

## 5.4 Which comes first – CO<sub>2</sub> or Warming?

<http://pubs.acs.org/cen/email/html/8751cover2.html>

## 5.5 Examples of Best Practices in DNV

- Pedestrian Master Plan:  
<http://www.dnv.org/article.asp?c=22&a=4474>
- Film Industry: <http://www.dnv.org/article.asp?a=1816&c=27>  
<http://www.dnv.org/upload/documents/cpolicy/c414702.pdf>
- Natural Hazards Management:  
[http://www.dnv.org/upload/documents/council\\_workshops/cwm091026.htm](http://www.dnv.org/upload/documents/council_workshops/cwm091026.htm)
- Corporate Plan
- Snow Clearing Plans
- 2009 UBCM Community Award for Best Practices in Annual Reporting
- Transportation Planning:  
<http://www.dnv.org/upload/documents/communications%20general/getting%20around%20in%20the%20dnv%20transportation%20position%20paper.pdf>

## 5.6 Landfill vs. Incineration (after RRR)

Good article from March/2009 issue of Municipal World at <http://dept.econ.yorku.ca/schwartz/paper/scan1.pdf>

A good perspective on incineration is available at <http://en.wikipedia.org/wiki/Incineration>

## 5.7 Port Issues? – Eric

## 6. Any Other Business

### 6.1 Legal Issues

#### (a) Illegal Donations for Municipal Elections

<http://www.vancouver.sun.com/business/Illegal+donations+mean+Summerland+legitimate+council/2275145/story.html>

Time limit gotcha:

<http://www.fonvca.org/agendas/jan2010/rcmp.pdf>

#### (b) Dawson Creek Referendum opposing borrowing.

Follow-up of 6.1 – July/2009 – “Fighting City Hall” –

<http://www.sms.bc.ca/logo/2009/fall/fall2009-3.html>

The OCP Trump Card: By Appeasing Popular Opinion Council Oversteps its Jurisdiction

#### (c) Selling of Public Lands

<http://www.sms.bc.ca/logo/2009/fall/fall2009-1.html>

#### (d) Board of Variance Information Handout- attached

#### (e) Cell Phone – basis for new regulations while driving

<http://www.pssg.gov.bc.ca/legislation/docs/distracted-driver-cell-phone-discussion-paper.pdf>

### 6.2 Any Other Issues (2 min each)

- a) Sask. – Controverted Municipal Election Act
- b) Anti-camping unconstitutionality upheld
- c) Is Green Mass Transit a Myth?
- d) Who killed Copenhagen?
- e) Indian Arm Review

## 7. Chair & Date of next meeting.

**Thursday February 18<sup>th</sup> 2010**

### Attachments

-List of Email to FONVCA - **ONLY NEW ENTRIES**

**OUTSTANDING COUNCIL ITEMS**-Cat Regulation Bylaw; District-wide OCP; Review of Zoning Bylaw; Securing of vehicle load bylaw; Snow removal for single family homes bylaw.

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

**Time:** 7:00-9:00pm

**Chair:** Diana Belhouse – Save Our Shores

**Tel:** 604-987-1656

Regrets: Del Kistalovich, Paul Tubb

## 1. Order/content of Agenda

## 2. Adoption of Minutes of Nov 19<sup>th</sup>

<http://www.fonvca.org/agendas/jan2010/minutes-nov2009.pdf>

## 3. Old Business

### 3.1 OCP Roundtable – Updates

### 3.2 Resilient Cities Conference – report

Follow-up by Corrie on any council report as per 3.2 of Nov. Responses from Councillors Hicks & Nixon

<http://www.gaininggroundsummit.com/recordings.htm>

### 3.3 Date of Shirtsleeve meeting with Council

Follow-up by Cathy as per item 6.2(h) of Nov.

## 4. Correspondence Issues

### 4.1 Business arising from 5 regular emails:

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

## 5. New Business

Council and other District issues.

### 5.1 Conversation with DNV CAO Dave Stuart

- Policing – options
- Prelim. look at next DNV budget

### 5.2 Residential Zoning – Reformatted

<http://www.dnv.org/article.asp?p=true&a=1332&v=6>

### 5.3 Business Zoning Review

<http://www.dnv.org/article.asp?c=1060&a=4667>

**FONVCA Received Correspondence/Subject**  
**16 November 2009 → 17 January 2010**

<b>LINK</b>	<b>SUBJECT</b>
<a href="http://www.fonvca.org/letters/2009/16nov-to/Brian_Platts_20nov2009.pdf">http://www.fonvca.org/letters/2009/16nov-to/Brian_Platts_20nov2009.pdf</a>	Tree protection Bylaw
<a href="http://www.fonvca.org/letters/2009/16nov-to/Monica_Craver_26nov2009.pdf">http://www.fonvca.org/letters/2009/16nov-to/Monica_Craver_26nov2009.pdf</a>	Mountain Biking
<a href="http://www.fonvca.org/letters/2009/16nov-to/Wendy_Qureshi_17dec2009.pdf">http://www.fonvca.org/letters/2009/16nov-to/Wendy_Qureshi_17dec2009.pdf</a>	Value of "Traffic Studies"
<a href="http://www.fonvca.org/letters/2009/16nov-to/Wendy_Qureshi_26nov2009.pdf">http://www.fonvca.org/letters/2009/16nov-to/Wendy_Qureshi_26nov2009.pdf</a>	Price of War
<a href="http://www.fonvca.org/letters/2009/16nov-to/Wendy_Qureshi_26nov2009b.pdf">http://www.fonvca.org/letters/2009/16nov-to/Wendy_Qureshi_26nov2009b.pdf</a>	Berkley Development Proposal

# FONVCA

## Minutes November 19<sup>th</sup> 2009

### Attendees

K'nud Hille(Chair)	Norgate Park C.A.
Diana Belhouse	Save Our Shores
Cathy Adams	Lions Gate N.A.
Dan Ellis	Lynn Valley C.A.
Paul Tubb	Pemberton Heights C.A.
Eric Andersen (Notes)	Blueridge C.A.
Corrie Kost	Edgemont C.A.

The meeting was called to order at 7:10 PM

Regrets: Val Moller, Del Kristalovich

### 1. ORDER / CONTENT OF AGENDA

- Added: 6.2(f) Spirit Trail  
6.2(g) Marine Dr. Developments  
6.2(h) Shirtsleeve meeting with council  
6.2(i) Shelter Act

### 2. Adoption of Minutes of Oct. 15<sup>th</sup>

<http://www.fonvca.org/agendas/nov2009/minutes-oct2009.pdf>

Adopted as circulated.

### 3. OLD BUSINESS

#### 3.1 OCP Roundtable Update

There was a good attendance at the Nov 18<sup>th</sup> OCP public meeting.

A small criticism was that there was no control whatsoever as to where the 'dots' were going on the maps showing housing various options. This could lead to abuse/misinformation.

The public engagement is not that good – there is only a small percentage of participation when compared with the DNV's total population.

Is it too much motherhood and apple-pie so far? When will the actual hard issue debates take place? There has been no discussion on the big issues yet, e.g. growth in the DNV, areas of potential zoning changes, and tax implications. There is information on the District website (<http://identity.dnv.org>) about the workshops that have been held, and the draft Vision and Goals Workbook.

#### 3.2 Resilient Cities Urban Strategies for Transition Times

<http://www.gaininggroundsummit.com/theme.htm>

It is not clear who attended this conference held in Vancouver October 20-22. It would be beneficial to obtain a report from the Councillor(s) who attended this conference. Corrie agreed to follow up with the appropriate parties. – **ACTION ITEM**

### 3.3 NS Police Services Review

<http://www.dnv.org/article.asp?a=4103>

Cathy Adams (as per 5.5 of Oct 15<sup>th</sup> agenda) wrote the DNV's CAO, Dave Stuart, a letter about the police review and his response was that it is too early to discuss at this point. The process issues need to be determined, so Cathy will attempt to invite Dave Stuart to our January meeting- **ACTION ITEM**

### 4. CORRESPONDENCE ISSUES

#### 4.1 Business arising from 2 regular e-mail

No business arising.

Corrie feels that bear-proof garbage containers should be allowed the evening before pick-up, however, no response has been received to Corrie's e-mail in this respect.

#### 4.2 Non-posted letters – 0 this period.

### 5. NEW BUSINESS

#### Council and other District Issues

#### 5.1 Policy on green waste limit

This item was tabled over from the Oct meeting. Another debate was had about the possibility of an increase of bags from 6 to 10 per household per week - especially during spring and fall clean-ups - but no agreement or decision was reached, as too many factors do not seem to be available.

#### 5.2 Comments on the Nov 18<sup>th</sup> OCP Visioning Workshop

Although this item was also discussed under 3.1 above it was noted that the member names of the roundtable committee was not on the DNV's website. The terms of reference are on the website, but not the membership list.

#### 5.3 A New Fire Hall in Your Neighbourhood?

Corrie (as the only speaker there) reported on the Public Hearing held on this issue on Nov 17<sup>th</sup>

The new regulations adopted by Council following this public hearing would allow the fire hall's own dimensions to be used regardless of neighbourhood zoning regulations (eg.. no height restrictions)

A concern was expressed about the future locations of DNV fire halls. Could a new fire hall possibly come to Edgemont Village in the future? If so, no further public hearing would be REQUIRED.

