

The Geography of Governance: A Public Symposium

Hosted by the Institute of Island Studies

University of Prince Edward Island

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Diane Griffin

(Slide #1):

First of all, it is an honour to be here this evening accompanied by panelists who will present different viewpoints on a topic of great importance to us all.

“Thank you” to the Institute of Island Studies for organizing this symposium.

The Institute of Island Studies has a long standing interest in this topic, with one of the most notable products being a report by Andrew Cousins in 1999 which nicely summarized the overview of boundaries, powers and responsibilities of government in Prince Edward Island.

Canada’s Constitution, municipalities does not recognize municipalities as an order of government. However, like the federal and provincial governments, municipalities have defined geographic boundaries and are governed by elected officials that are accountable to the public. Municipalities provide public services, levy taxes and make laws.

So, while we have three orders of government in Canada, we are focused primarily on the local or municipal level tonight, but as municipalities are creatures of the province, we necessarily have to give some recognition to the role of provincial government too.

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The reform of local government has had a lot of discussion in recent years, especially since the “Thompson report” in December of 2009. (Yes, it has been 6 years already). This was the report of Commission on Land and Local Governance. It is interesting that of all the land related reports that were made during my adult life, starting with the Charles Raymond report for the Royal Commission on Land in 1973, the Thompson report is the first time that “governance” was specifically included in the mandate, specifically municipal infrastructure, legislation and financial arrangements.

With past reports, some “low hanging fruit” was harvested resulting in some good changes, such as the establishment of the Confederation Trail, but the biggest and hardest recommendations related to land use were unfilled, and showed up in report after report. This was primarily because the Province did not tackle them, but also because of the scarcity of local governments and a mechanism to develop official plans in these unincorporated areas.

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In PEI there are 73 municipalities, most of which are really small. These have little capacity to provide services for the citizens who live there. Many have no such official plans. In fact, only 31 municipalities have land use plans and development bylaws, so that there is no zoning in 90% of the province.

Forty-six municipalities have under 500 residents. One in three has an area less than five square kilometres, including 7 of the 10 towns. Twenty-eight municipalities had budgeted expenditure of less than \$50,000 in 2014.

(If you think back prior to the amalgamations that occurred in 1995, there were 89 municipalities. Five communities became the Town of Stratford, and similar major changes occurred in Charlottetown, Summerside and Cornwall.)

So, if the need to make local decisions and provide services is so obvious, why are we sitting where we are? Why do residents in 70% of the province have no “say” whenever developments are proposed for their area?

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Challenges to Collaboration:

- There are neighbouring communities that have some traditional jealousies and history of not working together.
- The western and eastern tips of the province are de-populating, making it even more difficult to develop enough critical mass for economic development and local governance.
- Issues such as an aging population and climate change will make it even more challenging for rural areas to have some mechanism to cope in the future.
- Another problem is the outdated municipal legislation we have. There is the *Municipalities Act*, the *Charlottetown Areas Municipalities Act*, the *City of Summerside Act*, as well as duties and powers set out for municipalities under other acts and regulations.

The current municipal legislation is hopelessly out-of-date. Even for the larger municipal areas, there is desire for a new and comprehensive Municipalities Act that will replace the several outdated pieces of municipal legislation.

It is often said that Islanders are adverse to change, but there has been a lot of change, some of which had major discussion such as the “Fixed Link”, now known as the Confederation Bridge. Other things like TV and the Internet received no discussion at all but greatly impacted our lives. We have had to adapt to consolidation of schools, churches and recreation facilities. Even our

Legislative changed from 32 MLAs who represented 16 dual member ridings to the current 27 members as of the 1996 provincial election.

Rural areas are changing and some of those changes are creating big challenges.

(3 slides in a row on this issue)

This slide shows what development looks like in rural PEI. The red represents developed lots and it doesn't include the 30,000 approved lots that have not been developed. With no zoning in most of rural PEI and no municipal taxes on property in the 70% of land outside municipal boundaries, it isn't surprising that sprawl is a problem.

(2nd Slide – photo of O'Leary) 3rd Slide – map of O'Leary & West Point area)

There aren't any roads on this map (but looking at the map you might not be surprised to hear that PEI has the most kilometres of paved roads per capita in Canada)

Sprawl is driving up infrastructure and service delivery costs. As you probably know, there's a long list of reasons why this type of development shouldn't be allowed.

But most concerning is that it's undermining municipalities and PEI as a whole.

The challenges facing rural communities in PEI aren't going to get easier in the future. Island-wide incorporation of viable municipalities won't suddenly solve all those problems but we'll be better positioned to tackle them.

In his report, Justice Ralph Thompson recommended that local government might be extended to cover the Island and that these units needed to be large enough to be effective and sustainable. He recommended a minimum population of 4,000 people as a functional population. Only 4 locations meet that criterion now. The fifth largest, Montague with 1,895 residents, is less than half the recommended minimum size.

Anyway, here's the exact wording of the relevant recommendation, #38 of the Thompson report:

(new slide)

That the provincial government, through a process of public information and consultation determine the consensus of Islanders in relation to the incorporation of some or all of the province into municipalities having a population and tax base sufficient to provide effective and sustainable local governance on matters which are local in scope.

Where to From Here?

(slide 10)

Consider Island-wide incorporation?

In light of the challenges rural areas are facing, the creation of strong municipalities can make local decisions about matters within their authority. Services and amenities can be provided that make better places to live, as well as creating conditions for local economic development.

Municipalities are the only order of government committed to local planning, local challenges and local solutions.

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Legislation?

So we have outdated legislation, many existing towns and communities who do not have a sustainable structure... So, just where do we go from here?

The Provincial Government has promised a new municipalities act, which is targeted for introduction to the Legislature in the autumn of this year. An essential companion to this will be a new revenue-sharing agreement between the provincial and municipal levels of government. These two ventures will give some strength for governance of existing municipalities and will encourage the establishment of other municipalities that are big enough to be sustainable.

Other mechanisms?

Both a stick and a carrot approach are needed, as well as a province-wide vision. The Province has indicated it wants to see action at the local level, but this is difficult for areas with little capacity or even no capacity such as in the unincorporated areas. Who speaks for these areas? How would they be able to negotiate with a neighbouring municipality about coming together? There is definitely need for a 'tool kit' and expertise to help guide potential new or expanded municipalities through the process of exploring their future. This is something with which the Federation of PEI Municipalities and professional consultants can help.

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Creating Viable Communities:

The Provincial Government has identified criteria as to what a viable community would need:

- Minimum population of 4,000
- Minimum \$200 million real property assessment
- Municipal office accessible to the public
- Established infrastructure, economic & institutional activity
- Range of services being offered to residents
- Boundaries that do not exclude existing service centres or negatively impact an existing municipality's efforts to grow and/or provide services

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What will new municipalities look like?

How will their boundaries be decided? Should there be a boundaries commission, as suggested in a blog last week by Dr. Peter Bevan Baker, leader of the Green Party? The proposed boundaries commission would help people work their way through this process?

Will municipal boundaries be on geographical or natural features such as watersheds? I look forward to hearing Dr. Mike van den Heuvel speak about that?

Will they be on cultural or communities of interest? I'm really looking forward to hearing the presentation by Jeanetta Bernard about that possibility.

Will it be on a possible combination of factors or factors that are different in different situations?

It will certainly be interesting this evening to hear of the lessons from other places about the processes used to address governance in rural areas. I look forward to what Dr. Ryan Gibson has to tell us about that.

Again, I want to reiterate that I am pleased to be a part of the discussion this evening, I am very much looking forward to the other presentations and subsequent discussion.
Thank you for your attention.