

# Federation of North Vancouver Community Associations

Maureen Bragg  
1846 Draycott Rd.  
North Vancouver, B.C.  
V7J 1W7

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Telephone: 604 980-3863

Local Government Policy and Research Branch  
Ministry of Community, Aboriginal and Women's Services  
P.O. Box 9490 Station Prov. Govt.  
Victoria, BC  
V8W 9N

August 11, 2002

Dear Hon. Ted Nebbeling:

## **RE: Draft Community Charter**

At the July 18<sup>th</sup> 2002 meeting of the *Federation of North Vancouver Community Associations*, a discussion took place regarding the Park Dedication/Undedication aspects under the current Local Government Act and the proposed Community Charter. A motion was subsequently moved and unanimously carried:

*"that park undedication should be made as stringent under the Community Charter as it presently is covered under the Local Government Act and that the current 5% of eligible voters requirement for counter-petitions be retained"*

As attachment #1 you will find a table which summarizes the comparative situation as presented at the FONVCA meeting. In support of retaining the 5% level for counter-petitions we ask that you refer to the UBCM's own study on this issue found at <http://www.marh.gov.bc.ca/LGPOLICY/MAR/SYMP2000/assent.html>

The conclusion of the UBCM study was that *"Overall, the survey indicated that local governments are making good use of the counter petition mechanisms and getting appropriate results"*. In our view, although there may be some rationale for a 10% requirement for small municipalities, this requirement is viewed as excessive for larger municipalities.

We look forward to your debate of these important community issues and a positive response in line with our recommendations.

Sincerely,

Maureen Bragg  
(Chair, FONVCA)

emailed to  
<mailto:CAWS.CharterFeedback@gems1.gov.bc.ca>  
cc: Mayor & Council, District of North Vancouver

**Attachment #1:**

Comparison of Park Protection / Counter Petition process provided by the current (Local Government Act) legislation and the proposed Draft Community Charter  
(prepared by Corrie Kost)

	<b>LOCAL GOVERNMENT ACT</b>	<b>DRAFT COMMUNITY CHARTER</b>
<b>PARK DEDICATION</b>	Majority of Council + Referendum (#303)	<b>2/3</b> of Council – no referendum required (ie. none allowed, opinions allowed)
<b>PARK UNDEDICATION</b>	Majority of Council + Referendum (implied by #303)	Majority of Council + (Referendum(#30-3) OR Counter-Petition Process #71-73)
<b>COUNTER-PETITION %</b>	<b>5%</b>	<b>10%</b>
<b>COUNTER-PETITION PERIOD</b>	<b>30 DAYS</b> (#172)	<b>30 DAYS</b>
<b>PARK RESERVATION</b>	Majority of Council	Same as for Dedication
<b>PARK UN-RESERVATION</b>	2/3 of Council + Counter-Petition Process #302	Same as for Undedication

Note: The above “interpretation” is the opinion of the author who feels it is in line with what a reasonably knowledgeable person would conclude about the current and proposed acts. The suggested improvements to the Community Charter which would redress the weakening of park protection are:

- a) Require that Park undedications have support of 2/3 of Council and **MUST** go through a referendum process – not just approval by the electorate - which allows for a counter-petition process.
- b) That the current counter-petition threshold of 5% be maintained. The 5% is supported by the UBCM.