



FONVCA AGENDA THURSDAY August 19th 2004

Place: DNV Hall 355 W. Queens Rd V7N 2K6

Time: 7:00-9:00pm

Chair: Allan Orr –Seymour Community Association –
Tel: 604-929-4408 allandorr@shaw.ca

1. Order/content of Agenda

2. Adoption of Minutes of July 15th

3. Old Business

3.1 Northlands – Update on Legal/Justice System.

3.2 Streamside Protection and Enhancement Areas (SPEAs)

The most important feature of the Act is the requirement that local governments establish streamside protection and enhancement areas by January 19, 2006. Local governments have to when exercising their powers under Part 26 of the Local Government Act with respect to residential, commercial and industrial development. Part 26 include zoning powers, rural land use bylaws powers, development permit powers and the power to pass farm bylaws, run-off control bylaws, and landscaping bylaws.

<http://www.bcwatersheds.org/issues/water/bcgwlp/o11-1.shtml>

3.3 Recycling Tender – Brian follow-up

3.4 Lynn Valley Library & Town Centre

- public meeting set for **Tues Aug 31**

- <http://www.dnv.org/article.asp?a=2511&c=607>

- <http://www.dnv.org/article.asp?a=2514&c=607>

-need to **get informed!**

3.5 Graffiti – Council voted Jul 19th to draft the bylaw as per CNV.

3.6 Annual Reporting Requirements:

letter to council sent; updates to be provided

4. Correspondence Issues

4.1 Business arising from 32 regular emails -

4.2 Non-Posted letters

None this period.

5. New Business

Council and other District issues.

5.1 Council Remuneration Committee

Volunteers are still wanted to serve on committee.

<http://www.dnv.org/article.asp?c=544&a=175>

5.2 DNV – Notable Planning Cases

http://www.dnv.org/planning_map.asp?c=607&a=2335

Example to be distributed

5.5 Key By-Election/Referendum Dates

Election day	Nov 6
Bell resigns	Aug 22
Council appoint election officer	Aug 23
Deadline for councillor to resign/run	Sep 7
Nomination Opens	Sep 21
Council Approval of Referenda by	Sep 23
Nomination Closes	Oct 1 (4pm)
Notice of Nominations limits	Aug 21 to Sep 15

Reference:

http://www.civicinfo.bc.ca/LocalGovernmentAct/data/gsd0c150_925.html#150-23744

6. Any Other Business

6.1 - Legal issues to think about-

How local governments work (or supposed to) can be found at

<http://www.bcwatersheds.org/issues/water/bcgwlp/o22.shtml>

BC Ombudsman –promotes fair treatment. See

<http://www.ombud.gov.bc.ca/> and the details of the Act

http://www.ombud.gov.bc.ca/publications/Ombuds_Act/Index.html

"The Ombudsman receives inquiries and complaints about the practices and services provided by public bodies, and may investigate to determine if the public body is being fair to the people it serves". A definitive case is found at

<http://www3.telus.net/GovtEthicsLaw/BCDC.htm>. The bad news is

closure of Vancouver office -

<http://www3.telus.net/GovtEthicsLaw/WhithOmb.htm>

Conflict of Interest – a really good read at

<http://www3.telus.net/GovtEthicsLaw/CofIResearchPapersTCLI.htm>

based on http://www.toronto inquiry.ca/cd/gg/pdf/Conflict_Vol1.pdf

and

http://www.toronto inquiry.ca/cd/gg/pdf/Conflict_Vol2.pdf

7. Chairperson & Date of next meeting.

September 16th /2004

Attachments

*List of Email to FONVCA of last 21 months - **BUT**

ONLY FOR SUBJECTS WITH NEW ENTRIES

OUTSTANDING COUNCIL ITEMS

- Cat Regulation Bylaw
- Review of Zoning Bylaw
- Securing of vehicle load bylaw
- District-wide OCP
- Taxicab regulations bylaw
- Street-ends opening to Waterfront
- Snow removal for single family homes bylaw

Correspondence Ordered by Subject

* means since new emails

12 Jul 2004 →

15 Aug 2004

Only subjects with new
entries are listed - ordered ~
by volume since 18 Nov/2002

