

The Evolution of Regional Districts in British Columbia

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Many British Columbians are unaware of a profound change in the governmental structure of their province. The creation of Regional Districts by an amendment to the Municipal Act in 1965 has radically altered the relationships between local government and the provincial government. Although in the beginning, they had only one area of concern, that of hospitals, they are now active in providing 37 different functions in various parts of the province. A Regional District is defined as a geographic unit (somewhat similar to a county) designed to provide "joint services" through a public board serving in one of 28 different sub-areas of the province.

Regional Districts are an example of a governmental institution that has developed through a process of evolution and to a great extent many of the policies developed by Regional Districts could be characterized as being *ad hoc*. But it is this very feature which may turn out to be one of the unforeseen advantages of this form of government. This article will review the current status of Regional Districts and attempt to illustrate how they may continue to evolve into more significant governmental units.

The roots of the Regional District concept can be traced to a wide variety of sources. Perhaps the earliest forms of regional structure in B.C. were the water and drainage boards.¹ Legislation establishing these boards was passed in 1924, and can be identified as the source of two basic aspects of the current structure of Regional Districts.

1. The power to include incorporated and unincorporated territory in one governing body.
2. Following from the above, board membership to include representatives elected from unincorporated areas and delegates from municipal councils.

¹ Water and Drainage Boards — under the Water Act (R.S.B.C. 1924, Chapter 271, with Amendments) (consolidated for convenience only, May 21, 1939).

While the water boards were very useful in certain areas of the province, they did not become an all pervasive governmental unit in the province; neither did they assume any other governmental responsibilities, and so they became similar to what are known generally as *Special Districts*.² (In British Columbia, Improvement Districts is a term that is often used in place of the term Special Districts.)

In subsequent years other special purpose boards were created to deal with local and regional problems. One typical example was the creation of "Community Planning Areas" in the province.³ The establishment of a Community Planning Area was a device employed by the provincial government to assist any area of the province where there seemed to be a particular development problem or issue, and thereby authorize some form of provincial assistance or direction in the specified area.

These Planning Areas also covered municipal and rural areas (incorporated and unincorporated), although they were generally utilized in the more rural-fringe areas of existing urban centres. One major short-coming of these special Planning Areas was their lack of staff and specific enforcement powers. They were largely dependent on provincial civil servants for planning advice and implementation.⁴ Of course, there were many other boards and committees operating in similar ways during this period of time. These included boards dealing with industrial development, resource development, health care and education.

It was quite apparent by 1960 that this situation was unacceptable to both the provincial government and the local residents. The provincial government was not particularly happy since an extensive application of Planning Areas across the province would necessitate a large planning staff — a form of budgetary commitment which the Social Credit government has studiously avoided.⁵ Equally important, when attempts were made to enforce plans through zoning by-laws, local residents rose up in arms and accused the provincial government of unnecessary interference

² Robert C. Wood, "A Division of Powers in Metropolitan Areas," in Arthur Maas, (ed.), *Area and Power*, (Glencoe The Free Press, 1959), and John C. Bollens, *Special District Governments in the United States*, (Berkeley: The University of California Press, 1957).

³ Local Services Act and Community Planning Area legislation: Town Planning Act, Part 3, 1947-1957, and Local Services Act, 1957.

⁴ Section 92 of British North America Act, 1867, gives authority over municipal (local and regional) affairs to the province.

⁵ For example, in 1969 out of total revenues of 968 million dollars, 51 million was allocated to Municipal Affairs, while Department staff accounted for less than \$500 thousand of that amount. This was one of the smallest staff budgets for any department in the provincial government.

and high-handedness. Thus the provincial government suffered politically and received very few benefits. Local residents constantly called for the opportunity to manage and direct their own planning efforts.⁶

Special forms of the Planning Area concept were applied to the two major metropolitan areas — Vancouver and Victoria. A long struggle ensued to include the adjacent unorganized areas and an even longer one to persuade them to participate in the “land use control” process. In each case a Regional Planning Board was created and prepared regional plans for the metropolitan area of Victoria and the Lower Mainland. These two boards enjoyed considerable success in the form of support at the local level, and thus were able to accomplish adoption of a regional plan for their areas.

