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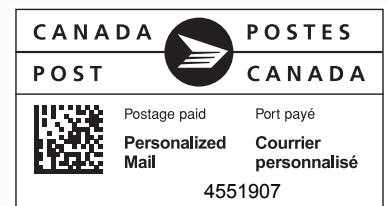
LOCAL GOVERNMENT 2023

Co-Chaired by

Donald Lidstone, KC
Lidstone & Company

Marisa Cruickshank
Lidstone & Company

March 10th, 2023 • UBC Robson Square (800 Robson Street) • Vancouver, BC
Live Webinar also available!



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CO-CHAIRS



Marisa Cruickshank, Partner, Lidstone & Company, Vancouver, BC. Marisa Cruickshank assists local government clients with a wide range of workplace matters: preparation and review of employment contracts and policies, sick leave and disability issues, human rights, and labour relations matters, including discipline, grievances and interpretation of collective agreements. Marisa also assists clients with privacy and FOI matters, governance issues, and bylaw enforcement matters.

Marisa has represented clients before all levels of court in British Columbia as well as boards and tribunals, including arbitration boards, the Human Rights Tribunal, the Information and Privacy Commissioner, and the Labour Relations Board.



Donald Lidstone, KC, Managing Partner, Lidstone & Company, Vancouver, BC. Mr. Lidstone's municipal law focus is in the areas of constitutional, administrative, and environmental law, particularly in respect of governance, land use/sustainable development, bylaws and Aboriginal law. Invited to speak regularly at conferences, symposia and universities, he has chaired the Sustainable Region Initiative (Governance and Finance), Liquid Waste Expert Review Panel, Fire Services Review Panel, Whistler Waste Blue Ribbon Panel, and the Municipal Law Section of the BC Branch of the Canadian Bar Association. Mr. Lidstone has published numerous papers and manuals and consulted on the development of the British Columbia *Community Charter* and municipal statutes in other provinces and territories. He was designated Queen's Counsel in 2008.

FACULTY



Elizabeth Anderson, Associate, Young Anderson Barristers & Solicitors, Vancouver BC. Elizabeth represents local government clients in litigation matters, including challenges to the validity of administrative decisions or legislation and applications for compliance with bylaws, regulations, and provincial statutes such as the Community Charter and Local Government Act. She frequently acts on judicial review and injunction matters, involving issues such as land use regulation, building standards, and licensing requirements. She has a special interest in overlapping jurisdictional matters, including constitutional issues, cannabis regulation, agricultural land reserve regulation, foreshore and riparian management cases, and aboriginal law issues. She has appeared in all the courts of British Columbia, as well as the Federal Court of Canada.

Iain Dixon, Lawyer, City of Vancouver, Vancouver, BC.



Jamie Doyle, Chief Administrative Officer, Lunenburg, NS. Jamie serves as the CAO of the Town of Lunenburg. He is the former CAO of the Regional Municipality of Wood Buffalo (Fort McMurray) where he was also previously Deputy CAO and Director of Planning and Development. Jamie served as Combat Engineer with 45 Field Engineer Squadron of the Canadian Armed Forces in Sydney, Nova Scotia. He has a degree in Community Design from Dalhousie University, and a Graduate Diploma in Professional Project Management and a Municipal Executive Certificate from University of Alberta. In all of Jamie's roles, he has experienced numerous crises, most notably the 2016 Wildfire in Fort McMurray.



Kathleen Higgins, Partner, Young Anderson Barristers & Solicitors, Vancouver BC. Kathleen Higgins is one of British Columbia's leading municipal and planning lawyers. She began her local government law career as in-house legal counsel at a large lower mainland municipality, before moving to private practice. Kathleen advises local governments on all aspects of municipal law including development, engineering, subdivision, environmental, planning, expropriation law, conflicts of interest and council governance issues. She also regularly advises local governments on their authority and jurisdiction to pass bylaws in a variety of areas covered by both provincial and federal legislation. Kathleen's practice has included extensive real estate transactions, including the creation of a number of regional parks in the Lower Mainland and the development of an alpine ski resort. She has also conducted bylaw prosecutions, injunctions and defences to bylaw challenges in British Columbia's Provincial, Supreme and Appeal Courts.