Lynn Valley Plan / Bicycle Lanes / Roads /Referendum

Ernie_Crist_22jan2003.pdf
Ernie_Crist_4feb2003b.pdf
Ernie_Crist_5feb2003b.pdf
Ernie_Crist_12apr2003.pdf
Ernie_Crist_12jun2003b.pdf
Ernie_Crist_12aug2003b.pdf
Ernie_Crist_10sep2003.pdf
Ernie_Crist_11sep2003.pdf
Ernie_Crist_12sep2003b.pdf
Ernie_Crist_22jul2003.pdf
Ernie_Crist_3sep2003.pdf
Maureen_Bragg_11sep2003.pdf
Ernie_Crist_14sep2003.pdf
Ernie_Crist_22sep2003.pdf
Ernie_Crist_22sep2003b.pdf
Ernie_Crist_25sep2003.pdf
Ernie_Crist_26sep2003.pdf
Ernie_Crist_26sep2003b.pdf
Elizabeth_James_29sep2003.pdf
Ernie_Crist_29sep2003.pdf
Ernie_Crist_25nov2003c.pdf
Ernie_Crist_1may2004b.pdf
Ernie_Crist_7jun2004.pdf
* Ernie_Crist_5aug2004b.pdf
* Elizabeth_James_6aug2004.pdf
* Ernie_Crist_13aug2004b.pdf

Water Mains Replacement /Street Maintenance / Infrastructure /Garbage

Ernie_Crist_23apr2003.pdf
Ernie_Crist_23apr2003c.pdf
Maureen_Bragg_23apr2003.pdf
Ernie_Crist_26jul2003.pdf
* Ernie_Crist_14jul2004d.pdf

Mountain biking/Parking issue

Ernie_Crist_5jun2003.pdf
Ernie_Crist_6jun2003b.pdf
Ernie_Crist_24jun2003.pdf
Ernie_Crist_26jun2003c.pdf
Ernie_Crist_27jun2003.pdf
Ernie_Crist_8jul2003c.pdf
Ernie_Crist_26oct2003d.pdf
John_Harvey_26oct2003e.pdf
Ernie_Crist_3nov2003.pdf
Ernie_Crist_5nov2003.pdf
Wayne_Lloyd_7nov2003.pdf
Monica_Craver_17nov2003.pdf
Monica_Craver_8dec2003.pdf
Ernie_Crist_8dec2003b.pdf
Monica_Craver_6jan2004.pdf
Ernie_Crist_7jan2004.pdf
Ernie_Crist_24jan2004b.pdf
Monica_Craver_24jan2004.pdf
Monica_Craver_26jan2004.pdf
Monica_Craver_16feb2004.pdf
Monica_Craver_24feb2004.pdf
Ernie_Crist_25feb2004.pdf
Ernie_Crist_25feb2004e.pdf
Ernie_Crist_25feb2004f.pdf
Fred_Jorgesen_25feb2004.pdf
Ernie_Crist_26feb2004c.pdf

Sharon_Brader_26feb2004.pdf
Ernie_Crist_27feb2004.pdf
Ernie_Crist_28feb2004b.pdf
Ernie_Crist_28feb2004c.pdf
Ernie_Crist_29feb2004.pdf
Johnny_Smoke_1mar2004.pdf
Peter_Campbell_1mar2004.pdf
Ernie_Crist_2mar2004.pdf
Ernie_Crist_2mar2004b.pdf
Ernie_Crist_2mar2004c.pdf
Elizabeth_James_2mar2004.pdf
Ernie_Crist_4mar2004.pdf
Ernie_Crist_4mar2004b.pdf
Ernie_Crist_4mar2004c.pdf
Ernie_Crist_4mar2004d.pdf
Ernie_Crist_4mar2004e.pdf
Ernie_Crist_6mar2004.pdf
Ernie_Crist_7mar2004.pdf
David_Cook_30mar2004.pdf
Ernie_Crist_10mar2004b.pdf
Ernie_Crist_11mar2004.pdf
Ernie_Crist_11mar2004b.pdf
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Ernie_Crist_25mar2004c.pdf
Ernie_Crist_25mar2004d.pdf
Ernie_Crist_25mar2004e.pdf
Ernie_Crist_25mar2004f.pdf
Ronald_Edwards_26mar2004.pdf
Stuart_Louwen_26mar2004.pdf
Ernie_Crist_29mar2004.pdf
Ernie_Crist_29mar2004b.pdf
Elizabeth_James_31mar2004.pdf
Ernie_Crist_1apr2004.pdf
Ernie_Crist_7apr2004.pdf
Elizabeth_James_21apr2004.pdf
Ernie_Crist_21apr2004.pdf
James_Ridge_21apr2004.pdf
Elizabeth_James_21apr2004b.pdf
Ernie_Crist_26apr2004.pdf
Ernie_Crist_12may2004.pdf
Monica_Craver_5may2004.pdf
Elizabeth_James_7may2004.pdf
Monica_Craver_13may2004.pdf
Ernie_Crist_19may2004.pdf
Ernie_Crist_22may2004.pdf
Ernie_Crist_24may2004.pdf
Ernie_Crist_9jun2004b.pdf
Ernie_Crist_18jun2004.pdf
Monica_Craver_4jul2004.pdf
Lyle_Craver_5jul2004.pdf
Monica_Craver_6jul2004.pdf
Monica_Craver_7jul2004.pdf

