would be offset (probably completely) by funds in the MFA reserve funds. A default that required other members to pay a share would be an exceptionally rare event in BC.

All members participate in the funding of a core set of region-wide GVRD services:

- General government
- Air quality
- Labour relations (different tax rates for some members)
- Regional parks
- Strategic planning
- 9-1-1 telephone service
- Certain minor functions related to electoral areas

Most but not all members belong to the Greater Vancouver Water District. If a new member is added to the water district, it will be obliged to pay for the water it consumes and to implement water conservation policies that the GVWD board may adopt. Belcarra, Bowen Island, and Lions Bay have independent water supplies and are not members of the GVWD. The UEL is part of the district (the Area A director sits on the water board) but because of its non-municipal status, it pays a 25% higher water rate than do the member municipalities.

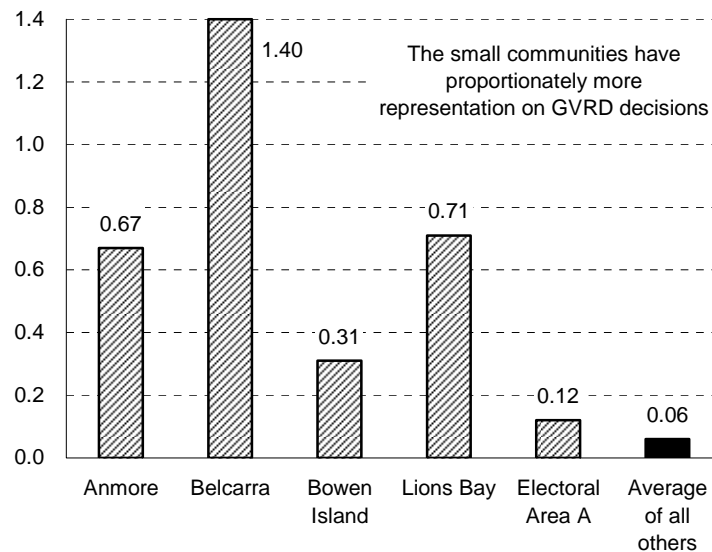
Most but not all members belong to the Greater Vancouver Sewerage and Drainage District, too. In addition to paying a levy for the use of the treatment, disposal, and trunk collection systems, GVSDD members are subject to a development cost charge (DCC) to help fund GVSDD sewerage improvements in the future. Members must remit the DCC levy to the GVSDD but how they collect it is up to them; most charge the developer directly and then forward the funds to the GVSDD. Users of the GVSDD system must adhere to regulations regarding flow levels, effluent content, and other sewerage rules. The GVSDD has the right to approve or deny connections to its system.

Size, Obligations and Influence

At the regional district level, community size has little or no effect on obligations or responsibilities in terms of *regional* GVRD services or functions. For example, Belcarra, with about 700 people has obligations to help fund the same core regional services (9-1-1 service, air quality, etc) as does the City of Vancouver, which is almost 800 times larger. They both pay taxes for these functions based on their share of the regional tax base.

However, representation of the board *is* affected by size, since the number of votes and the number of directors a member has is influenced by population. Bigger municipalities generally have more votes than smaller ones. As it turns out, though, the larger members have proportionately weaker representation than the smaller ones because the formulas for votes and directors involve rounding entitlements up, not down. Belcarra and Pitt Meadows both have one director and one vote but Pitt Meadows is very much larger than Belcarra. In terms of voting power per person, the smaller members outpace their larger neighbours.

Votes on the GVRD Board Per 1000 Residents



For the larger municipalities, the share of the board's votes is generally consistent with the share of the tax base and to the share of the population. Delta, for example, has 4.8% of the tax base, 4.4% of the board votes, and 4.8% of the population. There is an imbalance, however, for the smaller communities, as can be seen in the next figure. For all five of them, the share of the voting power exceeds the share of both population and tax base.