Philip Huynh, City Solicitor, Surrey, BC. Philip Huynh is the City Solicitor for the City of Surrey, where he practises all aspects of municipal law including constitutional, planning and development, human rights, municipal liability, council and administrative procedure, and conflicts of interest matters. He is a past Chair of the National Municipal Law Section of the Canadian Bar Association and teaches Municipal Law at the Faculty of Law at Thompson

Rivers University.



Peter Johnson, Partner, Stewart McDannold Stuart Barristers & Solicitors, Victoria, BC. Peter graduated with his Bachelor of Laws degree from the University of British Columbia in 1988. He was a Law Clerk with the County Court of Vancouver, and then completed his articles in Vancouver. He was called to the Bar in 1990. Peter practiced civil litigation for a number of years with a major Vancouver firm, appearing before all levels of court in British Columbia. From 1997 to 2001 he was the Assistant City Solicitor with the City of Coquitlam. In 2001 Peter joined Stewart McDannold Stuart, and continues to provide legal services to local governments as a member of the solicitors group.



Carrie Moffatt, Assistant City Solicitor, City of Victoria, Victoria, BC. Carrie Moffatt is an Assistant City Solicitor at the City of Victoria, where she advises the City in all areas of municipal law. She has had a particular focus on climate change matters and has also been involved in homelessness-related issues and cases. She has presented locally and nationally on the law in BC in relation to unhoused populations

LOCAL GOVERNMENT 2023

The issues facing local governments continue to shift and change. Those working for or with municipalities need the latest information on emerging trends and best practices for facing new challenges and taking advantage of opportunities. This forum assembles leading experts with extensive experience advising local governments, in order to provide insights on many of the most important issues in local government today.

Attendees will come away with new strategies for solving difficult problems and maximizing important opportunities available in exciting new areas. With an emphasis on practical advice and real-world examples, this program should not be missed.

Issues to be Addressed:

- Recent case law and legislative developments
- An overview of the new *Housing Supply Act* and responses to homelessness
- Changes to drug possession enforcement and what it means for local governments
- Emergency preparedness
- Mayor and local government powers
- Approaches to economic development
- Dealing with bad behaviour from constituents and officials

Who Should Attend?

- Mayors/chairs and councillors/directors
- Local government officers and employees
- Lawyers practising municipal, administrative, environmental, insurance, or civil law
- Risk managers
- Consultants to local governments
- Municipal insurance professionals

and sheltering in municipal public spaces. Prior to joining the City, Carrie articulated and practiced at Lidstone & Company, a local government law firm in Vancouver.



Jan Polderman, Former Mayor, Village of Lytton, BC. Jan was Mayor of Lytton, BC from 2018 to 2022, and was serving as Mayor when the June 29, 2021 wildfire burned the whole town and during the rebuild process thereafter. Prior to acting as Mayor, he served on Council as a councillor. After the wildfire, he led plans and decisions on net-zero building construction, a new sewage system, a new community plan, and analyses of advancements in infrastructure and construction including "solar sidewalks", FireSmart buildings, and safer homes.



Tom Zworski, City Solicitor, City of Victoria, Victoria, BC. Mr. Zworski provides advice on all aspects of municipal law and legal issues involving the City, including administrative, constitutional, construction, general litigation, and zoning and development law matters. He has appeared before all levels of BC courts and the Supreme Court of Canada, as well as various administrative boards and tribunals. Mr. Zworski teaches municipal law at the University of Victoria and has spoken at local and national legal conferences and continuing legal education programs in BC and Ontario.

LOCAL GOVERNMENT 2023

MARCH 10TH, 2023

9:00 Welcome and Introduction by PBLI

9:05 Chairs' Welcome and Introduction

Donald Lidstone, KC & Marisa Cruickshank
Lidstone & Company

9:10 Recent Legislation and Case Law Update

Philip Huynh, City of Surrey

- Recent cases of interest to local governments, including *Annapolis Group Inc. v. Halifax Regional Municipality*, 2022 SCC 36
- Legislative and regulatory developments affecting local governments
- Advice and recommendations arising from recent changes in the law

9:50 Questions and Discussion

10:00 Housing and Homelessness

Carrie Moffatt & Tom Zworski, City of Victoria

- Summary of the new *Housing Supply Act*
- Impact of the *Housing Supply Act* on local governments, including planning and consultation processes, local democracy, and affordability issues
- Implications for local governments of other provincial housing supply and affordability measures
- City of Victoria's leadership on homelessness