Yard Trimming Collection Program / Recycling /Solid Waste

Ernie_Crist_13mar2003.pdf
Ernie_Crist_12apr2003b.pdf
Ernie_Crist_6jun2003c.pdf
Ernie_Crist_12jun2003.pdf
Ernie_Crist_22nov2003.pdf

Ernie_Crist_25nov2003.pdf
Ernie_Crist_3jan2004.pdf
Ernie_Crist_3jan2004b.pdf
Ernie_Crist_11jan2004b.pdf
Brian_Platts_19jan2004.pdf
Corrie_Kost_18jan2004.pdf
Ernie_Crist_14mar2004.pdf
Brian_Platts_9may2004.pdf
Brian_Platts_10may2004.pdf
Elizabeth_James_5may2004.pdf
Elizabeth_James_10may2004.pdf
James_Ridge_10may2004.pdf
* Ernie_Crist_16jul2004.pdf

Health Care / LGH

Ernie_Crist_30jan2003b.pdf
Ernie_Crist_20may2003.pdf
Ernie_Crist_4jun2003.pdf
Ernie_Crist_17jun2003.pdf
Ernie_Crist_19jun2003.pdf
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Ernie_Crist_15sep2003d.pdf
Ernie_Crist_29oct2003b.pdf
Ernie_Crist_29oct2003c.pdf
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Ernie_Crist_19jan2004.pdf
Ernie_Crist_24jan2004a.pdf
Ernie_Crist_2feb2004b.pdf
Ernie_Crist_21jun2004.pdf
Elizabeth_James_23jun2004b.pdf
Ernie_Crist_23jun2004b.pdf
* Ernie_Crist_14jul2004.pdf
* Ernie_Crist_14jul2004c.pdf

Affordable / Seniors Housing

Ernie_Crist_19dec2002b.pdf
Ernie_Crist_15jan2003b.pdf
Ernie_Crist_16jan2003a.pdf
Ernie_Crist_16jan2003b.pdf
John_Hunter_16jan2003.pdf
Maureen_Bragg_16jan2003.pdf
John_Hunter_16jan2003b.pdf
Maureen_Bragg_17jan2003.pdf
Bill_Tracey_17jan2003.pdf
Maureen_Bragg_17jan2003b.pdf
Ernie_Crist_17jan2003.pdf
Ernie_Crist_18jan2003b.pdf
Brian_Platts_13jul2003.pdf
Ernie_Crist_23nov2003b.pdf
Ernie_Crist_10may2004.pdf
Kara_Parachoniak_22jun2004.pdf
Darren_Parachoniak_22jun2004.pdf
Lee_Gainer_22jun2004.pdf
Elizabeth_James_22jun2004.pdf
Ernie_Crist_22jun2004.pdf
Allan_DeJong_23jun2004.pdf
James_Ridge_23jun2004.pdf
Ernie_Crist_24jun2004.pdf
Allan_DeJong_7jul2004.pdf
* Ernie_Crist_30jul2004.pdf

Censure of Councillors

Ernie_Crist_17jul2003.pdf
Ernie_Crist_2sep2003b.pdf
Ernie_Crist_9sep2003b.pdf
Ernie_Crist_9sep2003.pdf
Ernie_Crist_10sep2003b.pdf
Ernie_Crist_23sep2003.pdf
Ernie_Crist_24sep2003b.pdf
Ernie_Crist_8oct2003.pdf
Ernie_Crist_2may2004.pdf
Ernie_Crist_3may2004.pdf
Ernie_Crist_3may2004a.pdf
Ernie_Crist_4may2004.pdf
Elizabeth_James_4may2004.pdf
Ernie_Crist_7may2004.pdf
Ernie_Crist_12may2004.pdf
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Ernie_Crist_19may2004c.pdf
Elizabeth_James_19may2004.pdf
Elizabeth_James_19may2004d.pdf
Ernie_Crist_21may2004.pdf
Ernie_Crist_21may2004b.pdf
Ernie_Crist_25may2004.pdf
Ernie_Crist_12jun2004b.pdf
* Ernie_Crist_19jul2004.pdf
* Ernie_Crist_19jul2004c.pdf
* Brian_Platts_20jul2004.pdf
* Ernie_Crist_5aug2004.pdf