GVRD Small Communities Comparison

	Pct of GVRD tax base	Pct of GVRD votes	Pct of population
Anmore	0.1%	0.9%	0.1%
Belcarra	0.1%	0.9%	0.0%
Bowen Island	0.2%	0.9%	0.2%
Lions Bay	0.1%	0.9%	0.1%
Electoral Area A	0.4%	0.9%	0.4%
Total, small communities	0.9%	4.5%	0.8%

The combination of non-municipal status and location affect obligations related to GVRD *local-area services*.

- Generally, an electoral area receives its land use planning services from the regional district and the regional district adopts land use regulations for the area. This applies in the GVRD too, but only for Howe Sound mainland, Indian Arm, Pitt Lake, Barnston Island (though there is no zoning bylaw in place for it) and, for the OCP only, UBC. The GVRD does not have authority for local planning for Howe Sound islands, or the UEL. Note: Municipalities are responsible for their own land use regulation; the GVRD roles just mentioned refer only to unincorporated areas.
- The GVRD provides building permits and inspection in Electoral Area A outside of the UEL and UBC.

It is worthy of note that in the GVRD there are a number of exceptions to the normal responsibilities and authorities set out for regional districts. These anomalies all involve non-municipal areas (though it must be noted that the GVRD's Livable Region Strategic Plan does not apply to the municipality of Bowen Island because it is in the Islands Trust). The point here is that the GVRD's responsibilities and powers are not uniform across all members and they are not uniform within the electoral area.

Municipal Membership

It should be noted that one of the most important attributes of being a municipal member of the GVRD is that you have your own seat at the regional board, no matter how small your population. For the Tsawwassen Band, this is quite different than sharing a director with the much larger Delta municipality. The TFN director would represent only the TFN.

In terms of options, it is pointed out that some member obligations and participation in GVRD functions are optional – principally, membership in the water district or sewerage district. True, they are not *purely* optional if there are serious engineering factors that affect the choice. For example, if a member already has its own adequate water supply or can't realistically connect to the GVRD system, the option of joining the water district is only theoretical.

But the GVRD does have some variation in participation in its functions. Bowen Island is not part of the LRSP. UBC is not part of the GVRD zoning and building permit processes. The UEL does not participate in the GVRD land use planning or building permits, and in fact operates much like a municipality without being a separate member of the GVRD.

This raises several questions of interest to the Tsawwassen case.

- From the GVRD perspective, how well does the mixed-member model work (mixed referring to exceptions to full participation, like Bowen Island or the UEL)?
- Could Tsawwassen become a full member given that its land use authorities would lie beyond the GVRD? This is true for Bowen Island and, essentially, for the UEL too. Should this model be extended?
- If it is not a full member, how much of a partial member could it be? A seat on the GVRD board may be one definition of membership, but would TFN participate in regional functions like air quality and 9-1-1 service? If so, which ones?

- The GVRD uses property assessments to apportion costs across members for its regional functions. Would this be an appropriate system for TFN if it becomes a participating member? Would other systems, like per capita ratios, offer advantages?
- If it participates in GVRD functions as a funding member, what tax collection options would the GVRD have compared to the options available for collection from municipal members?
- If it was an independent member, should TFN be included on the Communities Committee? Should this be linked in some way to its participation in regional functions?

The Bowen Island Example

Overview

In 1999 there were two electoral areas of the GVRD: Area A and Area C.

- Area A consisted of UBC and the UEL.
- Area C included Bowen Island, Barnston Island, and the large area stretching from Lions Bay to Pitt Lake. Bowen was the dominant part of Area C in terms of population, tax base, and use of GVRD services.

Area A and Area C each had its own director on the GVRD board. Voters in each area elected their GVRD director every three years, on the same cycle as municipal elections.

Following a referendum on the island, Bowen became a municipality in late 1999, and the remnants of Area C were added to the present Area A to leave just one electoral area.