10:50 Questions and Discussion

11:00 Refreshment Adjournment

11:15 Drug Decriminalization and Implications for Local Government

Marisa Cruickshank, Lidstone & Company
Iain Dixon, City of Vancouver

- Discussion of the Health Canada exemption on the possession of opioids, cocaine, methamphetamine and MDMA in British Columbia
- Consideration of local government concerns and impacts, including safety in parks and other public spaces balanced against policy interests, including reducing stigma and harms related to drug abuse

11:55 Questions and Discussion

12:05 Catered Lunch

1:05 Panel Discussion: Emergency Preparedness and Responses

- **Don Lidstone** will moderate a discussion with **Jan Polderman** (former mayor of the Village of Lytton) and **Jamie Doyle** (former CAO of the Regional Municipality of Wood Buffalo) on real life stories

and experiences with emergency preparedness and responding to earthquakes, wildfires, flooding

1:55 Questions and Discussion

2:05 Provincial Overrides and Strong Mayors: Limits on Municipal Council Powers

Peter Johnson, Stewart McDannold Stuart

- The role and powers of the Mayor in British Columbia
- "Weak mayors" and "strong mayors" – recent changes in Ontario, and implications for BC
- Provincial overrides in BC:
 - Section 584 of the *Local Government Act*
 - *Housing Supply Act*
 - Other statutory "overrides" of local government authority
- Local government autonomy – reality vs. myth and lessons from elsewhere

2:45 Questions and Discussion

2:55 Refreshment Adjournment

3:10 Economic Development: Legal Tools

Donald Lidstone, KC, Lidstone & Company

- Have and have-not communities, healthcare issues, lack of services, BC's "boom and bust" syndrome
- What local governments can do to help create and retain jobs and promote economic development
- Balancing economic development with ESG and sustainable development goals
- Discussion of "assistance" to business
- *Community Charter* section 21 agreements, actions under section 25, permissive tax incentives, regional/intermunicipal partnerships
- Best practices in other jurisdictions

3:50 Questions and Discussion

4:00 Dealing with Difficult People

Elizabeth Anderson & Kathleen Higgins

Young Anderson Barristers & Solicitors

- How local governments can manage with difficult constituents, including improper misconduct at meetings, harassment on social media, alleged defamation
- Increased role of Council and Board Codes of Conduct
- Defamation of character: issues for council and board members
- Indemnification of elected and appointed officials

4:45 Questions and Discussion

4:55 Chairs' Closing Remarks – Forum Concludes

INFORMATION

Two Ways to Register:

1. Telephone us: 604-730-2500
2. Register at www.pbli.com/locgov23

Registration: The registration fee is \$845.00 plus GST of \$42.25 totalling **\$887.25**. Registration fee covers your attendance at the program, electronic materials, a catered lunch and refreshments throughout the day.

Early Bird Discount: Register by February 10th, 2023 and receive a \$100 discount on the registration fee (\$745.00 plus GST). Discounts cannot be combined.

Group Discounts: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration. Discounts cannot be combined.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m. (PST)**. UBC Robson Square is located at the basement level of **800 Robson Street** in Vancouver, BC. Please visit <http://robsonsquare.ubc.ca/find-us/> for directions.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of electronic materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations/Transfers: Refunds will be given for cancellations (less a \$60.00 administration fee) if notice is received in writing five full business days prior to the program (**March 3rd, 2023**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content, availability of webinar or venue and transfer in-person registration to webinar registration for this event.

Course Accreditation: Attendance at this course can be listed for up to **6 hours** of continuing professional development credits with the Law Society of BC. For practitioners in other jurisdictions, please check your governing body's CPD requirements.

Registration Form

Pacific Business & Law Institute

Unit 2 - 2246 Spruce Street
Vancouver, BC Canada V6H 2P3
Telephone: 604-730-2500; Fax: 604-730-5085
E-mail: registrations@pbli.com

LOCAL GOVERNMENT 2023

March 10th, 2023

UBC Robson Square, 800 Robson Street, Vancouver, BC

- In person (\$845+GST)
- In person (Early Bird, \$745+GST)
- Live webinar (\$845+GST)
- Live webinar (Early Bird, \$745+GST)

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Please indicate your areas of interest for future notifications (select all that apply):

- Aboriginal Real Estate Contaminated Sites Real Estate Development Other _____

How did you hear about this program?

- Brochure Email Colleague PBLI Website Social Media Other _____

Register today at www.pbli.com/locgov23

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