New Lynn Valley Library / 1996 Referendum

Ernie_Crist_5sep2003c.pdf
Ernie_Crist_3nov2003c.pdf
Ernie_Crist_15dec2003.pdf
Ernie_Crist_1jan2004.pdf
Ernie_Crist_5feb2004.pdf
Ernie_Crist_10mar2004.pdf
Elizabeth_James_27apr2004.pdf
Ernie_Crist_27apr2004b.pdf
Ernie_Crist_30apr2004.pdf
Ernie_Crist_5may2004b.pdf
Elizabeth_James_6may2004.pdf
Elizabeth_James_21may2004.pdf
Ernie_Crist_23may2004.pdf
* Ernie_Crist_19jul2004d.pdf
* Ernie_Crist_4aug2004.pdf
* Elizabeth_James_13aug2004.pdf
* Elizabeth_James_14aug2004.pdf

Community Policing Centres / Integrated Policing / Crime Statistics

Ernie_Crist_13apr2003.pdf
Ernie_Crist_31dec2003.pdf
* Ernie_Crist_12aug2004.pdf

Violence / Gratuitous Violence on TV

Ernie_Crist_2aug2003b.pdf
Ernie_Crist_9dec2003.pdf
Ernie_Crist_9dec2003b.pdf
Elizabeth_James_10dec2003.pdf
Ernie_Crist_2feb2004c.pdf
Ernie_Crist_4mar2004.pdf
* Ernie_Crist_30jul2004b.pdf

Council & Staff Expenses & Policies

Ernie_Crist_17jun2004b.pdf
Ernie_Crist_19jun2004b.pdf
* Ernie_Crist_17jul2004.pdf
* Ernie_Crist_19jul2004b.pdf
* Ernie_Crist_21jul2004.pdf
* Ernie_Crist_22jul2004.pdf
* Ernie_Crist_23jul2004.pdf

Council Remuneration (Pay)

* Ernie_Crist_14jul2004b.pdf

BC Ferries

* Ernie_Crist_23jul2004b.pdf

Illegal Cabin

* Ernie_Crist_25jul2004.pdf

Local Government Bulletin

* Elizabeth_James_26jul2004.pdf

FONVCA

Minutes of July 15th 2004

Attendees:

Eric Andersen (Chair)	Blueridge C.A.
Maureen Bragg	Save Lynn Canyon Park
John Miller	Lower Capilano R.A.
Brian Platts	Edgemont C.A.
Diana Belhouse	Delbrook C.A.
Corrie Kost	Edgemont C.A.
Hugh Murray	Lower Capilano C.A.
Cathy Adams (Notes)	Lions Gate N.A..

Meeting started at 7:30 p.m. Late start due to locked doors upon arrival at District Hall.

*The clerk's office had FONVCA as meeting each month, except July and August. This has now been changed to meeting each month; prior to summer months, after it has been determined whether FONVCA will meet, or not, someone should phone the clerk's office and confirm the room booking situation for summer.

1. ORDER/CONTENT OF AGENDA

- 3.7a Arts Council/Graffiti
- 6.2 Citizens League Defence Fund
- 6.3 Registered Community Associations
- 6.4 Public Information Meetings
- 6.5 Highways Maintenance

2. ADOPTION OF JUNE 17th MINUTES

Moved/seconded by Brian Platts/Hugh Murray
Carried unanimously.

3. OLD BUSINESS

3.1 Northlands:

Several people attended the sentencing of Christie Hammond, including Brian Platts, Cathy Adams, Val Moller. Some neighbours of Ms. Hammond, have been concerned as to whether the conditions of house arrest are being followed. Follow up to be done.

3.2 Citizen's Assembly Meetings:

Letter requesting an additional Public Hearing on the North Shore was sent. NV Assembly member, Gene Kwan phoned Brian Platts saying that an additional Public Hearing would likely be held downtown in June. The Assembly will review all submissions over the summer and will make a recommendation in the fall.