In addition to participating in the core region-wide functions, Bowen received a number of local services through the GVRD before incorporation. The GVRD was in fact the principal local government body on the island in terms of day to day services and functions, with two exceptions:

- The Islands Trust was responsible for land use planning. Voters on Bowen elected two trustees to sit on the 26-member Islands Trust Council, for three year terms.
- The province was responsible for roads, subdivision approval (with a referral to the Islands Trust and the GVRD), and property tax collection.

The GVRD had this principal role because under the rural system there is no other local governance body with statutory authority to provide many of the essential services, or at least Bowen Island had no other body (there was a fire improvement district but its letters patent restricted it to that single function, and there were water districts, too). The GVRD's basic local government role on Bowen was similar to the role it plays today in Electoral Area A, though Bowen had a much broader array of services and functions than Area A has now.

There was an Electoral Areas Committee of the GVRD that included Areas A and C, plus some municipal members, to allow a more focused examination and discussion of local area issues. Bearing in mind the array of services provided on Bowen and the resulting issues that needed to be discussed, the board would have devoted a large amount of time to what were purely local matters if there had been no Electoral Areas Committee.

GVRD Local Services on Bowen

Some of the GVRD's local services involved funding only, rather than running programs or facilities; the library was an example of this, where the service amounted to essentially collecting funds and passing them on in the form of a grant. The GVRD used contractors for other services, like garbage collection, rather than using its own staff because it was more economical to do so. Land use planning and building inspection, however, involved GVRD staff. For most of the local services, the GVRD included in the costs to be recovered from taxpayers various amounts of its

administration overhead. For example, the garbage contract cost about \$195,000 and the GVRD administration costs added another \$10,000.

GVRD Functions on Bowen Island Prior to Municipal Status

	Tax paid by ...	Tax based on ...
(A) Services to Areas A + C:		
Elections and referendums	All of A + C	Land + bldg asmnts
Bldg inspection	All of Area C	Land + bldg asmnts
Grants in aid	All of Area C	Land + bldg asmnts
General expenses + admin.	Part of A + all of C	Land + bldg asmnts
Soil removal regulation	no tax	--
Numbering of buildings	no tax	--
Regulation of rock festivals	no tax	--
(B) Services to all of Bowen alone:		
Library funding	Bowen only	Land + bldg asmnts
Noise control	Bowen only	Land + bldg asmnts
Dog control	Bowen only	Land + bldg asmnts
Garbage	Bowen only	Parcel tax
Recreation programming	Bowen only	Land + bldg asmnts
Community centre (BICS)	Bowen only	Land + bldg asmnts
Community parks	Bowen only	Parcel tax
(C) Services to parts of Bowen:		
Cove Bay water supply	Part of Bowen	Parcel tax
Cove Bay water distribution	Part of Bowen	Land + bldg asmnts
Snug Cove sewerage	Part of Bowen	Parcel tax
Cates Hill-Valhalla water supply	Part of Bowen	Parcel tax
Queen Charlotte Heights water	Part of Bowen	Parcel tax

Note that local services on Bowen were not funded solely by ad valorem taxes – that is, taxes based on mill rates and assessed values. Parcel taxes were used, too, as well as some user fees.

Municipal incorporation means that responsibility for many local services would shift from the regional district to the new municipality. The following GVRD functions were transferred to the Bowen municipality (the transfers include all assets and liabilities):

- Cove Bay water system
- Cates Hill-Valhalla water supply
- Queen Charlotte Heights water supply
- Snug Cove sewer system
- Bowen Island recreation programs and community centre
- Community parks
- Library service
- Garbage collection
- Docks and wharves
- Numbering of buildings (address assigning)
- Building inspection
- Dog control
- Noise control

However, it was recognized that it could be difficult for the new municipality to absorb all of its responsibilities on day one, so a phase-in plan was set up allow a gradual shift in obligations. A

one-year contract was established whereby the municipality had to purchase delivery of certain services from the GVRD. Note that the responsibility, assets and liabilities shifted to the municipality right from the start, but the actual *delivery* of the services remained with the GVRD for one year.

