

# FONVCA

## Minutes Thursday May 15<sup>th</sup> 2008

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

### Attendees

Herman Mah ( <b>Chair</b> )	Pemberton Heights C.A
Cathy Adams ( <b>notes</b> )	Lions Gate N.A.
John Miller	Lower Capilano C.R.A.
Corrie Kost	Edgemont C.A.
Val Moller	Lions Gate N.A.
Eric Andersen	Blueridge C.A.
Lyle Craver	Mt. Fromme R.A.
Diana Belhouse	Delbrook C.A.
Hugh Murray	Lower Capilano C.R.A.
Dan Ellis	Lynn Valley C.A.

Time at start of meeting: 7:16pm

## 1. ORDER / CONTENT OF AGENDA

### Added items:

Added Items: Under section 6.2

- Council workshop on Industrial Waterfront issues
- G.L.O.W.
- court case-Capilano River residents
- development proposal Marine & Lloyd
- Matrix Report/school closures
- Grouse Inn site-redevelopment
- North Shore Gardens Contest Society-new group using name, etc.

## 2. ADOPTION OF MINUTES

April 17<sup>th</sup> minutes were approved as circulated.

## 3. OLD BUSINESS

No action items from last month.

## 4. CORRESPONDENCE ISSUES

### 4.1 Business arising from 6 regular e-mail

Correspondence on various issues, including the right to criticize government, improving biking skills, concerns with regard to mountain biking in parks, civic parties and densification.

### 4.2 Non-posted letters – 1 this period.

1 letter (circulated in hard copy at meeting) has not been posted on the FONVCA website as it was more or less entirely a verbatim recitation of an article printed in the Vancouver Sun. It is against our policy to post this type of material, and it was decided not to post this item.

## 5. NEW BUSINESS

### Council and other District Issues

### 5.1 Bill 7 - Amendments to Local Elections

There are changes to the Local Government Act being proposed in Victoria. These changes have been introduced in the Legislature, with the intention of dealing with it prior to this November's municipal elections. These amendments would affect public access to a list of registered electors, the nomination process, campaign finances, advance voting eligibility, etc. More details at [www.civicnet.bc.ca](http://www.civicnet.bc.ca) at <http://ubcm.ihostez.com/contentengine/document.asp?id=3752>

### 5.2 Living Smoke Free-Canadian Cancer Soc.

The Canadian Cancer Society is asking Local Governments to adopt stricter bans on outdoor smoking. They would like to see smoking banned on patios, parks and playing fields, as well as a ban on smoking within 7.5 metres of public building entranceways, etc.

### 5.3 The Right to Criticize Local Government

There was a 2006 Supreme Court case on this issue. Courts have held that citizens cannot be sued for defamation if they speak out against their government. The BC Civil Liberties Association is suing the City of Powell River after Powell River local government used legal threats to try to intimidate citizens who were speaking out against development plans. Attached to agenda package were:

- The April 25/2008 Vancouver Sun article "Civil rights group files lawsuit against city of Powell River"
  - May 3/2008 Vancouver Sun article "Libel Chill – Lessons in Democracy, Powell River Style"
  - The Superior Court of Ontario judgement of "Halton Hills (Town) v. Kerouac, 2006 CanLII 12970 (ON S.C.)"
  - The May 3/2008 National Post article "Council opposes suits used to silence critics"
- And the sidebar Empire Club article:  
Freedom of Expression vs. the Individual's Right to Privacy.

For web links to the above see the May 15<sup>th</sup> FONVCA Agenda as well as the email by Corrie – [http://www.fonvca.org/letters/2008/14apr-to/Corrie\\_Kost\\_3may2008.pdf](http://www.fonvca.org/letters/2008/14apr-to/Corrie_Kost_3may2008.pdf)

#### 5.4 Council's Increased use of Consent Agendas

Lyle reported on concerns about the number and type of items that are being dealt with as consent agenda items. One concern arising from this is that the **reasons** for a councilors support or non-support of an item are not being stated. A big concern is that recently, consent agenda items have been added (switched) from status as a regular agenda item at the time of the council meeting, resulting in there not being advance notice of this. Another arising issue from this is that someone arriving or tuning in after a meeting has started is not aware that the agenda item they have arrived to listen to has already been dealt with as a consent agenda item. People often choose not to sit through an entire meeting of council, when their interest is specific to an agenda item! Should we ask council to limit consent agenda items to only those published on the agenda?

**Action item** Motion made and passed unanimously that "FONVCA requests that council not change agenda items from a regular agenda item to a consent agenda item at the time of a council meeting – that is, after the meeting agenda has been published."

