

# FONVCA MINUTES

THURSDAY December 18<sup>th</sup> 2008

**Place:** DNV Hall 355 W. Queens Rd V7N 2K6  
**Time:** 7:00-9:00pm  
**Chair:** Dan Ellis – Lynn Valley Community Association  
Tel:604-816-8823 Email: ellis7880@shaw.ca

## Members Present:

Dan Ellis ( <b>Chair</b> )	(Lynn Valley CA)
Corrie Kost	(Edgemont CA)
Paul Tubb ( <b>Notes</b> )	(Pemberton Hts. C.A.)
Eric Andersen	(Blueridge C.A.)
Knud Hille	(Norgate Park C.A.)

**Regrets:** David Knee, Del Kristalovich, Val Moller, Cathy Adams

## 1. Order/content of Agenda

As printed in latest agenda

## 2. Adoption of Minutes of Nov 20<sup>th</sup>

<http://www.fonvca.org/agendas/dec2008/minutes-nov2008.pdf>  
The minutes were approved (Eric/Paul)

## 3. Old Business

### Update on Community Planning Working Group

(District OCP Process) Some FONVCA members were concerned that FONVCA was not invited to participate in the Working Group and that the Working Group meetings are not public ( see email of Dec 9 from Brian Bydwell – attached to agenda package). They felt it could lead to bias in the recommended process and reduced legitimacy. Others were comfortable with Council seeking advice as it sees fit.

**Action:** Cathy & Corrie to pursue the promised reports of the first 4 meetings ( as per above email which stated “update report on the first four meetings of the CPWG are available” at <http://www.dnv.org/article.asp?c=1029> ) which have not been found to date on the DNV web site and to monitor the site for additional information.

**Action:** Corrie to e-mail David Stuart re speaking to this when he attends FONVCA’s January meeting to provide FONVCA with an update on finances.

## 4. Correspondence Issues

### 4.1 Business arising from 8 regular emails:

Contents of the letters were outlined. No action.

### 4.2 Non-Posted letters – 0 this period

## 5. New Business

Council and other District issues.

## 5.1 Problematic Property Taxes

<http://www.cwf.ca/V2/files/PROBLEMATIC.pdf> and summary <http://www.fonvca.org/agendas/dec2008/Summary-Canada-West-Foundation%20-Problematic-Property-Tax.pdf> (attached to agenda)

## Property Tax Reforms

<http://www.fonvca.org/agendas/dec2008/Lethbridge-Herald-on-municipal-taxes.pdf> (attached to agenda)

There was discussion of local funding not keeping up with increasing responsibilities (due to downloading) and the cost impact on municipalities of the shift of population from rural to urban. The lower reliance on property taxes, due to other funding sources (e.g., sales tax) in other jurisdictions, was noted.

## 5.3 Tracking Council Public Participation

<http://www.fonvca.org/agendas/dec2008/Public%20Participation%20in%20DNV%20Council%20Meetings.txt> (attached to agenda)

The decline over the last decade, in opportunities for public participation at regular council meetings, was highlighted. See also 6.2.

## 5.4 Disposable Shopping Bags

Council changed “ban” to “reduce” – see agenda item #2 of council mtg of November 24/2008.

[http://www.dnv.org/upload/documents/Council\\_Agendas\\_Minutes/cm081124.htm](http://www.dnv.org/upload/documents/Council_Agendas_Minutes/cm081124.htm)

Council’s decision to discourage use of plastic bags rather than ban them was felt to be a reasonable response.

## 5.5 Industrial Noise Issue:

Knud summarized the industrial noise issue and progress to date. The Waterfront Noise Forum set up by DNV has not produced any results yet but on a parallel track the Canadian Transportation Agency mediation process is underway. CTA discussions will be in camera but results will be public. CN has agreed to change some procedures and attempt to mitigate noise. There will be a 24 hour complaint line and an e-mail contact. Council at it’s last meeting discussed establishing a North Shore Waterfront Liaison Committee that will cover the area from West Vancouver to Deep Cove and have noise issues within its mandate. Paul noted that he had been requesting an update from DNV on noise issues for some time without success.