#### **5.4 North Van Drivers Ignore Stop Signs**

In spite of a recent newspaper article (SUN – page G6 of Nov 6<sup>th</sup> 2009 ) it is unclear whether ignoring the stop signs is worse on the North Shore than in any other places in the Lower Mainland.

#### **5.5 Housing Affordability Gap**

From a Nov 6<sup>th</sup> 2009 SUN article <http://www.chfcanada.coop/eng/pdf/DunningReport2009EnWeb.pdf>  
For just C\$1 per household per day the housing crisis could be solved – i.e.\$4.7 billion will solve the housing crisis, but the question remains where the money will come from? Is there the political will and resolve to further tax Canadians to solve this problem?

A brief debate dealt with how housing affordability is solved in Northern Europe.

#### **5.6 Seylynn signals the “End of Suburban Domination”**

As a comparison to a 6Nov2009 SUN article by Sam Sullivan (“Densification is the path to affordable housing”) it was pointed out that – to the contrary -Seylynn **was** a residential single family neighbourhood which has recently been rezoned to multi-family.

## **6. ANY OTHER BUSINESS**

### **6.1 Legal Issues**

#### **(a) Excessive Municipal Industrial Tax Rates?**

Supreme Court of BC decision on Catalyst Paper Co. vs. Corp. of District of North Cowichan. Some remarks about judgment at <http://www.courts.gov.bc.ca/jdb-txt/SC/09/14/2009BCSC1420.htm>

- Municipalities do not have independent constitutional status
- Tax rated do not need to be related to services consumed
- Municipal taxes were about 1% of Catalyst operating costs

It should be noted that Catalyst concedes a somewhat higher rate is justified due to its income tax deductibility (something that is not allowed by residents)

#### **In summary the court decided that:**

Excessive Municipal Tax Rates do not need to be related to actual services that are consumed.

#### **(b) Neighbours Feud over Noise & Video Surveillance**

<http://www.courts.gov.bc.ca/jdb-txt/SC/09/14/2009BCSC1403cor1.htm>  
SUN - 2Nov2009

- camera constituted a nuisance
- air conditioner constituted a nuisance
- injunction and \$6,000 award granted
- 45 db(A) limit at night at property boundary

An air conditioner causing grief between neighbours was deemed by the judge not just to be a humming sound. It was deemed that it could not exceed 45 decibels.

#### **(c) Home Inspector fined in BC Supreme Court Ruling**

<http://www.courts.gov.bc.ca/jdb-txt/SC/09/15/2009BCSC1515.htm>

Concerned a home on Skyline Dr. Action against DNV were dropped. Fine was \$192,920.45  
A home inspector was held liable by the court for missing a number of important details in his recommendations to a resident buying a house in North Vancouver.

## **6.2 Any Other Issues (2 min each)**

**(a) Climate Change Deniers** – it would appear that the deniers are gaining some ground.

#### **(b) Chilliwack Landslide.**

From an article in SUN – Oct 10/2009 “4,000-year-old landslide leaves taxpayers on the hook for \$18 million”

Geotechnical Engineer quit/retired before event.  
Thus the municipality of Chilliwack ended up being responsible.

**(c) Terminology for Disaster Risk Reduction**

The list of terms was attached to agenda package.

**(d) Retroactive Legislation & Olympic Sign Bylaw**

SUN article of Oct 21/2009 “Legislation would Reverse Supreme Court Ruling” Article (about Omnibus Bill 13 – the “Miscellaneous Statutes Amendment Act” –also attached) were provided dealing with retroactive legislation and the draconian Olympic sign bylaws of Vancouver.

**(e) Air Pollution and Bronchiolitis**

Nov 17/2009 article by American Thoracic Society was distributed for information.

**(f) The Spirit Trail** – there are still issues in Norgate regarding the Spirit Trail. The local residents want this trail to remain on the road rather than being diverted.

**(g) Marine Drive development** – an update was given on the most recent development. Parking remains an unresolved issue.

**(h) Shirtsleeve meeting with Council** – Cathy will suggest to council that a meeting between Council and FONVCA members take place after the Olympics. **-ACTION ITEM**

**(i) Shelter Act**

Draconian measures can be taken against homeless people during the Olympics and is a reason for concern.

**7. CHAIR AND DATE OF NEXT MEETING**

**Chair of next meetin:**

**Diana Belhouse – Delbrook Community Association – Tel: 604-987-1656**

It was decide **NOT** to have a FONVCA meeting in **December. The next FONVCA meeting will be held 7:00pm Thursday January 21<sup>st</sup> 2010**

Meeting was adjourned at ~ 9:10PM.

**Subject:** FW:

**From:** Robin Hicks <HicksR@dnv.org>

**Date:** Thu, 14 Jan 2010 16:09:59 -0800

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

**CC:** Mayor and Council - DNV <Council@dnv.org>, James Gordon <gordonj@dnv.org>

Corrie:

I attended this conference and attached are two presentations which were of note. A number of other power point puff's and videos are available at the website: [www.gaininggroundsummit.com](http://www.gaininggroundsummit.com)

There were many presentations and workshops , several from local consultants . A lot of rhetoric and emotional content from the converted but some interesting perspectives from different cities in the US and several initiatives in process here in Canada. If you would like further info please let me know.

Robin

*Robin Hicks*

Councillor.

North Vancouver District

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**From:** robin [mailto:robinhicks@telus.net]

**Sent:** Thursday, January 14, 2010 4:06 PM

**To:** Robin Hicks

**Subject:**

<b>Bill_Rees.pdf</b>	<b>Content-Description:</b> Bill_Rees.pdf <b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
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<b>Resilient_Cities_Manifesto.pdf</b>	<b>Content-Description:</b> Resilient_Cities_Manifesto.pdf <b>Content-Type:</b> application/pdf <b>Content-Encoding:</b> base64
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**Subject:** RE: Report on "Urban Strategies for Transition Times" held in Vancouver Oct 20-22

**From:** Alan Nixon <nixona@dnv.org>

**Date:** Thu, 14 Jan 2010 16:32:55 -0800

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

I attended some of the sessions Corrie. I highly recommend the attached website where there are recordings of every speaker at the event. I especially commend Mark Jaccard's speech.

<http://www.gaininggroundsummit.com/recordings.htm>

alan

---

From: Corrie Kost [[kost@triumf.ca](mailto:kost@triumf.ca)]

Sent: January 13, 2010 2:09 PM

To: Mayor and Council - DNV

Cc: James Gordon

Subject: Report on "Urban Strategies for Transition Times" held in Vancouver Oct 20-22

Your Worship & Members of Council,

At the FONVCA meeting of November 19th the attending members requested that I follow-up on the subject item and any report that may be available to the public from members of DNV council that attended the subject meeting. Any information in regards to this would be appreciated.

Yours truly,

Corrie Kost

## **DNV looking to drop some services**

Resident priorities to be polled as budget shortfalls continue

**Benjamin Alldritt**

North Shore News

*Friday, January 08, 2010*

The District of North Vancouver will soon be asking its residents to take a hard look at what services they want their municipality to deliver, and how much they are willing to pay for them.

Like many municipalities, the district is facing a sizeable budget deficit this year. The estimated \$1.2- to \$2-million shortfall is driven by fewer developments, falling investment earnings and the removal of some industrial lands from the tax rolls.

Property owners will see a tax increase next year, and unionized district staff have been told to fund their contracted wage increase through cutbacks and efficiencies in their departments.

In an interview with the North Shore News, chief administrative officer David Stuart said that even when the economy improves, the district will still face a long-term structural deficit.

"The growth rate in the district is about half a per cent and has been for some time," he said. "The increases in our major costs -- labour, materials and energy -- will well exceed that."

Taxpayers will also soon see sharp increases in regional taxes, money collected through the district but passed on immediately to Metro Vancouver, TransLink, and the school district.

On top of this, many aging buildings and other pieces of infrastructure will need to be replaced in the coming years.

With this in mind, Stuart said it's unsustainable for the district to simply keep raising property taxes each year, and there are only so many cost efficiencies to be found. With revenues essentially static and costs inevitably rising, some way must be found to bend the two trends back towards each other.

"I don't believe we should promote growth simply for the sake of revenue, and there is a debate over whether development actually pays for itself in the long run," Stuart said.

"We have just completed an inventory of all the services we deliver," he said. "We're going to go to council, and then to the public, to ask what services we need to deliver



and at what level, and who should pay for them.

"We're looking at each service through two lenses. The first is the public good lens: How much does this service benefit the community as a whole? There's a continuum there over how to pay for it. At one end you have a user-pay system, at the other a tax-subsidy."

Stuart cited services offered to developers as something the public would expect to be paid for by the user, in this case the developer. At the other end, recreational facilities would likely be prohibitively expensive if the broader community didn't subsidize them.

"There's a reason why there aren't many private swimming pools," he said.

Secondly, the district will use a "legislative requirement lens."