Regional Planning Boards were also created in the Okanagan Valley, but were not as successful, because, being smaller, they had less local support and because they existed in a political environment which promoted competition at the expense of co-operation (i.e., Vernon, Kelowna, and Penticton have always maintained a spirited rivalry at the expense of regional co-operation). Once again, local implementation was dependent on moral suasion, and final authority lay with provincial governmental officials residing in Victoria. There was a pressing need for a regional body with some coordination and implementation powers at the regional level.⁷

Another force which assisted in the formation of Regional Districts was the recognition of the need for a re-organization of the hospital function in the province. Health care is a provincial responsibility but it had been guided to some extent by local advisory committees. There was a great deal of variation across the province; some areas were served very well by the advisory committee, while others did not have an operating committee and citizens were complaining about the poor quality of health services. The government saw the Regional District concept as providing an opportunity to marry these two forces — health and local governmental services in one board.⁸

⁶ One example of citizen complaints was that voiced in the 1960's by residents in the Collingwood-Langford area. These residents have studiously avoided facing municipal incorporation or amalgamation with their adjoining neighbours.

⁷ There are other examples of regional bodies such as Regional Parks Boards, etc., which served to provide similar types of experience and thus serve as other roads to the creation of Regional Districts.

⁸ In the towns of Comox and Courtenay (the home riding of Mr. Campbell, Minister of Municipal Affairs), there was considerable confusion among the citizens when

Other forces which helped to shape the structure of the Regional Districts were the key personalities in the municipal field in the 1960's. These included Dan Campbell, appointed Minister of Municipal Affairs in March 1964. He immediately indicated by his actions and statements that he was going to take an active and involved position on municipal and regional problems. His first speech as Minister, to the Union of British Columbia Municipalities in 1964, was extremely critical of special purpose boards as being inefficient and undesirable.⁹ He questioned whether

the functions of regional planning, regional water and sewer utilities, regional parks, regional garbage disposal, regional hospital needs, etc., [should] continue to be solved through a proliferation of single function regional boards with few if any definable relationships.¹⁰

Another key personality was Mr. J. Everett Brown, Deputy Minister of Municipal Affairs. In the 1960's, Brown was one of the senior deputy ministers in the government. Assistant deputy ministers in other departments have suggested that the Premier respected Brown's opinions.¹¹ Brown, an economist, was highly pragmatic in his policy recommendations and administrative procedures. The Regional District legislation's format and intent clearly reflect the influence of Everett Brown and his immediate staff.¹²

In the 1960's, B.C. communities were struggling with rapid growth which spilled over municipal boundaries. The province had no regional

they were called on to vote for additional taxes to support hospital improvements and at the same time they were called on to ratify Regional Districts. Further information can be obtained from Comox Council minutes from April 2 to May 17, 1965, and newspaper articles in the Comox Free Press covering the same period of time.

⁹ Proceedings of the Annual Convention, Union of British Columbia Municipalities, May 1964.

¹⁰ *Ibid.*

¹¹ Interview with Mr. Bill Long, Executive Director of Municipal Finance Authority, February 1971. Mr. Long has served in public service posts in Victoria for twelve years and elsewhere in the province during the previous ten years. He was in close contact with a number of provincial Departments and was informed of their views of Mr. Brown's influence on a number of occasions.

¹² Mr. Brown's immediate staff, who played a role in the legislation, were Mr. J. D. Baird (subsequently appointed Deputy Minister upon Mr. Brown's retirement), Mr. Ken Smith, Mr. Chris Woodward, and Mr. Don South. These men were department heads with extensive experience in Municipal Affairs in the province of B.C.

agency to deal with these problems.¹³ Studies of special purpose districts¹⁴ in other provinces and in the United States indicated that these structures could not cope with the problem. It was apparent that there was a need for an agency which could speak for the region as a whole¹⁵ and, more importantly, integrate services rather than separate them.