**Action:** Paul and Knud to discuss further.  
See also 6.1 (b).

## 5.6 Tap Water Survey – Ipsos Ried

<http://www.metrovancouver.org/region/tapwater/Documents/2008DrinkingWaterSurvey.pdf>

- tap water consumption >3 times bottled water
- half still filter their tap water
- 60% have no concerns about tap water
- 33% have no concerns about bottled water
- 80% consider tap water “good-excellent”
- 74% use tap water as main source of drinking water

Summary:

<http://www.metrovancouver.org/region/tapwater/Documents/2008DrinkingWaterSurveySummary.pdf> (attached to agenda)

It was noted that a campaign is underway to educate the public and promote the use of tap water (instead of bottled water).

## 6. Any Other Business

### 6.1 Legal Issues –

#### a) Top Court to consider FOI issue

A Vancouver SUN article of Dec 10/2008 by Janice Tibbetts

<http://www.fonvca.org/agendas/dec2008/FOI.pdf>

(attached to agenda) A Supreme court of Canada decision on this important public issue is not expected for some months. It may well have significant impacts on the extent to which governments can keep information away from public scrutiny

#### b) Top Court rules Industries liable if they excessively annoy residents (see 2 attachments to agenda)

<http://www.fonvca.org/agendas/dec2008/industrial-polluters.pdf>  
<http://scc.lexum.umontreal.ca/en/2008/2008scc64/2008scc64.htm>

Companies are now liable for damages even if they are complying with regulations. This will broaden residents' ability to deal with issues such as waterfront noise.

#### c) Dunsmuir v New Brunswick (2008 Supreme Court of Canada) Supreme Court decided to jettison the test of "patent unreasonableness" in favour of a "simplified" test of "reasonableness".

<http://www.sms.bc.ca/logo/pdfs/LoGo-65.pdf> (attached to agenda)

The change in the reasonableness test is expected to broaden the grounds for challenges to municipal bylaws.

#### d) Dangers of Drinking and Walking

<http://www.fonvca.org/agendas/dec2008/Lethbridge-Herald-Drinking-and-walking.pdf> (attached to agenda)

Discussion focused on how practical it would be to restrict drinking and walking and how far any restrictions could reasonably be taken.

#### e) Municipal Election Guide 2008

[http://www.cd.gov.bc.ca/lgd/gov\\_structure/library/local\\_elections\\_candidate\\_guide.pdf](http://www.cd.gov.bc.ca/lgd/gov_structure/library/local_elections_candidate_guide.pdf)

Info provided for information only.

#### f) UBCM wins protection from the BC/Alberta Trade, Investment, and Labour Mobility agreement TILMA for Munis (see attached)

[http://www.islandtides.com/assets/reprint/bcgov\\_20080821b.pdf](http://www.islandtides.com/assets/reprint/bcgov_20080821b.pdf) To encourage local preferences limits were changed.

Goods: \$10,000+ → \$75,000+

Services: \$75,000+ → \$75,000+

Construction: \$100,000+ → \$200,000+

Local governments now have greater flexibility to specify local labour content.

## 6.2 Any Other Issues (2 min each)

Corrie presented his concerns about the Council's consent agenda process where recently an items were added to the consent agenda after the public input portion of the meeting was closed. The concern is that such last minute additions eliminate the opportunity for public input. There is a previous letter from FONVCA to Council expressing concern but no reply had been received. Councillor Nixon had indicated he would object to such changes but in this case did not.

**Action:** Corrie will communicate with the Clerk about the process for consent agenda changes and report back.

## 7. Chair & Date of next meeting.

Knud Hille - Norgate Park C.A.

Tel: 604-980-8762

Email: kshille@yahoo.com

7pm Thursday, January 15<sup>th</sup>, 2009

The meeting was adjourned ~ 9:15 pm.