"This looks at what services we are legally required to deliver," Stuart said. "In most cases, the law says we don't strictly have to, but if we are going to deliver a service, we have to meet a certain standard."

But some services could conceivably be handed over to the private sector or a not-for-profit group, or shared with the other North Shore municipalities. Stuart declined to list examples, for labour-relations reasons, but said he had "several in mind."

"Ultimately the question is which services, at what level, and what is the best way to deliver them?" he said.


Stuart acknowledged that many of these questions might lead to uncomfortable answers. "That's why we want to get this issue on the table. We pride ourselves on our sustainability, and this is about fiscal sustainability."

In the spring, the district will begin an extensive public consultation process, similar to this year's official community plan update process, which was widely praised for attracting broad public input.

The district process will likely involve a survey, a series of open house meetings, and the use of social media such as Facebook and Twitter. Stuart hopes to have a final budget in front of council by March of 2010.

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## Zoning Guidelines

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The following documents contain pertinent extracts from the District of North Vancouver Consolidated [Zoning Bylaw](#), summarized for size, shape and siting regulations for single-family dwellings and accessory buildings in the various residential RS and Neighbourhood Zones.

These extracts are issued as a guide for quick reference and convenience only. Completeness and accuracy are not guaranteed. For complete and up-to-date information, refer to the official Consolidated Zoning Bylaw (Parent Bylaw #3210). Zoning Bylaw regulations are subject to change. Please contact the Planning Department at 604-990-2387 for updates.

Contact the Plan Reviewer for your area, in the Building Department at (604)990-2480, for zoning regulations for your specific project. **\*\*NOTE: AN APPOINTMENT IS REQUIRED WITH A PLAN REVIEWER FOR SUBMISSION OF BUILDING CONSTRUCTION PLANS FOR BUILDING PERMITS\*\***

1. [RS 1-5 Zoning Guide](#)
2. [RSMF Zoning Guide](#)
3. [RSN Zoning Guide](#)
4. [RSCH Zoning Guide](#)
5. [RSD Zoning Guide](#)
6. [RSEW Zoning Guide](#)
7. [RSH Zoning Guide](#)
8. [RSKL Zoning Guide](#)
9. [RSMH Zoning Guide](#)
10. [RSK Zoning Guide](#)
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# Business Zoning Review



NORTH VANCOUVER  
DISTRICT

# PHASE 1 Industrial Regulations





## Affected Industrial Land



Three industrial neighbourhoods; Norgate, Lower Lynn and Maplewood with 4 different existing zones; I1, I2, I3, and C8. The zoning review proposes converting the zoning in these areas to 2 new Employment Zones: General Industrial and Light Industrial.





Waterfront and General Industry (I1 and I2) would be one General Industrial Zone.



Permitted Uses for these lands will include:

- Manufacturing;
- Port oriented uses;
- Service; and
- Transportation purposes.

Light Industrial (I3) and General Commercial (C8) would be one Light Industrial Zone.



Permitted uses for these lands will include:

- Manufacturing;
- Service;
- Limited retail (appliance stores, auctioneers, etc);
- Wholesale;
- Restaurants; and
- Recreation.





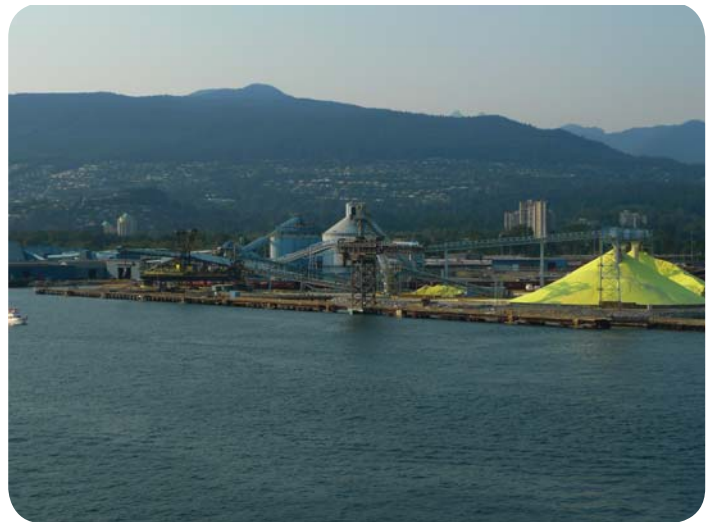
## Purpose

The District of North Vancouver is interested in creating new opportunities for business and in supporting existing businesses. To this end, the District is reviewing existing business regulations and looking for potential improvements. The first phase of this work, is on display tonight, and is a review of the industrial Zoning regulations. This work aims at addressing concerns that have been raised by local businesses and the community in 3 main ways:

1. Foster Economic Vibrancy;
2. Provide better service; and
3. Continue to protect adjacent communities.



*Light industrial businesses serve the local community and are also an important source of economic development.*



*Waterfront and heavy industrial businesses are of regional importance and create well paying jobs.*



## Issue 1: Economic Vibrancy

To foster economic growth, the zoning regulations need to protect the businesses that are here today as they provide jobs and a strong tax base. However, given that our land supply is limited, we also need to explore ways of encouraging the intensification of land use, so that more is done with the existing land, and the number of jobs per acre increases.



The General Industrial Zone continues to protect waterfront and heavy industrial jobs and businesses, by limiting the other types of uses that can occur in these zones.

Likewise the Light Industrial Zone continues to protect light industrial lands for service and manufacturing jobs by limiting the types of uses that can occur on the main floor of the building.

More intensive use of the land can be encouraged by looking for uses that are of interest to local businesses and by ensuring our zones are flexible enough to allow existing businesses to change and grow with changing market conditions.

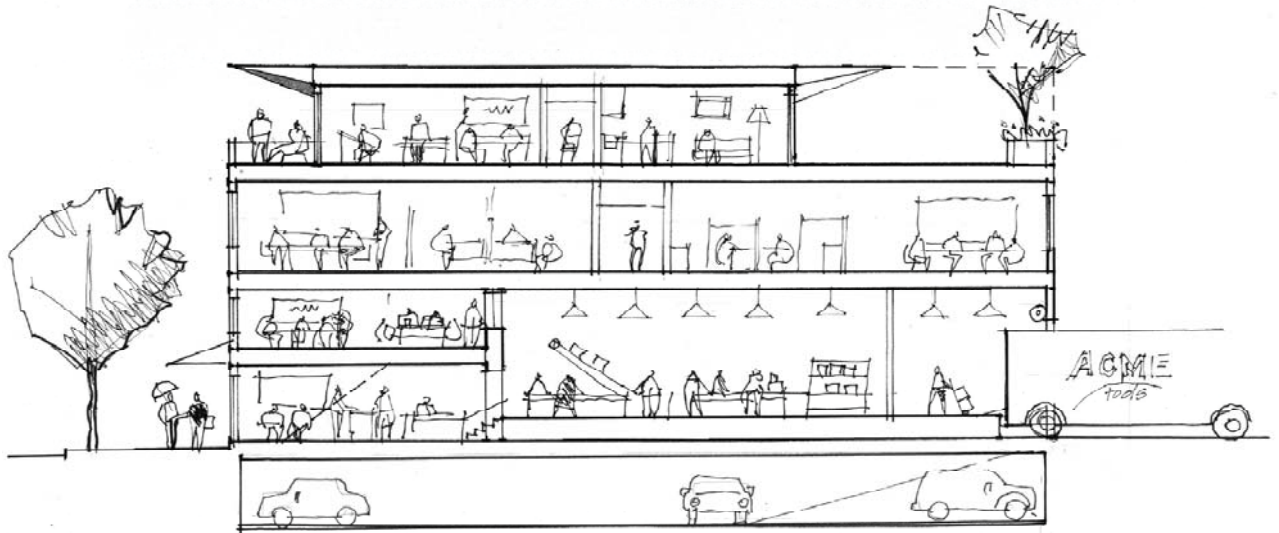




To explore a broader mix of uses while protecting those uses that are important to community, the proposed Light Industrial Zoning keeps the traditional list of light industrial uses (service, manufacturing, limited retail, restaurant and recreation) as permitted uses, but allows the introduction of of-

ice uses on the upper floors, and residential and “live-work” units on the 4th floor.

Furthermore, to encourage more intensive use of the land, larger building footprints and taller buildings are permitted in both zones.







## Issue 2: Better Service - Regulations that work for the businesses that use them

**Problem:** Zoning is too rigid, and doesn't allow businesses to grow and evolve

### **Solution:**

- Simpler land use categories provide more flexibility for businesses to evolve and change.
- By introducing office as an outright permitted use on the upper floors, businesses that no longer have any aspect of traditional industrial use, may not need to leave the neighbourhood.

### **Example: Custom Manufacturing**

**Existing Regulations:** Under the existing zoning regulations, this is a business that produces goods on site, and has fewer than five employees involved in manufacturing.

**Proposed Regulations:** Under the draft regulations this business would be classed "Manufacturing" which would allow:

- Any number of employees;
- Employees engaged in physical building of a product; and
- Employees sitting at desks, designing, doing accounts, taking orders, organizing supplies and schedules; and
- Warehousing of materials and products.
- In addition to these aspects of the principal manufacturing use, 25% of the floor space can also be used for accessory use, most commonly this is retailing of the product that is made on site.

