

FONVCA

Minutes September 17th 2009

Attendees

Brian Platts (chair)	Edgemont C.A.
Diana Belhouse	Save Our Shores
Dan Ellis (notes)	Lynn Valley C.A.
Val Moller	Lions Gate N.A.
Eric Andersen	Blueridge C.A.
Corrie Kost	Edgemont C.A.
K'Nud Hille	Norgate Park C.A.

The meeting was called to order at 7:10 PM

Regrets: Paul Tubb, Lyle Craver, Del Kristalovich,
Cathy Adams

1. ORDER / CONTENT OF AGENDA

Added: 6.2(f) Office of Cultural Affairs - Eric

2. Adoption of Minutes of July 16th

Minutes of July 16 were approved as circulated.

3. OLD BUSINESS

3.1 OCP Roundtable Update

Corrie distributed his notes of the Roundtable meeting of Sep 2/2009.

The Roundtable will meet again Sep 23rd, after which two public Visioning Workshops will be held Oct 6th and 8th. Community associations are urged to publicize these events to their members.

Concerns were expressed that:

- if the Roundtable is a committee of Council (as opposed to staff), it is legally obligated to open its deliberations to the public.
- Roundtable's freedom to develop concepts and air opinions confidentially should not be stifled by having the public attend, because the OCP content will later be deliberated publicly.
- Parks Visioning process being launched now seems to be independent of the OCP, which should establish high-level objectives and principles first. This issue will be brought back to the next Roundtable meeting.

4. CORRESPONDENCE ISSUES

4.1 Business arising from 1 regular e-mail

.One e-mail regarding the siting of mobile homes on a property being re-developed in an established single-family neighbourhood. This has been brought to Council, but there has been no resolution yet.

4.2 Non-posted letters – 0 this period.

5. NEW BUSINESS

Council and other District Issues

5.1 Synopsis of Sustainability

<http://www.pollutiononline.com/nl/845483/733151>

mostly relating to environmental stewardship - written by Ferdous Noman - was distributed.

5.2 School Board All-Candidates Meeting

6 of 7 School Board candidates came to Blueridge CA's all-candidates meeting, and conducted themselves impressively.

5.3 Resilient Cities

See

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

for theme of the Oct 20-22/2009 Vancouver Conference (attached to agenda).

Concern expressed that the power / funding imbalance between levels of government severely challenges cities' ability to plan for resilience. FoNVCA asks that DNV give strong consideration to attending the conference (Councilors and/or Staff) **and** reporting back to the public on the very significant issues being discussed. (**ACTION ITEM**)

5.4 ACT: Adaptation to Climate Change Theme

<http://www.sfu.ca/act/> and SUN article of Sep

10/2009 "Brace for wild B.C. weather..."

http://www.metrovancouver.org/planning/development/agriculture/AgricultureDocs/Climate_Variable_Mapping_report_final.pdf

Material attached to agenda package illustrates the expected change in annual temperatures for Lower Mainland by 2050.

5.5 Spirit Trail Through Norgate

Concern expressed that the Spirit Trail has been routed through Norgate without consideration of local neighbourhood concerns, resulting in loss of a strip of Welch St road allowance which until now has formed part of the parkland there. No offer of anything in return.

6. ANY OTHER BUSINESS

6.1 Legal Issues

(I) Can a councilor be charged under section 30.4 of the Freedom of Information and Protection of Privacy Act which reads: *An employee, officer or director of a public body or an employee or associate of a service provider who has access, whether authorized or unauthorized, to personal information in the custody or control of a public body, must not disclose that information except as authorized under this Act.*

Perhaps section 73(a) applies?

Protection of public body from legal suit

73 No action lies and no proceeding may be brought against the government, a public body, the head of a public body, an elected official of a public body or any person acting on behalf of or under the direction of the head of a public body for damages resulting from

- (a) *the disclosure, or failure to disclose, in good faith of all or part of a record under this Act or any consequences of that disclosure or failure to disclose*

The above relates to the case where Coun. Brian Skakun (of Prince George) had been charged with disclosing personal information.

It will be interesting to follow this case...

(II) **Supreme Court of BC: Viridis vs. City of North Vancouver – Bewicke zoning suit**

<http://www.canlii.org/en/bc/bcsc/doc/2009/2009bcsc1118/2009bcsc1118.html>

The key element [57 in above URL] is that a Mayor's "initiation" of reconsideration must be within 30 days of defeat BUT this may mean council will not reconsider it for a much longer period! Note also in [60] "courts have held that the failure of a council to observe its own procedures is only an irregularity and not fatal to the bylaw passed, **unless the required procedure is a statutory procedural requirement.**"

The question is: **When is a statutory violation just a procedural error – or visa-versa?**

Also attached to FONVCA package were the NSN article of Aug 26/2009 "When a majority doesn't win" and "Urban panning" – VIEWPOINT on page A6 -NSN on August 19/2009 and "Court dismisses Bewicke zoning suit" on page A3

6.2 Any Other Issues (2 min each)

- a) Page F6 SUN 22Aug/2009 on tank systems to capture rainfall – **at \$2/storage litre-** environmentalism and common sense collide.

- b) BC on-line gambling web-site raises weekly stakes from \$120 to \$10,000. Who are the addicts?
- c) Families need cars to commute from affordable areas – by Harvey Enchin- page A4 SUN July 23/09 where he opined that "people are not going to give up private automobiles. Neither will they stop raising children or wanting backyards for them to play in"
- d) Municipal Law – outline and references was attached to package. It contained many useful references on Local Government, Growth Management, Planning, Zoning & Land use control, and Municipal Law.
- e) Municipal Election Violations A4 SUN Sep 16 outlined the difficulty of private citizens having to go to court to enforce the rules of municipal elections. Elections BC should oversee municipal voting (as it does for Provincial Elections).
- f) Office of Cultural Affairs. The issue here seems to be that this Office requires far too much paperwork for minor applications.

7. CHAIR AND DATE OF NEXT MEETING

7:00pm Thursday October 15th 2009

Dan Ellis – Lynn Valley Community Assoc.

Tel: 604-985-7880 email: ellis7880@shaw.ca

Meeting was adjourned at ~ 9:00PM.