

Charter Definition and Potential Application in Nanaimo

Community Charter: Potential Application in Nanaimo

The March 2025 Mayor's Leaders Table identified the desire to explore the potential use of a Nanaimo Charter to guide the Mayor's Leaders Table work and, concomitantly, the city over the long term. The following explores that opportunity.

1. What is a Charter?

There are various types of 'charters' that exist in relation to local governments. Some are old European documents dating back to the 13th Century that were created to set up and empower local governments to manage local affairs. Others, such as the Vancouver Charter and Winnipeg Charter, are modern Charters based on Provincial Government Acts¹ that relate to a mandate for the governance of those individual cities. Still other charters, such as the Freiburg Charter, inform the planning and development of a particular city such as Freiburg, Germany and do not have any connection to other levels of government. The latter types of charters are reflective of unique European city governance structures (significant authority across economic, environmental and social areas) and unique revenue streams (such as income taxes, corporate taxes etc.).

In Europe, a local government 'Charter' often focuses upon broader 'ambitions' and principles instead of detailed recommendations. Such Charters provide a framework for broad collaboration and 'strategic' direction at a '10,000 metre level'. Some have a 'strategic' approach to specific needs. But, they are not strategic plans nor are they called strategic plans. European City Charters are relatively brief statements of aspiration that frequently reflect a broad consensus of multi-stakeholder input and commitment and are unique and developed specifically for an individual local government and the particular aspirations of that jurisdiction. While the term 'Charter' may be used in Europe in a unique way (as differentiated from its use in Canada), the essence of its use is still informative as it addresses collaborative, holistic approaches to community well-being.

More recently, there has been increased debate in Canada about the role of cities in the 21st century. Those discussions relate to the recognition that local governments and much of the governance legislation that addresses local government matters is based on an old model when cities were relatively small and most of the population was rural-based. Today, there is a growing call in Canada for redistribution of decision-making and financial

¹ In BC the 'Community Charter' (2003) is an Act of the Province of British Columbia to provide governance direction for municipal governments, more particularly "to provide municipalities and their councils with (a) a legal framework for the powers, duties and functions that are necessary to fulfill their purposes, (b) the authority and discretion to address existing and future community needs, and (c) the flexibility to determine the public interest of their communities and to respond to the different needs and changing circumstances of their communities".

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resources in recognition that 80 percent of Canada's population now lives in cities and towns. As a result, there is growing call for the creation of a new form of City Charter that calls for a redistribution of power and revenue generation so that local governments can better address local needs. For instance, John Sewell, a former Mayor of Toronto, spoke to the need for Canadian City Charters in York University's *Journal of Law and Social Policy* (Vol. 34, 2021). This Canadian version of a City Charter is different from the Freiburg Charter. The discussion of 'charters' in Canada is about developing legislative change to empower local governments to address local issues and have a greater and more diverse share of revenues. Therefore, the term 'charter' has a different connotation than its use in Europe and is likely not an appropriate term for Canada and Nanaimo. Nevertheless, notionally there is potential merit for the creation of a European-like 'charter' for Nanaimo.

2. The Freiburg Charter

Developed in 2012, the Freiburg Charter was produced by what is possibly the world's most sustainable city -the city which won the World Habitat Award in 2013, Freiburg Germany. Situated in southern Germany (population 230,000) Freiburg has long been a beacon of sustainable urban development, including recipient of the European City of the Year 2010 Award.

The Freiburg Charter was tailored for Freiburg by a cross section of interests and organisations. The Freiburg Charter contains nine objectives and 12 principles that were developed collectively and have guided planning and development of Freiburg over the past 13 years. The document continues to be used by planning authorities around the world as an example of building consensus in action.

(<https://www.academyofurbanism.org.uk/freiburg-charter/>). The Freiburg Charter has been recognised internationally as a useful tool for identifying accountable direction for Freiburg's cross-section of interests, institutions, private and public sectors, and non-government organisations (See: 'Sunday Video: Freiburg Is a Lesson in City Building', The Urbanist, October 22, 2023). The Freiburg Charter is recognised as a key ingredient in Freiburg's successful evolution (personal communication Wolf Daseking, September 2018).

3. Framing a Nanaimo 'Charter-like' conversation

Research suggests that in the Canadian context the use of 'charter' as a term for local government consensus and action may be a misnomer. It appears that the term 'charter' as used in Canada is very different from the term used in Europe. Yet, the 'ambition' of the term remains similar. For instance, the Nanaimo Mayor's Leader Table has identified a need to speak to local needs, issues and ambitions that reflect a cross-section of cultural,

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economic, environmental and social considerations identified by, and held in common by, the local government, First Nations, non-government organisations, institutions, health authorities, private sector, not-for-profit groups and other groups unique to the community being considered. The Mayor's Leaders Table believes such matters are critical to the long-term well-being and functioning of Nanaimo. Such collective 'ambition' is not a replacement for or in competition with Nanaimo's Official Community Plan. Rather there appears to be an opportunity to complement the OCP by collectively identifying principles, objectives and actions that are framed by both internal needs and external influences. But, if 'charter' is not a suitable term for Nanaimo, what term might be appropriate?

There needs to be an accepted name that supports the work of bringing various sectors and groups together: a term that empowers accountable collective commitment to action for all of Nanaimo's key stakeholders.

4. Next Steps

The Mayor's Leaders Table could be a catalyst for exploring the creation of a unique approach in Nanaimo. Perhaps such an approach is more aptly termed an accord, a covenant, a convention or a protocol. Such an approach could identify Guiding Principles that point to a future for Nanaimo that sets Nanaimo apart as a special place with collectively defined and supported unique attributes and ambitions that will make Nanaimo one of British Columbia's most successful, high quality, diverse, well functioning cities. That work (whatever it is called) could explore the integrated relationships of a host of organizations and institutions that collectively contribute and commit to the dynamic qualities of Nanaimo that make it unique. In short, the process and documentation could be a rallying cry for action and a vehicle for advocating for Nanaimo across a cross-section of areas and governments.