# Business Zoning Review

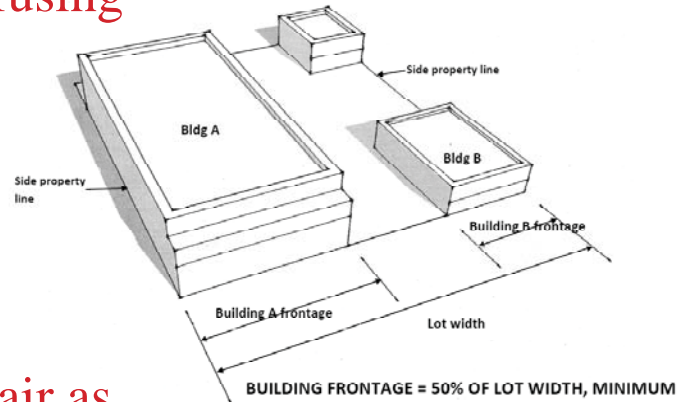


NORTH VANCOUVER  
DISTRICT

**Problem:** Zoning regulations are confusing

**Solution:**

Simplify the regulations;  
Improve the layout; and  
Use more illustrations.



**Problem:** Zoning regulations are unfair as neighbours have different development potential.



**Solution:**

Have fewer different zones—combine C8 and I3 into one Light Industrial Zone, and I1 and I2 into one General Industrial zone.

These two properties have different zoning even though both are light industrial.

**Problem:** Zoning has conflicting and confusing rules.

**Solution:**

Ensure rules are consistent;  
Flag issues up front; and  
Get rid of traps.

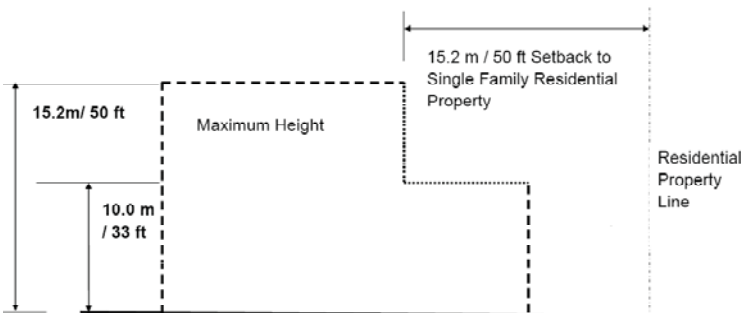
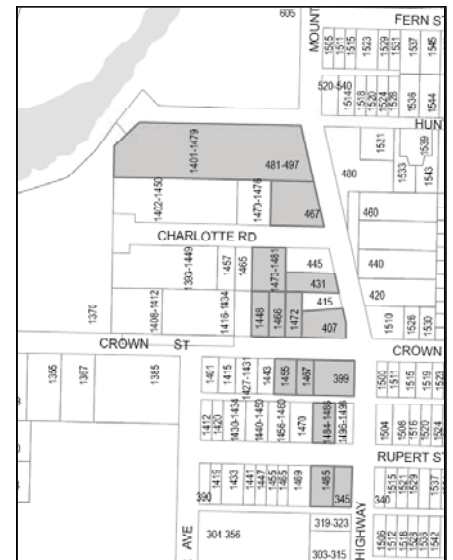
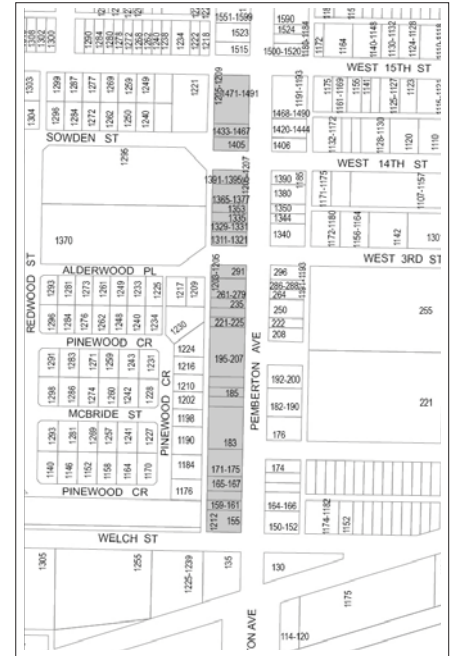
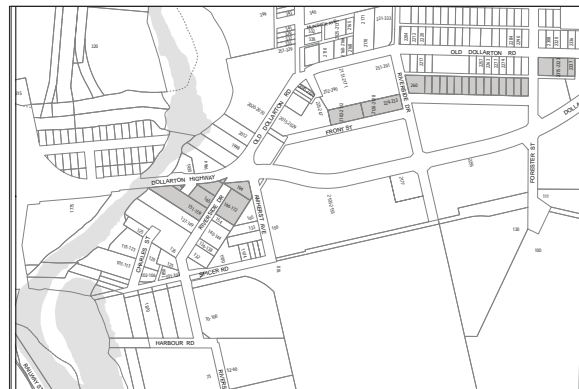
Example: By creating two categories of permitted uses: conditional and unconditional, businesses and property owners are alerted that conditions of use may apply.



## Issue 3 – Reducing Impacts on adjacent neighbourhoods

The new draft light industrial zone, does not limit the types of business that can be next to residential or school sites, recognizing that many different types of business have the potential to be both quiet and noisy. In this way, it is better for business because it gives more flexibility.

The draft zone requires all industrial properties located within 50 metres / 164 feet of residential property (as shown in grey) to contain the use, the noise, and smell. By setting up this new “performance” measure, greater protection will be given to residents and adjacent neighbours.



The requirement for industrial buildings to step down in height when next door to a residential property remains in the new zone.



## Where does my Business Fit?

The new zones use broader categories of use that work like this:

If you are:

Auto repair  
Home repair  
Construction  
Pet care and dog walking  
Maid / janitorial  
Taxi

Manufacturing  
Custom manufacturing  
Research and development  
Furniture assembly  
Fabricating  
Recording Studio  
Hobby beer and wine

Auctioneer  
Building supply  
Appliance store  
Equipment sales and rental  
Garden supply  
Vehicle sales

Stevedoring  
Shipyard  
Marine Services  
Warehouse

Dance Studio  
Martial Arts  
Tennis Club  
Club  
Gym

Caterer  
Restaurant  
Take out cafe

You will be permitted under:

Service

Manufacturing

Retail

Port Oriented Purposes

Recreation / community centre

Restaurant





## Comparison of Waterfront and General Industrial (I1 and I2) Zoning with the Proposed Heavy Industrial Zone

Regulation	Existing Waterfront Industrial (I1)	Existing General Industrial (I2)	Proposed General Industrial
Permitted Use	Port Oriented Use (includes Stevedoring, Shipyards, Marine Services and Warehousing)	Warehousing Wholesaling  Automotive body and repair shops Construction and contractor services Delivery Services Pet care/ vets  Equipment rental Auction room Gun shop  Manufacturing Custom Manufacturing Hobby Beer and Wine Making Light Manufacturing Research and Development  Transportation Purposes (rail yard, bus depot)  Caretaker Unit  Gun shop  Mini-warehousing	Port Oriented Use (includes Stevedoring, Shipyards, Marine Services and Warehousing)  Service  Not permitted in this zone, found in the Light Industrial Zone  Manufacturing  Transportation  Residential (1 unit / lot)  Not permitted (existing "gun shops" would fall under the wholesaler or warehouse category)  Not Permitted  Office Use
Accessory Uses	no limit listed, which defaults to 49%	Limited to 15% of floor area	Limited to 25% of floor area
Density	-	-	-
Building Setbacks	-	-	0
Building Coverage	60%	60%	90%
Site Coverage	-	95%	95%
Building Height	18.3 metres/ 60 feet	12 metres / 40 feet	18. metres / 60 feet
Landscaping	Requirements for some landscaping	Requirements for some landscaping	No requirement.