3.3 Recycling Tender. Brian has not yet had a reply to his request for contract details, via FOI. Several people have concerns with new contractor, including late (sometimes days late) pickups, problems with large turning radius or the trucks, one man operations. Brian will email Gavin Joyce with concerns. - **ACTION**

3.4 Capilano Suspension Bridge Liability Issue;

Brian is still trying to contact DNV with further concerns. Council released in-camera decision to not go ahead with

Lynn Valley Greenheart project, which has been under discussion for several years. This was a council decision, and not a result of a public process.

3.5 Edgemont Liquor Store

Community public meeting held on July 6th, with many speakers. DNV will submit a package on the meeting and submissions to the province, then the applicant is given an opportunity to respond. Someone from the community is pursuing the narrow definition the "public interest" has been given. Will it make a difference? Remains to be seen at this point.

3.6 Sale of Parkland

District is proposing sale of greenspace to an owner who has encroachments, to regularize their property. The PNEAC is opposed, and last month FONVCA sent a letter of opposition. Nonetheless council decided to go to Public Hearing on this. Don Bell and Lisa Muri were absent, with Alan Nixon in conflict, so only 4 voted on this important precedent setting issue.

3.7 Graffiti

Letter by FONVCA was sent to council. This issue is to be discussed by council on July 19th, with a motion put forward by Alan Nixon. City of North Van has a bylaw – one which is needed here as well.

3.7a Arts Council - has put out a challenge to the "graffiti community". They will provide an opportunity for displays of graffiti as artwork.

4. CORRESPONDENCE ISSUES

4.1 Business arising from regular emails –

46 new letters received to July 11th

Issues discussed at this meeting:

- a. RAV Dead - dead - dead - alive!!!
- b. Seniors housing at 100 blk W. Queens - there had been some discussion about breaking the block up into 6 pieces, but after a special council meeting held June 29th on this issue council did not proceed with that. There is a 5 year renewable clause to have a total of 37 of the 97 units are to be subsidized by the Province. Density (units/acre, not bulk) bonusing amounted to over 100%. All units will be rentals, cannot be stratified. The project is 18 feet higher than would be permitted for Single Family zoning. The public hearings on this were closed July 13th.

4.2 Non-posted e-mails – None

5. NEW BUSINESS

5.1 New Fire Bylaw

Single Family homes will be required to have **smoke detectors**. Corrie sent a letter challenging the District's authority on this, and was sent a reference to the section' of the Community Charter which permits it.

Watering restrictions along greenbelts are to be relaxed, under authority of the Fire Chief, for safety of homes, and also the protection of the forest from a fire originating on private property.

Note that with regards to water restrictions, the **Coquitlam reservoir has lots of capacity**, but Hydro would need to be paid for the rights. Only a piece of paper separates the region from having sufficient supplies of water so that we would no longer require water restrictions.

5.2 Streamside Setback Regulations

These are to be changed by the Province. DNV used to be a leader in this area, but it seems no longer. Interpretations are lenient; now only the "impact" of a development must be taken into account. Fishbearing streams were to be protected, but now it is unknown whether there will be a public process to protect them. See the "facts sheet /concerns page at" <http://www.bcssp.ca/letters/factsheet.pdf>

5.3 Annual Report - Reporting Requirements

The District was notified a year ago of new provincial requirements. **Several requirements under the Community Charter were not met.** It was decided to send a letter to council asking council to adhere to the requirements of the Community Charter, in particular Sections 98 and 99. **ACTION**

5.4 Chaos Theory of Transportation - Part 2

In part 1 we had the idea of having "no rules" - and that it doesn't make a difference. In part 2 Eric Andersen shared his observations from China. There are lots of accidents there – showing rules are needed.

5.5 By-Election

By-Election will likely be November 6th. Maureen McKeon-Holmes made a motion, which was not seconded, suggesting a mechanism whereby Don Bell would not resign right away, and a by-election would be avoided. Many residents spoke against the motion. There was discussion about who has declared, or may be considering, running. Brian will get information from Agnes Hilsen on deadlines for declaration of candidacy, when referendum questions must be decided on by council, etc. - **ACTION**

6. ANY OTHER BUSINESS

6.1 "Legal Issues to think about"

Council cannot base decisions on information not available at the time of a public hearing. Regarding a rezoning for a grocery store, Corrie asked about the difference in tax rates for the store, versus rezoning to (2) single family. Staff didn't have info at hand, but looked up information during the public hearing. Turned out that 2 residences would pay more in taxes than the store. An example of the process being properly applied.

