

Subject: FW: Notice of Motion - release of pertinent documents relating to the Seymour Waterfront prior to the public hearing of the Seymour Local Plan.

Date: Wed, 5 Feb 2003 09:27:40 -0800

From: "Ernie Crist" <ernie_crist@dnv.org>

To: "FONVCA (E-mail)" <fonvca@fonvca.org>

> -----Original Message-----

> From: Ernie Crist

> Sent: Monday, February 03, 2003 2:27 PM

> To: Nathalie Valdes

> Subject: Notice of Motion - release of pertinent documents relating to the Seymour Waterfront prior to the public hearing of the Seymour Local Plan.

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> Motion - Report Councillor Crist;

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> That Council release to the Seymour Local Plan Residents' Committee, all pertinent documents, staff reports and motions, including In Camera documents (within existing legal constraints), pertaining to the District waterfront, including past efforts to accept responsibility for the administration of the Seymour waterfront, putting the construction of any improvements out to Sea, or the construction of Seawalls under District control and

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> Further, that this be done prior to the public hearing of the Seymour Local Plan as outlined in the Background Planning Report - Seymour Local Plan Residents' Committee, Jan. 2003.

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> Reason for Report;

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> The Seymour Local Plan Residents' Committee has worked diligently for several years to produce the Seymour Local Plan. A large percentage of the Seymour land mass faces the Waterfront. Yet apart from marginal comments about the desire to have access to the waterfront in line with the recommendations of the District's Waterfront Task Force, the Plan is bereft of any solid policy pertaining to the administration of the waterfront, which would put construction of any improvements out to Sea or construction of Seawalls under District control.

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> This is not the fault of the Seymour Local Plan Residents' Committee nor the fault of District Staff. It is, however, the fault of District Councils who have consistently failed to provide leadership in accepting responsibility in this matter as offered by the Port of Vancouver.

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> The result has been one fiasco after another. It has resulted in untold legal and jurisdictional quarrels between the Port and the District, between the District and the waterfront property owners in Seymour, frustrations by the public at large and even quarrels between neighbors. Yet, all the while, the structures uglifying the waterfront and making access more difficult have increased not only in numbers but also in size while homes on the waterfront are getting bigger with the effect of creating an inaccessible wall. This also jeopardizes the recreational and tourist potential of Seymour. Lack of a progressive policy hangs like the sword of Damocles over Seymour and the community at large.

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> However, based on geographic, social, recreational and environmental matters, the Waterfront is at the very heart of Seymour. There can be no meaningful long term Seymour Community Plan, in line with the philosophy expressed in the Plan, unless this issue is addressed. This was recognized by the WATERFRONT TASK FORCE in the past but its recommendations were never implemented. Indeed the refusal by past Councils to spend even the modest funds allocated for this purpose to provide access to the waterfront in the 1999 - 2002 budget was in clear violation of Council's intent.

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> The fact is that the Port is more than willing to turn the administration of the waterfront over to the District. Yet this has been kept secret more or less from the taxpayers, including the volunteers of the Seymour Local Plan Residents' Committee. To the extent that information was released, it was done by innuendo with a frightening

cost factor attached. At the same time, the District has spent hundreds of thousands of dollars in legal costs, in one form or another, with no result other than continuing the status quo. The only people gaining from this state of affairs have been lawyers and the few homeowners who turned their properties into concrete walls and/or erected large structures on the waterfront and out to sea at the expense of the community at large. It is safe to assume that the costs for defending the status quo far outweigh the cost to the District for taking over responsibility from the Port. >

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> There have been numerous staff reports on this matter, as well as motions urging Council to address this issue.

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> This includes a staff report of Nov. 26-2002. Subject "Port Authority Correspondence from Mr. Bob Fitzgerald re proposed District of North Vancouver, August 28, 2001".

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> Correspondence between staff and the Port, dated Nov 7,2001 "Waterfront Task Force Recommendations adopted in principle by the previous Council, dated August 10, 2001"

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> Correspondence from the Port to the District, dated July 21, 1997.

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> A confidential staff report dated, Mar. 15, 1999 on "Negotiations for the transfer of Vancouver Port Corporations Management of water areas east of the Second Narrows within the District of North Vancouver".

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> Correspondence to the Port by the District dated Jan. 09, 1998 on "The proposed municipal administration of Vancouver Port Authority residential waterfront leases".

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> A report dated Nov. 9, 1998 "Negotiations for the transfer of Vancouver Port Corporation's management of water leases in areas adjacent to residential waterfront properties east of the Second Narrows with the District of North Vancouver"

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> Correspondence from the "Port to Mayor Bell dated May 3, 1999".

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> A motion by Councillor Crist dated July 11, 2001 Subject: "Vancouver Port Authority" plus numerous legal opinions and documents pertaining to this issue.

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> While the author of this motion is fully aware of the restriction by a member of Council regarding the release of In Camera Documents, it is not within Council's power to prohibit making the public aware of such documents, if it is done without divulging any of the details.

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> However, to the extent that it is within Council's power to make pertinent material available, it should be done to assist the Seymour Local Plan Residents' Committee and the people of Seymour in general, to come to grips with this key issue.

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