### Comparison of C8 and I3 with the proposed Light Industrial Zone

Regulation	Existing Pemberton / C8	Existing Light Industrial (I3)	Proposed Light Industrial
<b>Permitted Use</b>	<p>Animal shelter *Automotive body and repair shops Construction and Contractor services *Contractor services *Delivery Services Household Repair Personal Service Pet care/ vets Office Support Trade School</p> <p>*Equipment rental Auction room Gun shop *Building supplies Industrial Product Sales *RV Sales Vehicle Sales</p> <p>Professional Office (engineers, surveyors etc)</p> <p>Artist's studio Manufacturing Custom Manufacturing Hobby Beer and Wine Making Light Manufacturing Research and Development Media Related</p> <p>Caretaker Unit</p> <p>Billiard Hall Fitness Centre Clubs</p> <p>Retail food sales (cafe) Restaurant</p> <p>Gun Shop</p> <p>*these uses are not permitted within 50 m of Residential Property.</p>	<p>Automotive body and repair shops Construction and Contractor services Delivery Services Household Repair Pet care/ vets Office and Computer Support Trade School</p> <p>Equipment rental Auction room Gun shop Building supplies Industrial Product Sales RV Sales</p> <p>Artist's studio Manufacturing Custom Manufacturing Hobby Beer and Wine Making Light Manufacturing Research and Development Media Related</p> <p>Caretaker Unit</p> <p>Billiard Hall Fitness Centre</p> <p>Retail food sales (cafe)</p> <p>Warehousing Wholesaling</p> <p>Gun Shop</p> <p>Mini-warehousing Parking Structure</p>	<p><b>Service</b> (includes all the services uses shown on the left)</p> <p><b>Retail limited to:</b></p> <ul style="list-style-type: none"> <li>- Appliance and furniture sales;</li> <li>- Auctioneer;</li> <li>- Building supply;</li> <li>- Equipment sales and rental;</li> <li>- Garden supply;</li> <li>- RV sales; and</li> <li>- Vehicles sales.</li> </ul> <p><b>Office</b> (may include any type of business that is in an office setting)</p> <p><b>Manufacturing</b></p> <p><b>Residential</b></p> <p><b>Recreation / Community Centre</b></p> <p><b>Restaurant</b></p> <p><b>Wholesale</b></p> <p>Not permitted (the businesses that are in this category now are closer to a warehouse or wholesaler than a pure retail use)</p> <p>Not Permitted – these businesses would be grandfathered.</p>
<b>Accessory Uses</b>	Limited to 40% of floor area	Limited to 25% of floor area	Limited to 25% of floor area
<b>Density</b>	1.0 FSR	1.2 FSR	-
<b>Building Setbacks</b>	Minimal (1.5 m from roadway)	Minimal (1.5 m from roadway)	0
<b>Building Coverage</b>	50%	60%	90%
<b>Site Coverage</b>	90%	90%	100%
<b>Building Height</b>	12 metres / 40 feet Reduced to 9.14 metres / 30 feet adjacent to a residential zone	12 metres / 40 feet	15.2 metres / 50 feet Reduced to 10.0 metres / 33 feet adjacent to a residential zone
<b>Landscaping</b>	Requirements for some landscaping	Requirements for some landscaping	Requirements for some landscaping



## Next Steps:

Please share your thoughts with us....

- Does the draft zone meet your current needs?
- Do you think the draft zone will be better for you?
- Are there problems or things that won't work?
- What else would you like to see, or see taken out?

In December we will be listening to the feedback from businesses, owners, neighbours, experts and so on, and then we will revise the draft zones and put the new text back on the web for public input.

If you are interested in being notified, please sign up tonight, or call the planning office to be added to our contact list: 604 990-2387.





# Business Zoning Review

## Part 1 - Industry





# Business Zoning Review

In accordance with Council's 7 economic goals this project seeks to address 3 key issues:

## **Issue: Economic Vibrancy**

- Job Creation / More jobs close to home
- Strong tax base / spread the tax load so taxes don't need to increase

## **Issue: Better Service**

- Making it easier to do business in DNV
- And Improve the District's reputation

## **Issue: Protecting our Neighbourhoods**

- Develop economic vibrancy and make it easier to do business in the District without impacting adjacent residential or commercial areas.

# Issue 1: Economic Vibrancy

## Job Creation and Economic Development

Recognizing that the District does not have a supply of vacant industrial land, it is necessary to start thinking about how we can intensify the use of the land that we do have.

Currently, the District's industrial areas are underdeveloped, and this is due in part to Zoning restrictions.



Most industrial sites have low site coverage, and one storey buildings resulting in low floor space and a small number of jobs per acre.

## **Getting the Use right....**

- Zoning is a tool that regulates what you can do with land – matching permitted land uses with the market, and allowing flexibility to accommodate businesses that evolve with market conditions is key.
- Since we need a mix of jobs, and want high paying jobs, it is important to protect industrial lands for industrial jobs, therefore permitted uses must be carefully considered so that retail and office uses don't push out service and manufacturing jobs.

## Incentives... Office Use

- Recent studies of the North Shore market confirm that there is demand for more office space in our light industrial areas.
- Current zoning does not permit all office uses.
- We still need spaces for service and manufacturing use but we can permit office use on the upper floors, thereby allowing more intensive use of the site and potentially create more jobs per acre.



These two buildings are some of the only 3 storey industrial buildings in the District.

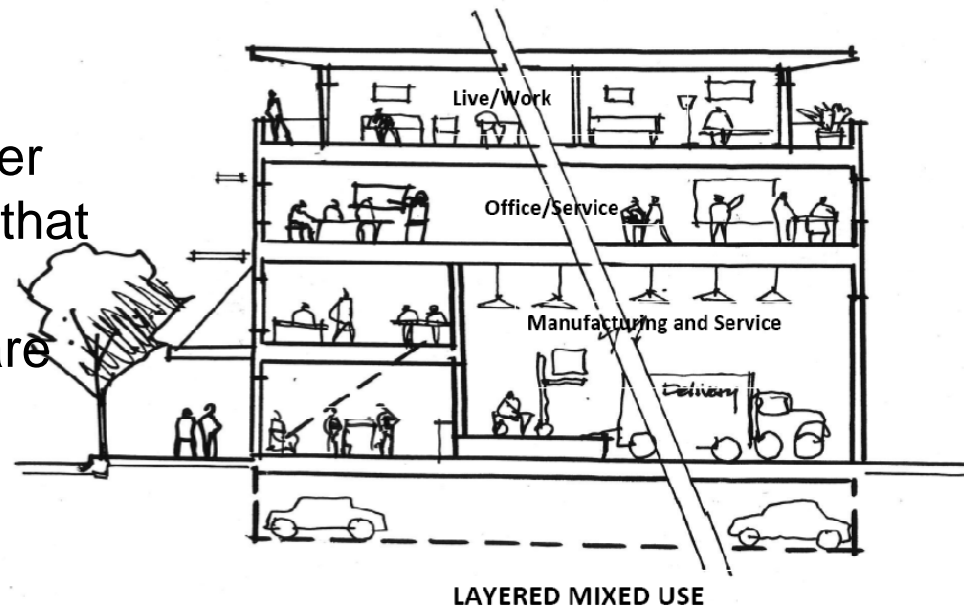


## Another incentive....

- Current zoning regulations permit caretaker suites but impose a series of conditions that are not always practical.
- Recent studies and land use discussions with the community have shown there is an interest in live / work units.
- By permitting housing on the upper floor, the zoning provides a carrot that is only offered when 3 storeys of industrial and commercial space are built.



Caretaker suites are currently permitted in industrial areas.



## Issue 2: **Better Service**

Staff asked local businesses what wasn't working...

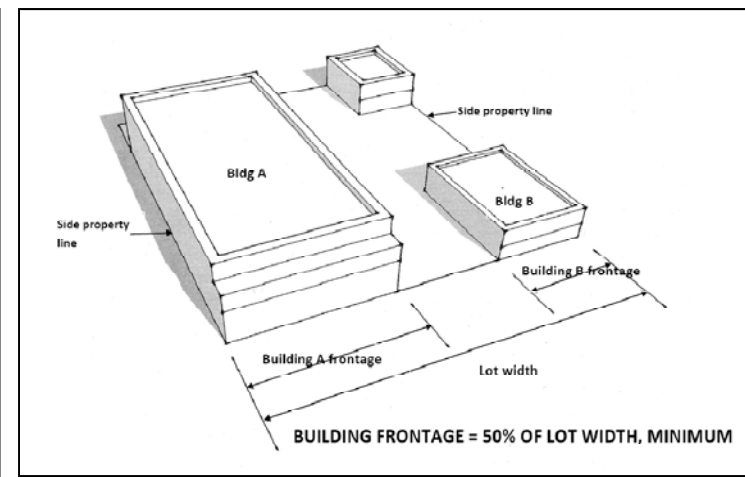
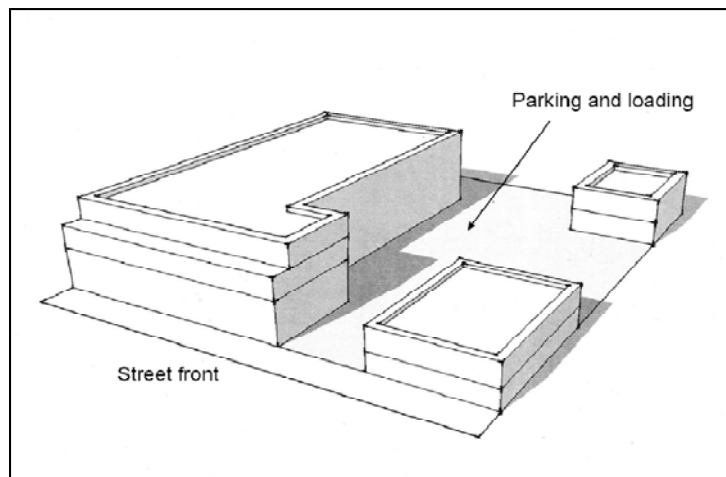
- Zoning is too rigid, and doesn't allow businesses to grow and evolve;
- Zoning is confusing;
- Zoning is unfair as neighbours have different development potential; and
- There are too many hidden regulations.