6.2 Citizens Legal Defence Fund

Liz James sent a letter asking FONVCA to consider the need for such a fund. Corrie will invite Liz to next FONVCA meeting to explain her initiative, and answer questions. **ACTION**

6.3 Registered Community Associations

Brian sent in FONVCA's January's minutes to the Clerk's office, as it is considered our AGM. All CA's wanting to remain in good standing as an officially registered association are reminded to submit the minutes of their Annual General Meetings to the DNV Clerk's office.

6.4 Public Information Meetings

To be chaired by Community Associations? They are sponsored by the developer. Brian recently chaired one for which staff did not wish to attend, due to prior abuse by a resident. It was done in council chambers so staff could later review a tape.

6.5 Highways Maintenance

The Rotary Club is paying to have the north bridgehead maintained, with having the lawn mowed, etc. Highways is hoping to have community groups come forward to maintain different areas, but concerns include safety, liability, etc. Non-maintenance leads to concerns about fire hazard, untidy appearance, and bike and pedestrian routes not being maintained to a safe standard.

7. CHAIR AND DATE OF NEXT MEETING

Chair will be Allan Orr –
August 19th room booking has been confirmed!

Meeting adjourned at 9:50 p.m.

Community Charter

Ministry of
Community, Aboriginal
and Women's Services

[The Minister](#)[News](#)[Search](#)[Reports & Publications](#)[Contacts](#)[Community Charter Home](#)[Local Government Home](#)

Annual Municipal Meeting

[Part 4 Division 5](#) of the *Community Charter* requires council to consider the annual municipal report at an annual meeting. At the annual meeting, council must consider submissions and questions from the public.

What is required

Each year, after the annual municipal report has been prepared and released for public inspection, council must consider the report at a public meeting. The meeting may be part of a regular council meeting, a special council meeting or another public meeting.

The meeting must occur at least 14 days **after** the annual report is released for public inspection but before June 30, and council must give notice of the date, time and place of the meeting in accordance with [section 94](#).

What to consider

Councils may wish to consider the following points when planning for the annual meeting.

Dedicated Meeting

The annual meeting provides an opportunity for elected officials and citizens to review the previous year's objectives and discuss future goals. The legislation provides that the report may be considered during any advertised public gathering, including a regular council meeting. It is up to council to determine the best option for holding the annual meeting: either as part of a council meeting or as a separate meeting. Keep in mind that the key goal is to facilitate public access to the meeting.

Setting

The regular meeting location is appropriate for most council meetings. However, it may not be the best setting for the public and council to review the annual municipal report. The primary purpose of the annual report meeting is to provide a forum to allow citizens to ask questions on the report and other matters. Council may choose a less formal setting, such as a community centre, theatre or a school gymnasium for this meeting.

Presentation

There is no legislative requirement for council to make a public presentation on the report. However, a presentation from council may add value to the discussion and help to explain the content of the report.

Follow-up

Council and staff may not be able to answer every question that is posed at the annual meeting. Questions that require follow-up should be recorded and answers provided. These can be communicated to the public through a web site, local newspaper, a municipal newsletter or at a subsequent meeting.

Some citizens may be reluctant, even in an informal setting, to ask questions, so councils may want to consider enabling them to submit questions in writing. This also provides an opportunity for the council to prepare responses.

How to proceed

Council will need to decide how it wants to proceed with its annual meeting early enough in the year to make the necessary arrangements. Council may want to obtain public input on the format of the meeting. Based on the input, the council should provide adequate advertising to make the public aware of the time and place of the annual meeting. While the *Community Charter* requires an advertisement once each week for two consecutive weeks in a newspaper distributed at least weekly, council may well consider that more notice in other forms (eg. the municipal website) is appropriate.

Please direct questions or comments to [Advisory Services Branch](#).

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[•Feedback](#)

Division 5 -- Reporting

Annual municipal report

98 (1) Before June 30 in each year, a council must

- (a) prepare an annual report,
- (b) make the report available for public inspection under section 97, and
- (c) have the report available for public inspection at the meeting required under section 99.

