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# LOCAL GOVERNMENT 2016: CURRENT ISSUES

Chaired by

**Don Lidstone, Q.C.**  
Lidstone & Company

April 29<sup>th</sup>, 2016 • UBC Robson Square • Vancouver, BC

***Live Webinar also available!***



## CHAIR



**Don Lidstone, Q.C.**, Lidstone & Company, Vancouver, BC. Mr. Lidstone has practised generally in the area of municipal law since 1980, and worked at several esteemed law firms before moving to Lidstone & Company in 2009. His municipal law focus is in the areas of constitutional, administrative, and environmental law, particularly in respect of governance, land use/sustainable development, bylaws and resolutions, Aboriginal law, bylaw enforcement and bylaw attacks. 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 other municipal statutes. He was designated Queen's Counsel in 2008.

## FACULTY



**Sandra Carter**, Partner, Valkyrie Law Group LLP, North Vancouver, BC. Ms. Carter is an experienced municipal solicitor and frequent speaker on both municipal and Aboriginal law issues. She articulated and practised for 15 years with a major Vancouver law firm, providing advice to local governments on issues across the spectrum of municipal law. She has advised on many new local government initiatives, including economic development incentives, tax revitalization programs, the creation and operation of municipal business corporations, post-treaty relationships and agreements with First Nations, and other innovative uses of local government authority. Ms. Carter has authored numerous articles and papers, and has frequently been invited to speak to various local government organizations on relevant topics.



**Sara Dubinsky**, Associate, Lidstone & Company, Vancouver, BC. Ms. Dubinsky has practised local government law at Lidstone & Company since being called to the bar. She is a litigation lawyer and also provides legal opinions on a wide variety of issues, with a particular emphasis on bylaw enforcement, medical marijuana, conflicts of interest and freedom of information. Ms. Dubinsky is a graduate of the University of Victoria Faculty of Law. She summered with Arvay Finlay and appeared at the Braidwood Commissions of Inquiry on behalf of the British Columbia Civil Liberties Association, where she articulated.



**Gregory J. McDade, Q.C.**, Managing Partner, Ratcliff & Company, North Vancouver, BC. As senior litigation partner, Mr. McDade conducts major First Nations litigation. A large part of his practice is negotiation of impact benefit agreements, and Aboriginal consultation and accommodation litigation in respect of major resource projects in BC, the North and Ontario. He has extensive experience before all levels of court, including the Federal Courts and Supreme Court of Canada. Mr. McDade was counsel in the recent Court of Appeal decision in *Thomas et al. v. Rio Tinto Alcan*, and counsel for one of the Intervenor groups before the SCC in *Tsilhqot'in*. Greg was called to the Bar and has practised in BC since 1979. He was appointed Queen's Counsel in 1996.



**Thomas White**, Manager, Climate Risk Management, Climate Action Secretariat, B.C. Ministry of the Environment, Victoria, BC. Mr. White and his team research, analyze, develop, coordinate and implement programs, policies and legislation relating to climate change adaptation in theme areas that include coastal zones, agriculture and natural resources, infrastructure and communities, and public health. They work collaboratively across government and the wider public sector, and with research institutions, non-governmental organizations, and professional and industry associations, with the goal of ensuring that British Columbia is prepared for and resilient to the impacts of climate change. Thomas holds a Masters in Forest Conservation from the University of Toronto and a Bachelor of Arts from McGill.



**James G. Yardley**, Partner, Murdy & McAllister, Vancouver, BC. Mr. Yardley has spent his career practising law involving local governments. He has a law degree from the University of Toronto, and a Masters degree in Community and Regional Planning from UBC. While Mr. Yardley provides general advice on a broad variety of local government matters, his practice is largely devoted to litigation and conflict resolution. He has appeared in numerous trials, appeals, petitions, mediations and arbitrations on matters that include construction disputes, administrative law matters, expropriation and injurious affection claims, bylaw challenges, bylaw enforcement proceedings, claims alleging misfeasance in public office and bad faith, environmental law disputes and prosecutions, contract claims, election challenges, property taxation disputes, and claims involving police forces. Mr. Yardley has appeared before tribunals that include the B.C. Utilities Commission, the National Energy Board, the Expropriation Compensation Board, the Environmental Appeal Board of British Columbia, and the Comptroller of Water Rights.

## LOCAL GOVERNMENT 2016: CURRENT ISSUES

The issues facing local governments continue to multiply and change. Those working with or advising 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 such as green development and working with First Nations. With an emphasis on practical advice and real-world examples, this program should not be missed.