**Problem: Zoning is too rigid, and doesn't allow businesses to grow and evolve**

- Fix the language and use categories so they are not so narrowly defined - for example permit “*manufacturing*” instead of *heavy manufacturing, light manufacturing, manufacturing, research and development, specialized light industrial manufacturing....*
- Allow for more uses inside one building, so businesses can reprogram the space inside the building they own, with more commercial office uses allowed on the upper floors.
- Be more flexible with how businesses use their own space, and allow more accessory uses within any single tenancy.

## Problem: Zoning is confusing

- Simplify the language and the layout of the Bylaw;
- Combine with a more interactive web site; and
- Include more illustrations to clarify the intent of the words.





## Problem: Zoning is unfair as neighbours have different development potential

By rationalizing zoning boundaries and eliminating unnecessary distinctions, zoning can be fair and more easily understood.



Zoning for these properties is different even though they are in the same area and are both light industrial.

# Problem: There are too many hidden regulations

- Clear and easy to follow regulations highlight when there are additional conditions and make the issues easy to find.
- Writing Zoning that works hand in hand with other regulations makes it easier to know what to expect, for example, including references to streamside setbacks in Zoning, or ensuring that zoning requirements match OCP requirements.
- Whether through the use of “notes” in the zoning bylaw or the development of a user friendly website, references to other layers of regulations at the start of the process helps ensure people know what to expect.

## Issue 3:

# Protect our Neighbourhoods

- We know that it is important to protect the quality of life our residents enjoy, and where possible to improve on this, so this bylaw establishes performance criteria in areas close to housing and schools, that stress that whatever you are doing, noise, glare and smell must be contained.
- By establishing performance conditions, other aspects of the regulations can become more flexible.

# Monday Night....

- This handout is intended only as a background paper in preparation for Monday night's Council workshop and is not the presentation itself.
- On Monday, staff will provide more information on the background work, and the development of the industrial zones and outline the proposed public process and next steps.

## Cover Story

[Home](#) » [December 21, 2009 Issue](#) » [Cover Story](#) » [Global Warming And Climate Change](#) » Which Comes First, CO<sub>2</sub> Or The Heat?

December 21, 2009

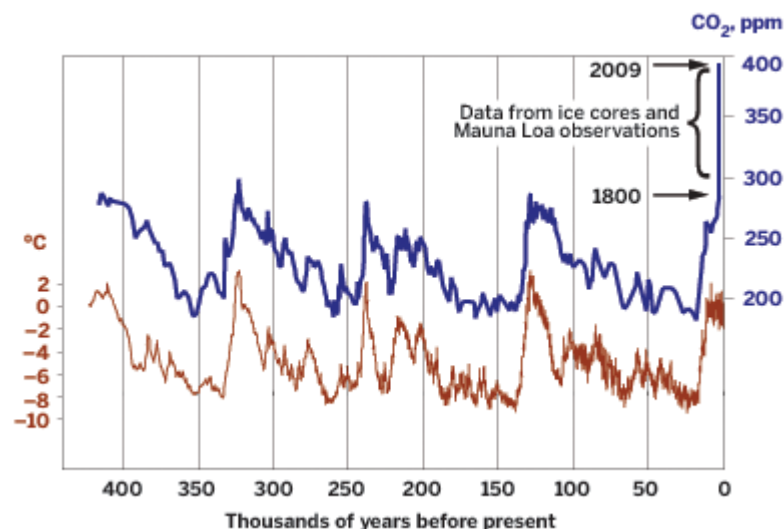
Volume 87, Number 51

Web Exclusive

Climate Debate

# Which Comes First, CO<sub>2</sub> Or The Heat?

[Stephen K. Ritter](#)



Michael Ernst/Woods Hole Research Center

Lead Versus Lag Data from Antarctic ice cores show that temperatures have changed before CO<sub>2</sub> concentrations over a series of recent ice ages. That trend has been upset during the past 100 years, as a rapid increase in CO<sub>2</sub> preceded the current warming.

Global-warming skeptics have developed a set of talking points to use in their arguments as they lobby against anthropogenic global warming. Many of these points fall into the category of "climate canards." These urban legends and sometimes outright misinformation add confusion to public understanding of climate science and have been refuted by the mainstream climate research community over the years. Yet they keep popping up.

One canard is that the temperature increase signaling the end of an ice age is observed to come before an increase in carbon dioxide concentration, rather than after the increase. This observation seems to be a contradiction in global-warming theory: Does an increase in CO<sub>2</sub> concentration drive temperature rise, or is it the other way around?

The answer is both, although intuitively many people assume that it can only be one way or the other, notes geophysicist [Michael E. Mann](#), director of Pennsylvania State University's Earth System Science Center. Mann is part of a group of climate scientists who run the website "[RealClimate](#)," which provides news and commentary on global warming and climate change to counter the blogs operated by skeptics.

Ice-core data on CO<sub>2</sub> concentrations stretching back over the past 800,000 years and confirmed by geological evidence show that Earth's climate has been subject to long ice ages broken by short, warm interglacial periods. As currently understood, this cycle takes place about every 120,000 years and is caused by regular, predictable changes in Earth's orbit around the sun—Earth moves closer and farther away from the sun—and shifts on its axis, Mann explains.

As these changes occur, Earth begins warming, which melts ice and snow so that the planet absorbs more heat, which serves as a feedback to increase the warming. Eventually, the oceans warm enough to start giving off CO<sub>2</sub>. The CO<sub>2</sub> subsequently spreads throughout the atmosphere, absorbing more sunlight and trapping heat to amplify the warming effect.

A related canard is that CO<sub>2</sub>'s warming effect is limited because at higher concentrations it saturates the atmosphere and can absorb only so much solar radiation or heat from Earth's surface. Global warming skeptics have used this argument to erroneously explain why Earth stops warming up after an ice age. But the reality is that CO<sub>2</sub> disperses to other layers of the troposphere—the greenhouse blanket becomes thicker—so that the absorption capacity is not diminished, Mann says.

So it's a fact that increases in CO<sub>2</sub> follow increases in temperature by up to about 1,000 years during interglacial periods, Mann says. This natural increase in CO<sub>2</sub> helps bring the planet out of ice ages and moderates temperatures during interglacial periods, such as today, he points out. This cycle also gives climate scientists confidence in predicting that anthropogenic CO<sub>2</sub> added to the natural CO<sub>2</sub> levels will lead to more warming, Mann adds.

But atmospheric physicist and prominent global-warming skeptic S. Fred Singer says there is still a cause-and-effect problem with that CO<sub>2</sub> analysis, and not just for ice ages, but throughout the [Intergovernmental Panel on Climate Change's \(IPCC\)](#) assessments on the causes and effects of human-caused global warming. If the theory says CO<sub>2</sub> drives temperature change, then a rise in CO<sub>2</sub> should always come before a temperature increase, not after it, Singer says.

Singer's complete counterargument is laid out in "[Climate Change Reconsidered](#)," a report issued by the [Nongovernmental International Panel on Climate Change](#), which was established by global-warming skeptics to oppose IPCC. For Singer, the lack of consistent CO<sub>2</sub>-temperature correlation invalidates global-warming theory, and he says it's one example of "insufficient evidence" by IPCC in proving its case for anthropogenic global warming.

#### More On This Story

- [Global Warming And Climate Change](#)
- Believers, deniers, and doubters view the scientific forecast from different angles
- [Climate Debate: Which Comes First, CO<sub>2</sub> Or The Heat?](#)

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# LANDFILL vs INCINERATION

## IS CANADA READY TO CHANGE?

Harvey Schwartz

After the JRs, the two methods of residential municipal waste disposal are landfill and incineration. In North America, the main method is landfill, whereas in Europe it is incineration. This article looks at the two methods, and discusses the merits and problems associated with each. The last part of the article offers some conclusions.

### Landfill Options

Landfills dispose of waste by burial. Landfill gas is produced by the natural biodegradation of organic waste. The major gases produced are methane and carbon dioxide.

Methane and carbon dioxide contribute to the problem of global warming. The methane component is also a potential source of energy. The new Ontario standards include hydrogeology and surface water standards, a design report, a site design for groundwater protection, site operation and monitoring, the closure and post-closure care, and financial assurance by the landfill operator against accidents and other problems.<sup>1</sup>

### Incineration

Incineration involves the combustion of organic waste and other substances. Incineration converts waste materials into incinerator bottom ash, flue gases, particulates, and steam that can be used to produce electricity and heat buildings. The production of steam and heat is called cogeneration. Incineration does not completely replace landfill, but it reduces the volume of disposable waste significantly.<sup>2</sup>

Denmark and Sweden are leaders in the use of energy generated from incineration. In 2005, incineration produced 4.8 percent of the electricity consumption and 13.5 percent of total domestic heating in Denmark. A number of other

European countries rely heavily on incineration for handling municipal waste.

Many environmentalists believe incineration produces significant amounts of dioxin and furans. These emissions can produce health hazards. Older incinerators did not have adequate gas cleaning technologies, and they were significant sources of dioxins and furans. The new incinerators, however, emit minor amounts of these emissions. The major gas produced by incineration is carbon dioxide.