(2) The annual report must include the following:

- (a) the audited annual financial statements referred to in section 167 (4) for the previous year;
- (b) for each tax exemption provided by a council under Division 7 [Permissive Tax Exemptions] of Part 7 [Municipal Revenue], the amount of property taxes that would have been imposed on the property in the previous year if it were not exempt for that year;
- (c) a report respecting municipal services and operations for the previous year;
- (d) a progress report respecting the previous year in relation to the objectives and measures established for that year under paragraph (f);
- (e) any declarations of disqualification made under section 111 [application to court for declaration of disqualification] in the previous year, including identification of the council member or former council member involved and the nature of the disqualification;
- (f) a statement of municipal objectives, and the measures that will be used to determine progress respecting those objectives, for the current and next year;
- (g) any other information the council considers advisable.

Annual meeting on report

99 (1) The council must annually consider, at a council meeting or other public meeting,

- (a) the annual report prepared under section 98, and
 - (b) submissions and questions from the public.
- (2) The annual meeting must occur at least 14 days after the annual report is made available for public inspection under section 97.
- (3) The council must give notice of the date, time and place of the annual meeting in accordance with section 94 [public notice].

Division 5 -- Reporting

Annual municipal report

98 (1) Before June 30 in each year, a council must

- (a) prepare an annual report,
- (b) make the report available for public inspection under section 97, and
- (c) have the report available for public inspection at the meeting required under section 99.

(2) The annual report must include the following:

- (a) the audited annual financial statements referred to in section 167 (4) for the previous year;
- (b) for each tax exemption provided by a council under Division 7 [Permissive Tax Exemptions] of Part 7 [Municipal Revenue], the amount of property taxes that would have been imposed on the property in the previous year if it were not exempt for that year;
- (c) a report respecting municipal services and operations for the previous year;
- (d) a progress report respecting the previous year in relation to the objectives and measures established for that year under paragraph (f);
- (e) any declarations of disqualification made under section 111 [application to court for declaration of disqualification] in the previous year, including identification of the council member or former council member involved and the nature of the disqualification;
- (f) a statement of municipal objectives, and the measures that will be used to determine progress respecting those objectives, for the current and next year;
- (g) any other information the council considers advisable.

Annual meeting on report

99 (1) The council must annually consider, at a council meeting or other public meeting,

- (a) the annual report prepared under section 98, and
 - (b) submissions and questions from the public.
- (2) The annual meeting must occur at least 14 days after the annual report is made available for public inspection under section 97.
- (3) The council must give notice of the date, time and place of the annual meeting in accordance with section 94 [public notice].

Subject: RE: Violation of annual reporting requirements

Date: Tue, 27 Jul 2004 11:59:15 -0700

From: "Sutherland, Don CAWS:EX" <Don.Sutherland@gems3.gov.bc.ca>

To: "Corrie Kost" <kost@triumf.ca>

Hi Corrie,

This is a difficult question to answer because in a sense, there is nothing that can be done. By that I mean, you cannot turn the clock back once the due date has passed.

If a municipality is unable to meet the due date, then I would expect they would make every effort to hold the annual meeting as soon as possible. If a municipality refuses to meet the annual reporting requirements, then the matter needs to be referred to the courts.

Don Sutherland
Director
Advisory Services Branch
Local Government Department
250) 387-4025

-----Original Message-----

From: Corrie Kost [<mailto:kost@triumf.ca>]

Sent: July 20, 2004 8:10 AM

To: Sutherland, Don CAWS:EX

Subject: Violation of annual reporting requirements

Dear Don Sutherland,

Please advise what recourse is available to residents of a municipality which is in violation of the annual reporting requirements of the Community Charter. Specifically, what can a resident do when a municipality does not hold the required annual meeting by June 30/2004?

Yours truly,

Corrie Kost

Subject: What is the Relationship(of Density Bonus) to the Official Community Plan?

Date: Sat, 07 Aug 2004 14:27:12 -0700

From: Corrie Kost <corrie@kost.ca>

To: corrie@kost.ca

CC: Brian Platts <bplatts@shaw.ca>, Elizabeth James <cagebc@yahoo.com>, fonvca@fonvca.org

This note is result of some research on how LGA relates density bonussing to the OCP and could be useful in dealing with such situations.

You will note that for example on the 600 block West Queens Rd issue, that the North Lonsdale-Delbrook OCP lacks some of the key elements with regard to density bonussing. It only states under Policy 5.1.1 and Implimentation 5.1.1.4 "Consider higher density for the sites designated above when applications include seniors' assisted (non--market) housing, seniors' rental housing and/or seniors' congregate care since these units tend to be smaller in size and generate less parking demand"

"Determine the size and type of bonus that will be granted" was missing in the OCP. In the above specific case, council granted a bonus in number of units/acre (set in 5.1.1.1 at 36.3 units/acre) more than double the designated amount (79 units/acre).