One other factor has already been alluded to: the metropolitan centres of Victoria and Vancouver were so much larger than other centres in the province that the scale of problems such as control over development was completely different from other areas. Previous attempts had been made to study a form of metropolitan government for Vancouver, but there had been no significant progress.¹⁶ The important point is that the pragmatism of the government led it to construct legislation which was sufficiently flexible to cover the metropolitan areas as well as the many other types of municipalities in other areas of the province.¹⁷ This pragmatism dictated that rather than legislating different kinds of governmental units, one piece of legislation could cover all the units, and the governmental units themselves would adapt to local needs.

Legislation was passed in 1965 providing for the establishment of Regional Districts. By December 31, 1965, six of these Districts had been incorporated. By the end of 1968, the province was covered by twenty-eight duly incorporated Regional Districts (one minor exception was a small, sparsely settled area in the northwest portion of the province).

From the very beginning, the provincial government attempted to stress that this was not another level of government. While this assertion may have assisted in overcoming some fear and hostility toward Regional

¹³ School Districts were created by the Legislature in 1946. They generally covered regional areas and were not limited to municipal boundaries, but in fact covered the entire province — a fact that proved that regional agencies could cover the province in the same way.

¹⁴ For example, *Metropolis in Transition*, Housing and Home Financial Agency, September 1963, was a study outlining, among other things, the problems of special districts in the United States.

¹⁵ In a talk given by J. Everett Brown to a U.B.C. Urban Politics Seminar in March 1964, he said, "This dramatic change [in technology] has brought about quite a revolution in the political situation required to deal with it."

¹⁶ In 1957, enabling legislation covering "Metropolitan Areas" was added to the Municipal Act. In 1960, Mr. Hugo Ray, Chairman of the Joint Committee, recommended the formation of a metropolitan area in the Vancouver Area, but no action followed this recommendation.

¹⁷ "Rather than establish each regional district by rigid special Acts, the legislation provided that the regional districts would be established and their powers set out by Letters Patent issued by the Provincial Cabinet," cited in *Regional Districts in British Columbia 1971, General Review*, p. 6.

Districts, it is difficult to argue that in actual fact they do not operate as a fourth level of government. They pass by-laws, they requisition funds (an indirect form of taxation), and they assist in the financing of certain selected services in all or portions of the region. All of these activities are directed by elected representatives and implemented by administrative staff.

The provincial government intended that by simply allowing Regional Districts to adopt functions (i.e., water, planning, hospitals, etc.),¹⁸ they would evolve at their own speed and according to their region's particular need. This meant that in one region, the Regional District Board would tackle the problem of water resources (e.g., in the Okanagan), whereas in another region industrial development would be the primary concern (e.g., in the Kootenays). Because there is no single set of policies laid down by the provincial government, each region would enjoy this flexibility and meet their needs in their own way. One might argue that they have suffered from a lack of leadership, but not from a lack of flexibility.

A unique aspect of the boards that make the basic decisions in these districts is the fact that they are composed of representatives from both municipal and unincorporated areas (or what are sometimes called electoral areas — a term not to be confused with electoral areas for electing members to the provincial legislature). Two specific results of this are:

1. Unlike other instances of regional government where local and regional representatives serve in distinctly different capacities, for the first time municipal and rural representatives sat down around the same table with equal status (both with voting power based on population).
2. The second important feature of the new regional board was the fact that it drew a wide range of occupational groups and thus a wide range of views to regional planning and development.¹⁹ While there are many implications of this observation, perhaps the most important is the fact that many of these individuals had not had any experience with government service and had to be slowly

¹⁸ Regional hospital districts were created in tandem with Regional Districts and the board has the same membership in either case. This was the one mandatory function that regional districts assumed from the beginning.

¹⁹ An early survey of Regional District Boards in 1966 revealed 25 different occupational groups in Regional District Boards. This contrasts with typical North American municipal councils dominated by local businessmen — middle class and white collar by experience and viewpoint.

