

# FONVCA

## Minutes September 20, 2001

### Attendees:

Margaret Fraser (Chair)	Lynn Valley C.A.
Al Price	Pemberton Heights C.A.
Eric Andersen (Notes)	Blueridge C. A.
Dave Sadler	Seymour C. A.
Brian Platts	Edgemont C. A.
John Miller	Lower Cap. Comm. Res. Assn.
Hugh Murray	Lower Cap. Comm. Res. Assn.
Corrie Kost	Edgemont C. A.
Maureen Bragg	Save Lynn Canyon Park
Cathy Adams	Lions Gate Neigh. Assn.
Val Moller	Lions Gate Neigh. Assn.

### Guests/observers:

Felipe Grossling	felipeg@home.com
Greg Little	

### 1. Order/contents of agenda

Add items:

- 6.2 Secondary suites charges
- 6.3 Bylaw enforcement and confidentiality
- 6.4 Noise/Construction bylaws
- 6.5 House replacement
- 6.6 Lynn Valley Plan

### 2. Adoption of August 16, 2001, minutes.

Moved by Al Price, seconded by Brian Platts and carried unanimously

### 3. Old Business

- 3.1 **Status of District OCP** - Margaret Fraser reported that Mr. Zerr of the Planning Department had informed her that the North Vancouver District OCP was held in abeyance until such time that the three local area plans, that were being reviewed, had been finalized. Margaret will check regarding the legality of a municipality NOT having an updated OCP in place.
- 3.2 **Encroachment fee formula bylaw** (combined with item 5.3).  
Brian and Corrie had worked together on a proposal for a 2.5% formula based on the assessed valued divided by the zoned maximum floor space as a formula for encroachments, whereas NVD staff recommended only 1.5%. However this new formula would only apply as of when the property is sold (i.e. grand-fathering the present arrangements). Thus the current very low fees would stay for many years – perhaps 20-40 years. Council considered this otherwise to be a hardship for the owners and also feared that they might lose a court case. Corrie

pointed out that none of the 3 possible outcomes of such a court case (based on the Property Law Act) were necessarily unfair to the District.

The question is whether the present owners who are encroaching on District property are paying a fair market value? Council approved staff's recommendation. Staff didn't look at applying fees retroactively. Staff's report also did not state what a fair rate of return would be for the NVD. A Bylaw will now be drafted and go to a Public Meeting before council consideration.

### 4. Correspondence Issues

#### 4.1 Accountants' Report in connection with Complaint regarding Council and Staff Expenses

The LGA stipulates that a resident can file a complaint and ask for a report on Council and Staff expenses, which was done earlier this year in the NVD. Without being specific the report stated that out of 30 test samples 15 (i.e. 50%) of them had flaws in them.

[http://www.dnv.org/upload/documents/Council\\_Reports/00070.pdf](http://www.dnv.org/upload/documents/Council_Reports/00070.pdf)

#### 4.2 Business Arising from e-mail

There has been lots of communication to FONVCA, but there is room for about another 1000 letters on our site. A total of 80 megabytes are available to FONVCA as a free service by Quik.ca  
The only member of Council who communicates regularly with FONVCA is Councillor Ernie Crist. One councillor is rumored never to take advantage of e-mail. Should it be requested that this tool be taken away from that Councillor? Councillors are not duty-bound to respond to letters from the public.

### 5. New Business

#### 5.1 Provincial Government's Community Charter Council'

[http://www.legis.gov.bc.ca/37th2nd/3rd\\_read/gov12-3.htm](http://www.legis.gov.bc.ca/37th2nd/3rd_read/gov12-3.htm)

A committee, whose final report will be completed by January 15, 2002, is working on the Community Charter Council Act. There is no public representation on this committee which was put together by the Minister of Municipal Affairs, Mr. Ted Nebbeling. Most of the members are past and present (mostly municipal) politicians. Public input should be allowed once the report has been completed early next year.

#### 5.2 Report 2002-2006 Financial Plan.

The Chair of the Finance Committee continues to speak against public input at Council meetings.

At the public meeting on the budget held on September 15 only two members of the public spoke. The next meeting with public input has now been scheduled for December 01, which leaves very little time to consider any (drastic proposed) changes, since the Financial Plan is scheduled to be adopted by the end of 2001.

It was discussed that the garbage costs for the NVD are the highest on the North Shore, which appears to be due to inefficiencies. The NVD however is also the municipality with the highest recycling rate on the North Shore.

### 5.3 (Please refer to item 3.2)

### 5.4 Analysis by Corrie Kost of the Value Analysis Task Force Report.

<http://www.fonvca.org/agendas/sep2001/Analysis-of-VAT-report2.PDF>

Corrie has prepared a response - point by point that covers the above task force report.

Discussion arose about public input at Council Meetings, since this is one of the items dealt with in the report. There was clear consensus among the attendees that the present status should not be changed. There is little point in changing the public input to the end of the meeting, particularly regarding items that are on the agenda and which would, consequently, already have been discussed by Council by the time the public has a chance to address the issue. The question was raised whether public input should be enshrined in the LGA?

### 5.5 Large Recreation Fee Increase for Seniors

Very large (up to 50%) recreation fee increases have been applied towards seniors. Although this might partly be justified due to the seniors' higher wealth now, this argument is being largely negated by improved health resulting from such exercises.

The fee increases are much greater for seniors than for any 'regular' users. Cost/visit has remained stable despite improved participation. In most private enterprises, unit costs would go down as volume increases. Over all, the seniors did a good job at rallying against the fee increase, although to no avail. Note that Burnaby phased in their seniors increase over 4 years, Vancouver over 3 years, while the District did this overnight.

## 6. Any Other Business

### 6.1 For those with a leaning to the legal side:

Reference to how one can use Small Claims Court in BC  
[http://www.pushormitchell.com/articles/small\\_claims.html](http://www.pushormitchell.com/articles/small_claims.html)

### 6.2 Secondary Suites Charges

The NVD now has 3000 registered suites.

The present costs of owning (and reporting to have) a registered suite will next year go up from \$260 to \$480 yearly.

The question was raised whether the NVD is improperly obtaining information about secondary suites via FOI's through the B.C. Assessors and also through the Tenancy and Landlords Branch?

All secondary suites are treated equally whether they are nanny suites, family suites, inlaw suites etc.

It was also asked where the money from the secondary suites is going to? Would it be for general revenues, or what the costs are allegedly earmarked for, e.g. water and sewer maintenance?

### 6.3 Bylaw enforcement and confidentiality

It is important that complaints can be filed with confidentiality by any residents of the NVD. This had clearly not been done in a recent case involving a Councillor. Professionalism is needed on the part of our bylaw officers.

Brian Platts moved that FONVCA would address this issue in a separate motion which was carried unanimously.

### 6.4 Noise Bylaw

Attendees asked whether these bylaws are more lax in the NVD than in other municipalities. In particular, the hours that construction noises can take place on Saturday & Sundays. Brian agreed to do more research on this subject.

### 6.5 House replacement - carried over to October Mtg.

### 6.6 Lynn Valley Plan

The Lynn Valley Plan will be discussed in more details by the Lynn Valley Community Association at their next meeting on September 28 where Mr. Zerr of the Planning Department has been invited.

It was agreed that more work has to be done regarding community centres in general.

## 7. Chair & Date of next meeting.

David Knee – Norgate Park Community Association – Tel: 604-980-3863

Thursday, October 18<sup>th</sup>, 2001  
at DNV Hall, 7pm.