Bottom line - since size of bonus was not placed in OCP none (especially not such a significant density bonus) should/could have been granted without first amending the OCP.

<http://www.mcaaws.gov.bc.ca/housing/BONUSDN/rel-ocp.html>



Ministry of Community, Aboriginal and Women's Services

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Density Bonus Provisions of the Municipal Act


What is the Relationship to the Official Community Plan?

A density bonus system usually contains four common elements that should be articulated in a community's policy documents. Communities should:

- clearly establish the purpose of the system;
- define the amenities or housing they want to achieve;
- determine the size and type of the bonus that will be granted; and,
- outline a method of administering the bonus system.

Communities may find it works best to outline these elements in their Official Community Plan or other broad policy documents. As amenities and housing needs are specific to the local area, communities will find that determining the amenities desired or housing required involves a well-defined public process. This process often includes collaboration with other local government departments and consultation with the development sector. A list of priorities can then be specified in policy documents and Official Community Plans.

This page is part of Density Bonussing: A Guide and Bylaw, published by the Ministry of Municipal Affairs and Housing, March 1997.

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Corrie Kost <kost@triumf.ca>



Ministry of Community, Aboriginal and Women's Services

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Density Bonus Provisions of the Municipal Act

Model Density Bonus Bylaw Provisions

The Government of British Columbia strongly recommends that local governments obtain legal advice from their solicitors when drafting density bonus provisions for their zoning bylaw.

NOTE:

Wherever a "++" is used, the bylaw author needs to replace it with relevant information.

A. Section 963.1 of the [Municipal Act](#) authorizes a [Council/Board] ++ to adopt a zoning bylaw which may establish:

(a) different density regulations for a zone, one generally applicable for the zone and the other or others to apply if the applicable conditions are met, and

(b) conditions that will entitle an owner to the higher density;

B. The [Council/Board] wishes to provide for increased permitted density in the [++ specify zone(s)] if the applicable conditions relating to [++ the provision of affordable and special needs housing or amenities] are provided [++ or conserved];

1. Definitions.

In this bylaw [++ or section]:

(a) "affordable and special needs housing" means ++ [to be defined in terms of the type(s) of affordable and special-needs housing required or desired by the municipality, whether rental, for a specific class of persons, or otherwise];

(b) "amenity" means ++ [to be defined in accordance with section 215(1.4) of the Land Title Act or in terms of an amenity such as underground parking, public art, street trees, parkland, daycare, to be provided or conserved];

2A. Density.

The floor space ratio [as previously defined in the bylaw] for all building and structures on a [++ lot/parcel] must not exceed ++ .

OR

2B. Density.

Density must not exceed ++ dwelling units per hectare of lot area.

3A. Bonus Density.

The floor space ratio permitted under section 2A above will be increased by

(a ++ for each [++ dwelling unit or other unit of affordable and special needs housing provided], or

(b) ++ for each [++ unit of amenity provided or conserved],

[++ to a maximum total floor space ratio of ++], but only if the conditions set out in section 4 below are met.

OR

3B. Bonus Density.

Despite section ++ 2B above, ++ additional dwelling units per hectare of lot area are permitted

(a) ++ for each [(dwelling unit or other unit of affordable and special needs housing provided), or

(b) ++ for each [++ unit of amenity provided or conserved],

but only if the conditions set out in section 4 below are met. [In no case will the total number of dwelling units per hectare of lot area exceed ++ .]

4. Conditions for Bonus Density.

Following are the conditions which must be met before the bonus density under section ++ 3A/3B above will be permitted:

(a) where an amenity is to be provided [(++ or conserved)], the registered owner must grant to the municipality a covenant under section 215 of the Land Title Act, in registrable form, providing that ++ ;

(b) where affordable and special needs housing is to be provided, the registered owner must enter into a housing agreement with the municipality under section 963.2 of the Municipal Act, to ensure that the affordable and special needs housing is constructed and maintained for [++ purpose];

(c) the housing agreement [++ or section 215 covenant] must [contain terms and conditions as follows: ++ ;]

or

[be provided in substantially the form attached to this bylaw as [++ schedule]],

and must be granted, executed and delivered to the municipality prior to the issuance of any building permit for the land in relation to which the density bonus is permitted;

(d) ++ .

This page is part of Density Bonusing: A Guide and Bylaw, published by the Ministry of Municipal Affairs and Housing, March 1997.

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