“educated” about the powers and limitations of Regional Boards. This reinforced the need for “evolutionary” boards which could grow and develop along with their representatives.²⁰

It may appear strange to the casual observer that regional hospital boards²¹ served as the initial impetus for this form of government. That this was so is partially explained by the fact that local and provincial leaders agreed that some form of reorganization of hospital boards had to occur in the province. A coincidence of circumstances in 1965 allowed the provincial Department of Health Services to step in and utilize the framework, boundaries, and initial organization (including board members) as the basis for regional hospital boards. Interested observers in a region can attend one of these meetings and observe a Regional District Board conduct a meeting, and then adjourn and simply put on their other hats as members of the regional hospital board, and make decisions on these matters as well. From this initial impetus, Regional District Boards have grown to become a major force in the political scene of British Columbia.

While the early organizational details are interesting to the casual observer, of particular interest to the professional is the formation of the Technical Planning Committee in each District. While the supervision of hospitals had been one of the primary aspects of the initiation of Regional Districts, this was the only provincial agency which was fully integrated into the decision making machinery of the Regional District at the outset. Other agencies and departments such as highways, land branch, water branch, etc., had to be worked into this decision making matrix over time.

The Technical Planning Committee was set up with the membership coming from practically all of the provincial agencies involved in a region. In many cases, if there was a federal counterpart involved in a service in the region, its representatives were also invited to attend. In many other

²⁰ This attitude contrasts sharply with other regional government recommendations such as in Ontario. In this case, studies and recommendations tended to be more comprehensive and fully operable from their inception. As a result, less experienced people do not fit into the structure as they did in the early organization of regional boards in B.C.

²¹ Designating Regional District Boards as hospital boards was a unique experience with provincial statutory authority over these services. Other agencies or departments such as Lands and Forests, Highways, etc., have not delegated decision making to these boards.

cases, officials representing hydro (electrical and gas services) and the telephone company were made members of the Committee.

On June 2, 1969, a letter was sent from Premier Bennett's office, ordering all provincial departments to co-operate with the Technical Planning Committee in their regions. This policy declaration was designed to tell some of the agents of various governmental departments that they could no longer be solely responsible to the province. As a result, they lost some of the autonomy that they had enjoyed in the region to that date.

Consultants and advisors on regional organization in other Canadian centres have recommended a similar program — committees of provincial representatives serving in a region. However, their success has not been as great or as simply assured as it was by a letter from Premier Bennett, the most powerful public official in British Columbia.

The initial administrative structure included the provision of a secretary-treasurer for the district — and other such officers as were deemed necessary. This feature once again reflected the government's desire to keep the administrative structure small and non-bureaucratic.

However, as the Regional Districts grew and the post of secretary-treasurer did not remain open-ended, but rather approximated the style of a city manager. In part this was caused by consultants who asserted that Regional Districts required the same general principles of management as local governing units.

Twenty-eight Regional Districts could have followed twenty-eight different administrative patterns. There has been some variety in these patterns, but by and large a pyramid structure (a secretary-treasurer on top, advised by department heads) has evolved. In some instances, a "democratic-parallel pattern" of committee heads would have been a more appropriate pattern.

The unfortunate aspect of this is that another opportunity to innovate and evolve new administrative patterns at the regional level has largely been lost. The reason appears to be that administrative consultants did not take the opportunity to innovate, or were thoroughly convinced that this was simply another form of local government. To say the least, local concepts of administrative structure are not necessarily appropriate at the regional level.

Changes continue to occur at all levels of government. Many of these are still too recent to be properly analyzed at this time, but they should be mentioned for the record.

At the provincial level, the cabinet has formed a land use committee of ministers, and this committee can bring about the greatest degree of co-ordination and co-operation between provincial departments working in the region — if it so desires. It has also led to the development of a standard subdivision by-law at the provincial level and consequent standardization at the regional level.

Finally, in 1970-71, the affected provincial departments held a series of seminars around the province in which an attempt was made to explain various departmental policies to Regional Districts. The subjective impression that Regional Board representatives received from these seminars was that the provincial government was concerned that Boards were overstepping their statutory authority. Others went even further and suggested the government was alarmed and had discovered that it had created a more powerful body than it had intended to do.