- Three water systems maintenance and operation, including billing
- Snug Cove sewer system maintenance, operation and billing
- Recreation and community centre programs and operations
- Community parks maintenance and operations
- Numbering of buildings
- Building inspections
- Dog control
- Noise control
- Bylaw enforcement with respect to any of the above.

The contracts stipulated that the amount paid by Bowen for each service would be the same as under rural status, including the allowance of GVRD administration costs in the price.

As a municipality, Bowen has the right to enter into service contracts as it sees fit, within the rules of the Local Government Act and the Community Charter. The municipality is responsible for infrastructure priorities and funding. Under rural status, infrastructure and service standards and priorities were determined by the GVRD board (for functions like parks, building inspection, and sewer), the province (roads and drainage), the Islands Trust (zoning), and various improvement districts (fire and water).

Governance Changes

By becoming a municipality, Bowen Island became more independent. Policies and priorities for local services and regulations could now be set on the island rather than by a combination of local and remote bodies. However, its obligations also rose. Where roads used to be a provincial responsibility and cost, now they are a municipal responsibility and cost (there was, however, a 5-year phase-in of this service). Information and administrative processes became centralized at one location (the municipal office) but more administration costs had to be borne directly by residents. Service coordination became easier when the multiple improvement districts were dissolved and their authority placed under one body, but an administrative structure to do this had to be created and funded.

For Bowen residents, municipal status means that they do not vote directly for their GVRD director the way they did (along with other parts of Electoral Area C) before municipal status. Instead, they vote for a municipal council of seven people, and that council chooses which of one of them will serve on the GVRD board. It is the elected municipal council that manages the local affairs of the island instead of a combination of officials from the GVRD, the Islands Trust, improvement districts, and the province. The most notable statutory differences between Bowen and any other municipality involve Bowen's membership in the Islands Trust:

- Two members of Bowen's municipal council sit on the larger Islands Trust Council (these two are selected by voters).
- Bowen's OCP must receive approval from either the Islands Trust or, on appeal, the Minister of Community, Aboriginal and Women's Services.

- All municipal bylaws must be referred to the Trust for review and must not conflict with the Trust’s mandate to “protect and preserve the trust area and its unique amenities and environment”.

Municipal status for Bowen did not change the funding system for GVRD regional services. It was already contributing to the regional services as a rural status area, and the switch to municipal status does not affect the total tax base used to apportion costs among members.

From the GVRD’s perspective, the reduced service responsibilities on Bowen meant a reduced need for administration resources, as well as fewer local service issues to occupy the board’s time at the expense of larger, more region-wide issues. It is worth noting that the GVRD is not particularly well set up to be a provider of small-scale, local services, preferring instead to concentrate on larger, regional issues shared by all members. However, since there is still an electoral area (Area A) and since parts of that area are undergoing significant growth and development, there is still a need for electoral area administration resources at the GVRD. Municipal status for Bowen reduced the need for local service administration but it did nothing to relieve the consideration of growth management issues at UBC and the UEL.