### Incineration in the United States and Europe

The first commercially-successful cogeneration plant in the US was built in Saugus, Massachusetts in October 1975. It is still in operation. In 1990, there were 186 MSW incinerators, but only 89 were still operating in 2007. Between 1996 and 2007, no new incinerators were built. The reason is the availability of large regional landfills, and the low cost of electricity. Incinerators are not able to compete.

In Europe, most countries ban the use of landfills to treat hazardous waste. As a result, many incinerators have been built in the last decade. Some of the electricity generated from waste is deemed to come from a renewable source, and is eligible for tax credits if the incinerator is privately operated.

### Incineration Emission Regulations in Canada

The Government of Canada does not impose regulations that limit the amount of emissions from incineration. Instead, it sets out guidelines. The guidelines come from the Canadian Council of Ministers of the Environment (CCME). These guidelines involve the levels of dioxins, furans, and other harmful substances produced by incineration.

Harvey Schwartz, B.Com., M.A., Ph.D., is a Professor, Emeritus in the Department of Economics, Faculty of Arts, York University.

1 Province of Ontario, Ministry of the Environment, Ontario's New Landfill Standards, Regulation 232/989, Province of Ontario, Publications Ontario, 2008.  
2 Frost and Sullivan <[www.frost.com/prod/servlet/market-insite](http://www.frost.com/prod/servlet/market-insite)>.

The guidelines are incorporated in Canada's *Clean Air Act* of 2006. This legislation establishes short-, medium-, and long-term goals for air pollutants. The CCME does not impose guidelines on any province, and has no authority to do so. Each province and territory decides on how it will incorporate the CCME guidelines into law.

Once a province sets its standards and methods of enforcement, the tool for minimizing pollution is the "certificate of approval." In Ontario, the certificate applies to any facility that releases emissions into the atmosphere, discharges contaminants to the ground and surface water, provides potable water supplies, and transports or disposes of waste.

### Changing Role of Waste Management

Prior to 2001, waste management was low on the agenda of most governments. As waste volumes increased, governments began to realize that they needed a policy to handle the problem. This led to the development of new waste management legislation in Europe. Also governments began to look at waste as a resource rather than a problem. Frost and Sullivan estimated that the thermal treatment of waste in Europe (both with and without energy recovery) was worth \$5.8 billion in 2000.<sup>3</sup>

The European Union has developed a waste management

policy. Incineration with cogeneration is preferable to incineration without energy recovery, and both are preferable to landfills. Incineration does not replace recycling and the reuse of recoverable waste.

Many northern European countries rely heavily on incineration as means of waste disposal coupled with cogeneration. In addition, there is a demand for steam that can be produced in this process. This is used to provide district heating in Scandinavia. The increasing reliance on incineration occurred because some countries lack landfill sites. It also occurred because some countries want to pursue more progressive policies.

### Arguments Against Incineration

The opponents of incineration use qualitative claims that do not take into account the current emissions cleaning technology. The elimination of all technologies that produce furans and dioxides would mean the end of the internal combustion engine, electric power generators, the production of many types of metals, and the burning of wood.

Dioxins and furans settle in the soil, crops, and grazing land where they are taken up by plants and animals. They are also washed off the land where they enter the bodies of fish and other forms of aquatic life. This is how dioxins and furans enter the food chain. Because dioxins and furans are capable of doing serious damage to human health, and to animals and plant life, a study is required for each new incinerator.

Incinerators must be accepted by the residents of the area where they are located. Public acceptance is particularly relevant, since it would be difficult to allow incineration without public support.

Anti-incineration groups such as Greenpeace, the Friends of the Earth, and the Global Anti-Incineration Alliance are strongly opposed to incineration.<sup>4</sup> They argue that incineration is the major source of dioxins and furans. Even the most up-to-date incinerators will create pollution. Their opposition is not based on quantitative arguments, however.

In North America, still incinerators are a widely criticized waste management practice. Many of EFW incineration critics do not realize that by saying no to incineration they are saying yes to landfill. Landfills are widely used and have a strong tradition in many countries. This does not mean they are less efficient than EFW incineration. Both incinerators and landfills produce harmful gaseous emissions and environmental impacts. Selecting one method over another is not a question of choosing environmental sound methods compared to unsound methods. It is question of which is the lesser evil.



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3 Knox, Andrew, "An Overview of Incineration and EFW Technology Applied to the Management of Municipal Solid Waste," prepared for ONEIA Energy.

4 Greenpeace International <[www.greenpeace.org](http://www.greenpeace.org)>.



Incineration technology captures the heat generated from the combustion of an incinerator's fuel. The heat from the incinerator's flue gases are transferred through the boiler tube walls to water waiting in a boiler. The water is turned to steam and the steam turbines are used to generate electricity. This process is called cogeneration. The heat from the steam can also be used in industrial processes and space heating.

**Mass Burn Incineration** – The most popular type of incineration is “mass burn” incineration. The waste or another fuel is placed in the incinerator to undergo traditional combustion. There are many types of mass burn incinerators, each of which is far less harmful today than was the case in the 1980s.

**Alternative EFW Technology** – Incineration is the most proven EFW technology, but it is not the only one. In recent years new technologies have been introduced. The new methods are more efficient and cleaner than earlier incineration methods. The three new methods are gasification, pyrolysis, and plasma conversion.<sup>5</sup>

### Conclusions

When incinerators were used in the past, they did not have the pollution control technology that the new incinerators have today. The notion that incinerators are unsafe does not stand up to the evidence. The solid ash produced by incinerators is often cited as evidence that incinerators do not treat waste effectively. The waste will go to landfills, whether incineration takes place or not – but incineration reduces the volume of that waste.

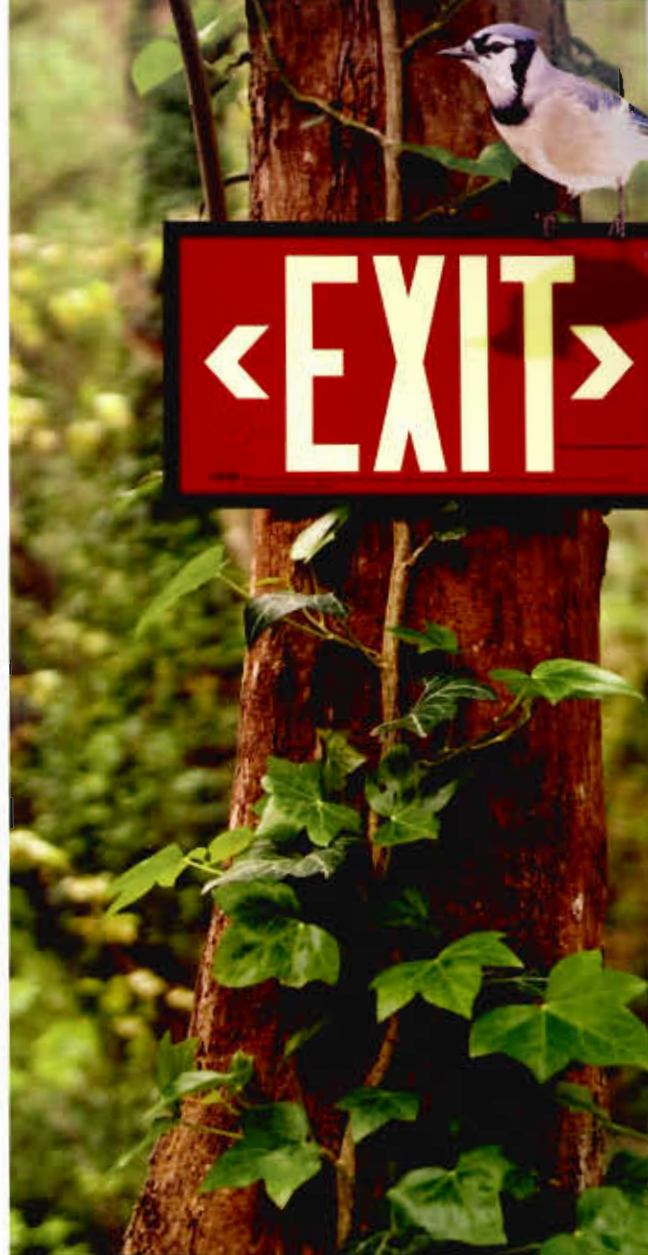
Dioxins and furans are part of the toxics in incineration ash. They exist in gaseous emissions as well. Dioxins and furans are connected to EFW incineration, but very little of these harmful substances are produced in new technology incinerators.

One major criticism of incineration is that it represents a false alternative to recycling.

Incinerators are not an alternative to recycling. Before incineration takes place, all recyclable materials are removed. So, incineration and recycling work to complement each other. A situation of “zero waste” is not feasible. Therefore, realistic ways to manage waste must be developed. EFW incineration is one way to handle EFW waste. It also produces cogeneration by generating electricity and heat after all possible recycling has taken place.