#### 5.5 Popular Reporting

A paper (hardcopy attached in agenda package) titled "Popular Reporting – North Vancouver's Efforts to Re-engage the Public" which was given by David Sewell, DNV Business Management Dept., at a conference, lauds the availability of the District's Report on the website. The paper did not cover the issue and concern that some people who are not able to access the web do not have access to the Report. The lesson has not been learned that we have a large senior population, many of whom do not use the internet.

#### 5.6 Development-Hillside versus Flats

Richard Balfour, a Vancouver architect, issued a proposal to Metro Vancouver on the merits of hillside development as opposed to on the flats. "BC is mostly a mountainous place, we would be best advised to learn how to take proper urban development to the hills...". His main concern is the ALR, and the opportunity to recapture, in the future, some of the agricultural lands lost in the past. He has detailed lots of pros and cons but the difficulty and hazards of building on hillsides is not addressed. Two articles were attached to the FONVCA agenda.

#### 5.7 Private Neighbourhood Patrols

Herman spoke about Pemberton Heights' neighbourhood concerns - primarily graffiti and crime in the area. The Pemberton Heights Community Association has hired private security patrols the past two Halloween nights, and currently has bike patrols of dads, mostly, on some weekend nights. There have been some positive results. Currently, Pemberton Heights has a proposal from a security company. If a certain number of homes (600) sign up for alarm monitoring (~ \$25/month for each home) with this firm, they will have a dedicated patrol for the area. PHCA may want other neighbouring areas to join the program, so that the number of signups needed can be achieved. There was considerable discussion about other ideas to combat problems like graffiti and "hanging out" which can lead to destructive behaviours by young people - such as organizing programs and events. The problem of tagging can often be successfully combated by painting out the tags right away. The District and BC Hydro will provide cleaning materials upon request.

### 6. ANY OTHER BUSINESS

#### 6.1 Legal Issues

Random Search of Students' backpacks – the Supreme Court ( R. v. A.M., 2008 SCC 19 – dated 20080425, Docket 31496 – attached to agenda package, along with May 8/2008 Vancouver Sun article "Court rulings allow for protection of students and their Charter rights") ruled that this violates section 8 of the Charter of Rights – *Everyone has the right to be secure against unreasonable search or seizure.*

#### 6.2 Any Other Issues (2 minute input limit)

- a) Recent Council Workshop on Industrial Waterfront issues. 1 billion dollars will be spent between now and 2020 on industrial properties and rail service improvements, including noise mitigation, and it is expected that many District concerns will be addressed.
- b) **G.L.O.W.** "Gay, Lesbian or Whatever" posters were left for us, presumably for posting.
- c) GVRD/Cap River residents court case – Cathy reported on this case currently before the courts. In 2003 there was a problem with the drum gate

at the Cleveland Dam, resulting in a huge volume of water being released, causing undermining and loss of riverbank adjacent to a home on Glenaire Drive. The GVRD's refusal to take steps to protect private property has resulted in this lawsuit.

- d) **Marine and Lloyd redevelopment** – Redevelopment of commercial , with residential above, backing onto the bluff in this area, which mostly meets the Marine Drive C9 Zone. Issue of concern is a large parking variance being sought, which is felt to be not sustainable for the future of the area. Also, Pemberton Heights is concerned about access and egress onto Lloyd for the project.
- e) **Matrix Report** on school closures in the District. There is a concern that it pits one area against another, when it comes to discussion of which school to close. The School Board is holding study groups on the issues arising from the Report.
- f) **Grouse Inn** – site redevelopment proposal. New owners of the property propose a rezone to residential from the tourist accommodation zoning now in place. Several buildings, including high rises. However, the tourist accommodation sites in Lower Capilano were not rezoned to the Marine Drive Zone, in an effort to retain these units to support the North Shore tourism industry. Another concern is increased traffic at the congested corner of Cap and Marine.
- g) **North Shore Gardens Contest Society** – has reluctantly voted (but not yet taken action) to dissolve for a variety of reasons, and therefore will not be holding a gardens contest this year. There is a small dissident group passing themselves off as this original society, allegedly using the society's documents, flyers, etc. in promoting their group and garden contest. The original group/society wants to stop this, and is trying to make it known that it is not the same organization. Arts in Gardens is a different organization and is still a going concern.

## 7. CHAIR AND DATE OF NEXT MEETING

Bill Mauer – Seymour Valley CA  
[billm@millsoft.ca](mailto:billm@millsoft.ca)

or

Eric Andersen – Blueridge C.A.  
[EricGAndersen@shaw.ca](mailto:EricGAndersen@shaw.ca)

Thursday, 7:00pm June 19, 2008

Meeting was adjourned at 9:00PM.