Shifts in Governance and Functions Due to Municipal Status

	Rural Status (in 1999)	Municipal Status
Local decision bodies	GVRD; Province; Islands Trust; improvement districts	Municipality (mayor + 6 other councillors); Islands Trust
Member on GVRD Board	One directly elected for Area C	One (a member of council, chosen by council)
Members on Islands Trust	Two directly elected for Bowen	Two council members selected by voters to sit on Trust Council
Responsibility for roads	Province (via private contractor)	Municipality (partly via contractor)
Water system specified areas	GVRD for some; improvement districts and private utilities for others	Municipal specified areas; private utilities remain unchanged
Snug Cove sewer system	GVRD specified area	Municipal specified area
Septic systems	Individual owners	Individual owners
Storm drainage	Province (roadways only)	Municipality
Garbage collection	GVRD (via contractor)	Municipality (via contractor)
Fire protection	Improvement district	Municipality
Policing	RCMP (provincial contract)	RCMP (provincial contract)
911 Service	GVRD	GVRD
Bylaw enforcement	GVRD; Islands Trust	Municipality
Building permits + inspection	GVRD	Municipality
Official community plan adoption	Islands Trust Council, after approval from Trust Executive Committee (or Trust Council) and from Minister	Municipal council, after approval from Trust Executive Committee or Trust Council or province
Local planning and zoning bylaws	Bowen Local Trust Committee, then approval of either Trust Council or Trust Executive	Municipal council, with referral to Islands Trust
Subdivision approval	Min. of Transport (with referrals to GVRD and Islands trust)	Municipality
Electrical inspection	Min. of Community, Aboriginal and Women's Services (MCAWS)	No change
Health inspection	North Shore Health Board	No change
Local parks and recreation	GVRD, through the Bowen Island Parks and Recreation Commission	Municipality (with advice from B.I. Parks and Rec'n Commission)
Ferry system	Province of BC	No change
Library funding	GVRD	Municipality
Tax collection	Province of BC	Municipality
Property assessments	BC Assessment Authority	No change
School taxes	Province and school district	No change
Welfare	Province and federal gov't	No change

Municipal status for Bowen added a municipal member that is not quite the same as the others, in the particular context of land use planning. As part of the Islands Trust, Bowen is exempt from the Livable Region Strategic Plan, and it is the only GVRD municipality in this position. This exception, along with the GVRD's lack of planning authority for the UEL, means there are now two areas whose GVRD memberships are not quite the same as their peers (three if UBC is included because the GVRD limits itself to OCP regulation).

Unique Issues of Small Local Governments and the GVRD

There are some issues associated with a small community becoming a municipal member of the regional district, but most have one or more offsetting aspects. Some of the issues change if the area in question is the Tsawwassen First Nation rather than part of an existing electoral area.

- Because its small population entitles it to a single vote on the GVRD board, a small municipality may feel it lacks clout compared to its more populous neighbours. On a per capita basis, however, they enjoy representation on the board at a ratio higher than found in the larger members. The “clout” issue is more likely to be raised by a municipality of 10-20,000 that gets only one vote and might feel underrepresented by comparison.
- Small municipalities might feel they are not part of the problems that the GVRD regional policies are aimed at. For example, the traffic congestion of large centres might be seen as a “big city” problem rather than a small town problem. The tendency to do this rises with distance from the core areas. Offsetting this is the fact that even as a rural member they would still participate in the regional functions, so municipal status would be irrelevant to this specific issue. Of course, this presupposes that the community already is part of the electoral area, which is not true for the TFN.
- As a member of the GVRD board, the new director would have to make the commitment to take part in the discussions and processes of the board. Without this there might be little reason to become a member. Since under the current system the TFN does not participate much at the GVRD board, full membership would add to the TFN workload. Given the added voice in regional matters, this may be an entirely acceptable or even desirable tradeoff.
- Small communities often need services at uneconomically small scales, or lack the financial resources to afford them, so it might be difficult for them to provide an adequate level of service on their own. As an example, Belcarra and Anmore share a fire department rather than operate their own separately. The GVRD can serve as a vehicle to facilitate the delivery of the shared service.
- Some residents of a small municipality might feel they have a weakened voice in the selection of their GVRD director, since they don't elect the director separately the way voters do in unincorporated areas. However, in many cases the rural system required them to share the director with residents of another community, the way UBC and Pitt Lake residents have the same Area A director, so while they had a direct role in who the director is, they had to share this with people from outside their local community.
- In the case of the TFN, there is the matter of voting rights for non-member residents. Currently, all TFN residents can vote in Delta's municipal elections. If TFN becomes a separate participant in the GVRD and follows a municipal model, the Band Council would appoint its GVRD director. Would non-members have a voice in selecting their representative to the GVRD?
- Again for the TFN in particular, how could separate GVRD membership be obtained in a way that is consistent with the independence associated with the Agreement in

Principle and the Land Code? This is not an issue faced to the same degree by a rural part of the electoral area; the unique status of the TFN has no direct precedent in the GVRD membership context.