In North America, incineration has a poor public image, despite the new more efficient technology, and the relative safety of the new incinerators. So, unless the majority of the residents are convinced that incineration is a safe method of disposing of municipal waste, it will be very difficult for the politicians to sell incineration to the voters.

5 I. James Daven, and N. Robert Klein, Editors. “Progress in Waste Research,” Nova Science Publishers, New York, 2008.



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Friday » November  
27 » 2009

## Illegal donations mean Summerland has no legitimate council

**Daphne Bramham**

Vancouver Sun

*Friday, November 27, 2009*

Thousands of dollars spent by the seven winning candidates during last year's municipal election in Summerland came from anonymous donors.

But that's illegal and the penalty for candidates who take anonymous donations of more than \$50 is disqualification from holding office and from running again until after the next general election.

It's also illegal to give anonymous donations of more than \$50.

Candidates, elector organizations and campaign organizers who receive anonymous donations greater than that amount are required by the Local Government Act to give that contribution to the municipality or regional district.

But it's harder to find the givers than the takers.

All six Summerland councillors and Mayor Janice Perrino admitted in their campaign financing disclosure statements that they took donations from unnamed individuals, groups or corporations that exceeded the legal threshold.

"I guess Summerland doesn't have a council any more," said Kennedy Stewart, a political scientist at Simon Fraser University, whose specialty is civic politics.

Perrino spent \$7,913 on her campaign with \$1,127 of that coming as anonymous "in-kind" donations of newspaper ads, flyers and cards. She also recorded another \$170 in anonymous cash contributions of \$50 or less.

In-kind donations are those that involve a person, company or group providing service or the use of a property at no cost. For example, a hotel owner could provide a meeting room at no cost to a candidate. But under the act, if that meeting room normally rented for more than \$50 he or she could not donate it anonymously.

For the newspaper ads to be considered "in-kind" donations, they would have had to be provided at no cost by the newspapers' owners. But if those ads were worth more than \$50, the candidates would not have been able to accept them without naming the newspapers' owners as donors.

Councillors Gordon Clark and Bruce Hallquist both filed disclosure statements claiming \$513.91 from "anonymous for reasons of privacy" for newspaper ads and the printing of flyers and cards.

Clark and Hallquist both noted that amount was one-seventh of the full cost of the ads and other printed material.

But the question is: Who is responsible for enforcing the law and firing the mayor and council?

Stewart says nobody is. Municipal clerks act as chief electoral officers, but they have no

powers to enforce the act's provisions.

It's a striking example of how miserably flawed the Local Government Act's election provisions are.

Earlier this month, Penticton Herald managing editor James Miller confronted Summerland council at its weekly meeting about the anonymous donations. He also asked them about the Citizens for Smart Governance, which endorsed all of them.

(His fine example of crusading journalism is available on a video at [vancouver.sun.com](http://vancouver.sun.com))

Citizens for Smart Governance broke the act by failing to register as an elector organization, even though it endorsed a slate of candidates and bought ads urging voters to support them. The group also failed to file a financial disclosure statement.

Perrino was not at the meeting. She is away, recovering from back surgery.

Clark, the acting mayor, admitted to Miller that he identified himself with the group and had indeed claimed \$207.89 on his financial disclosure as his 1/7th proportion of an ad that ran above the Citizens for Smart Governance name.

But Clark said he had no recollection of who actually constitutes the group and didn't know of any formally appointed chair or president of Citizens for Smart Governance.

Miller's conservative estimate of how much the Citizens for Smart Governance spent on newspaper advertising alone is \$3,000. One ad in the Penticton Herald that ran the day before the election, for example, cost just over \$1,000.

The Herald ran more than one ad from the group, which also placed ads in two other newspapers: the Summerland Review and the Penticton Western News.

The Citizens for Smart Governance also distributed flyers.

Ironically, one of its ads for Perrino in the Summerland Review urged voters to choose her because "Janice Perrino is not beholden to any special interest group."

The reality is that because of all the anonymous donations, nobody really knows who funded a considerable portion of the Summerland council's election campaign.

It has left Perrino and her council open to speculation about its contentious two-pronged decision to, first, amend the official community plan (less than a year after it was approved following four years of public consultation) and then to upgrade the Rattlesnake Mountain site to an urban growth area from a future growth area, making it easier for it to be developed.

"The whole slate thing stunk," Miller wrote in an editorial calling for an independent audit of election expenses.

The problem is, there's no provision for that in the act.

The fact is that the provincial legislation has no provision for enforcement of any kind by anybody despite having all kinds of clauses about penalties that range from disqualification from holding office to fines of up to \$5,000 to up to a year in jail.

With no one in charge of ensuring that municipal elections are free, fair and transparent, B.C. is more like Afghanistan than any of us would like to believe.

To date, the position of the B.C. Liberal government is that it's up to citizens to complain.

But even that isn't very effective as David Wilson from Central Saanich, David Marley, Michael Lewis and Vivian Vaughn from West Vancouver and Sonya Paterson from Langley can attest.

All of those individuals filed complaints with police. In Central Saanich, it was RCMP who investigated because the local police chief was a director of the Peninsula Co-op, which failed to register.

The RCMP recommended 19 charges be laid. The B.C. government's criminal justice branch decided it was not in the public interest to press charges and that there was not a substantial likelihood of conviction.

The same thing happened in West Vancouver. Local police recommended charges, Crown counsel said no. Earlier this month, Marley and Lewis wrote to Attorney-General Mike de Jong asking that the decision be reviewed by senior ministry staff.

Langley RCMP sent Paterson a five-page letter explaining that charges were not being recommended because the act is pretty much a shambles.

The gaping holes in the legislation have not gone entirely unnoticed by municipal and provincial politicians.

At the Union of B.C. Municipalities' convention this fall, the city of Vancouver put forward a motion calling for legislative change.

In his speech to that convention, Premier Gordon Campbell announced a "task force" headed by UBCM president Harry Nyce and Community Development Minister Bill Bennett would review the legislation and make recommendations by May 31.

"It is a bit of the Wild West out there compared to provincial and federal elections," Bennett admitted in a radio interview this week.

He said there has not been "the kind of comprehensive reporting that should have been taking place" and that there are "some serious gaps in terms of accountability, transparency and spending limits."

But aside from public hand-wringing, nothing has happened.

The government has yet to appoint the other task force members. It has no terms of reference. No budget.

And soon, it won't have any time.

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Article rank | 12 Jan 2010 | The Vancouver Sun | BY JONATHAN FOWLIE  
VANCOUVER SUN jfowlie@vancouver.sun.com

# RCMP says its hands are tied over allegations of election lawbreaking

## Complaint about municipal campaign donations was filed too late, police say

The RCMP said Monday it cannot investigate whether Summerland mayor and city councillors breached the Local Government Act during the 2008 election.

In a statement released Monday, Cpl. Dan Moskaluk said a complaint in the case was filed too late, meaning police lack the authority to investigate.

"The statute of limitation on matters of this nature is a period of six months from the time of the occurrence of the alleged offence," said Moskaluk.

Moskaluk added that while police cannot pursue the matter any further, he said investigators still addressed the issue in a "thorough and properly documented manner."

In December 2009, a group of citizens filed a complaint alleging Summerland's mayor and city councillors had accepted anonymous donations of newspaper advertising, pamphlets and cards during the 2008 election.

Under the Local Government Act, it is illegal to both give and receive anonymous contributions valued at more than \$50.

The penalty for candidates who are found to have breached the act is disqualification from holding office and from running again until after the next general election. The penalty for donors is disqualification from participating until after the next general election.

The complaint comes as a group is meeting to make recommendations on potential changes to the Local Government Act.

Led jointly by Minister of Community and Rural Development Bill Bennett and Harry Nyce, president of the Union of British Columbia Municipalities, the task force will make recommendations to the province no later than May 30.

The province has said it hopes to introduce legislation to change the act in time for the 2011 local government elections.

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Article rank | 30 Nov 2009 | The Vancouver Sun | MAUREEN BADER | *Maureen Bader is B.C. director of the Canadian Taxpayers Federation.*

# How to fight city hall and win

A referendum in Dawson Creek shot down a \$10-million municipal borrowing proposal, showing that it is possible to fight city hall — and win.

The City of Dawson Creek wanted the money to pay for improvements to paving, storm sewers and other infrastructure. Sounds reasonable — until we ask — what happened to the rest of the money the city collected in taxes?

Data put together by the Dawson Creek Ratepayers Association showed that homeowners and businesses in Dawson Creek pay twice the property taxes, pay municipal employees twice the benefits, and already have three times the per capita debt as similarly sized cities.

City expenditures per resident are higher than Vancouver's. Of the 157 municipalities in British Columbia, Dawson Creek sits in 11th spot for expenditures per resident, at \$2,083 in 2006 (the last year for which data is available).

Fort St. John, a neighbouring city, spends only \$1,216 per person.

Citizens of the town said, enough is enough and forced the city to have a referendum on borrowing for yet more spending.

Sure, grandiose arenas and community centres and handouts to environmental groups are nice (or not), but should property taxpayers be on the hook to fund them?



Voters said no to more borrowing. This is a victory for Dawson Creek property taxpayers.

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