Somewhere between the status of being a provincial agency, and yet representing all of the Regional Districts, was the Municipal Finance Authority. The more appropriate title of Regional Finance Authority was altered in the process of manoeuvring the bill through the provincial legislature.

As soon as Regional Districts were organized, it became obvious that certain capital outlays could not be accomplished on an assessment basis alone. In consultations between municipal, regional and provincial representatives,²² it was decided that an authority should be established to raise funds in the monetary markets to finance needed capital works. The result of this was that the Municipal Finance Authority entered the bond market representing the combined wealth of the communities of B.C., and with a type of provincial guarantee standing behind its payments.

Once again, the original concept had been to finance most capital outlays, but this was cut back to cover only water and sewer expenditures initially. The other major feature is that this Authority is now the major financial spokesman for all of the Regional Districts as well as the municipalities. As a consequence, a further important financial tie has been established between municipalities and Regional Districts. As a result, the

²² Two key personalities in setting up the Municipal Finance Authority were Mr. Hugh Curtis, Mayor of Saanich, past president of the Union of British Columbia Municipalities, Chairman of the Capital Regional District Board, and first Chairman of the Municipal Finance Authority; and Mr. Bill Long, former Secretary-Treasurer of the Capital Regional District and one of the early participants in the discussion of the formation of the Regional District legislation. Mr. Long became the first Executive Director of the Municipal Finance Authority.

Finance Authority can approve capital outlays of local areas in a more objective manner if they conform with the regional plan.

The development of Regional Districts is one of the most important events to have occurred in the province of British Columbia. Originally "sold" as hospital districts, they now provide 37 different functions in various parts of the province. They are becoming fully staffed administrative units. They are run by boards which are unique combinations of municipal and rural representatives. They have developed financial apparatus to put their plans into effect and appear to be ready to stand up and deal with other governmental units as equal partners.

The low key approach of the provincial government did not draw particular public attention to the formation of Regional Districts. In fact, in many places, Regional Districts and regional hospitals were identified as the same thing.²³ There are individuals in the province who feel that this confusion between regional hospitals and their respective boards and the creation of Regional Districts in fact allowed the provincial government to foist another level of "bureaucracy" on the region. Others are much more positive in their viewpoints, particularly in the larger urban regions where the concepts of joint services boards (dealing with five common problems: sewage and garbage disposal, public health, regional parks and recreation, hospitals, and regional planning) were the forerunners of Regional District legislation. Whatever the view may be, the Regional Districts are operating in 28 different areas of the province.

They owe their limited success to the principles of administrative evolution — principles which have often been overlooked in other attempts at regional organization. A survey conducted by Mr. T. Nicholson in 1970 indicated that Regional Districts are interested in more thorough and complete answers to the important questions of regional government. They are seeking a clearer definition of goals (both for their region and for the province), more direction in the provision of services, advice regarding environmental pollution, ways to make Boards responsive to the people, and finally, in ways to develop a regional outlook.

Unfortunately, answers to these questions are not forthcoming — particularly not from the existing provincial government. There are indications that the government has begun to cut back and consolidate some of

²³ An example of this was the formation of the first Regional District, Comox-Strathcona, incorporated on August 9, 1965. Controversy in the region surrounded a referendum for hospital financing; however, the voter was asked to vote on the creation of Regional Districts in addition to their voting on a hospital money by-law. For further details see Comox *Free Press*, July 25, 1965, page 1.

the existing legislation and administrative policies that marked the initial period of organization (1966-1970).²⁴ The real test will be to see if these regional boards have gained enough from their initial experience to fight for their autonomy and power.

²⁴ Examples of this are the recent provisions in the Municipal Act which give the Minister of Municipal Affairs final authority over Land Use Contracts — an important control mechanism for effective regional planning. Another indicator is the comments of the deputy ministers of provincial government departments, particularly Lands and Forests, at special briefing sessions, Victoria, June 1971, and subsequently in four other areas of the province.