### ISSUES TO BE ADDRESSED:

- Demonstrators occupying municipal property
- Municipalities and First Nations
- Conflicts of interest
- Municipal regulation of marijuana businesses
- Green development
- Adapting infrastructure and planning in the face of climate change

### WHO SHOULD ATTEND?

- Mayors and city councillors
- Municipal directors and legal counsel
- Lawyers practising municipal, insurance or civil law
- Risk managers
- Consultants to local government
- Municipal insurance professionals



**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 of Victoria, 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 has taught municipal law at University of Victoria law school and has spoken at local and national legal conferences and continuing legal education programs in BC and Ontario.



# LOCAL GOVERNMENT 2016: CURRENT ISSUES

FRIDAY, APRIL 29<sup>TH</sup>, 2016

## 9:00 Welcome and Introduction by PBLI

## 9:05 Chair's Welcome and Introduction

**Don Lidstone, Q.C.**  
Lidstone & Company

## 9:10 Case Law & Legislative Update

**James G. Yardley**  
Murdy & McAllister

- New case law impacting local governments
- Survey of recent legislation and regulations

## 9:50 Questions and Discussion

## 10:00 Dealing with the Homeless and Demonstrators Occupying Municipal Property

**Tom Zworski**  
City Solicitor, City of Victoria

- Recent decisions of the courts
- Tent cities in parks, road allowances and other property
- Freedom of expression
- What local governments can and cannot do

## 10:45 Questions and Discussion

## 10:55 Refreshment Adjournment

## 11:10 Negotiations with First Nations

**Gregory J. McDade, Q.C.**  
Ratcliff & Company

- Consultation and accommodation
- Advice on effective negotiations
- Servicing agreements
- Sharing taxes from reserve

## 11:50 Questions and Discussion

## 12:00 Networking Lunch

## 1:00 Conflicts of Interest

**Sandra Carter**  
Valkyrie Law Group LLP

- Common conflicts of interests
- Defences and exceptions
- Penalties
- The latest case law

## 1:45 Questions and Discussion

## 1:55 Marijuana and Municipalities

**Sara Dubinsky**  
Lidstone & Company

- Municipal bylaws relating to marijuana businesses
- The Federal government's role
- Regulatory and enforcement issues

## 2:40 Questions and Discussion

## 2:50 Refreshment Adjournment

## 3:05 Green Development

**Don Lidstone, Q.C.**  
Lidstone & Company

- Smart growth legal toolkit
- New *Building Act*: challenges and opportunities
- Neighbourhood development
- Green infrastructure and energy

## 3:50 Questions and Discussion

## 4:00 Climate Adaptation

**Thomas White**  
B.C. Ministry of the Environment

- Dealing with the effects of climate change
- Proactive steps to reduce short and long term damage
- Dyking and other flood protection
- Forest fire interface

## 4:45 Questions and Discussion

## 4:55 Closing Remarks from the Chair

## 5:00 Program Concludes

## INFORMATION

### Four Ways to Register:

1. Telephone us: 604-730-2500 or toll free 877-730-2555
2. Fax us: 604-730-5085 or toll free 866-730-5085
3. Mail your registration form with payment
4. Register at [www.pbli.com/1267](http://www.pbli.com/1267)

**Registration:** The registration fee is \$770.00 plus GST of \$38.50 totalling **\$808.50** covering your attendance at the program (in person or by live webinar), written materials, a light breakfast, a networking lunch and refreshments throughout the day.

**Early Bird Discount:** Register by March 29<sup>th</sup>, 2016 and receive a \$100 discount on the registration fee (\$670.00 plus GST).

**Group Discount:** Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration. Early Bird and Group Discount 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.** 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. Materials will be available for pick-up at the program. Please contact us at [registrations@pbli.com](mailto:registrations@pbli.com) if you are unable to attend the program and wish to purchase a set of 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:** Full 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 (**April 22<sup>nd</sup>, 2016**). 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, venue, or the availability of webinar for this event.

**Course Accreditation:** Attendance at this course can be listed for up to **6.5 hours** of continuing professional development with the Law Society of BC.

## Registration Form

### Pacific Business & Law Institute

305 – 1681 Chestnut Street  
Vancouver, BC Canada V6J 4M6  
Telephone: 604-730-2500; Fax: 604-730-5085  
E-mail: [registrations@pbli.com](mailto:registrations@pbli.com)

## LOCAL GOVERNMENT 2016: CURRENT ISSUES

April 29<sup>th</sup>, 2016

UBC Robson Square, Vancouver, BC

☐ In person ☐ Live webinar

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

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