

Grovenor Community League  
**Board of Directors Meeting**

# Minutes

Grovenor Community Hall

February 06, 2018 ▪ 7:10pm start

**Attended:** Allan Bly, Vince Bowen, Rob Chaput, Earl Clements, Gerry O'Donnell, Brian Los, Bill Melenberg, Mariette Seed, Peggy Ward. **Total = 9**

**Regrets:** Heather Bolli, Brad Mielke, Rosa Ficko, Cassandra Haraba, Kersh Naidoo, Travis Watt, Tony Van Herk, John Yule, Margaret Smith.

## 1.0 Approval of agenda

- **February 06, 2018**

Bill MOVES and Brian SECONDS. Agenda is APPROVED.

## 2.0 Approval of minutes

- **January 09, 2018**

Bill MOVES and Peggy SECONDS approval of the January 09 minutes. Minutes APPROVED.

## 3.0 Action Item review

- Allan filed a police report for the stolen AED.
- Gerry can file an insurance claim for the stolen AED after Allan provides a copy of the invoice for the new purchase.
- Bill found some development permit documents to go to Cassandra; other documents to be filed. Remaining papers in bags have been shredded.
- Baby program summary yet to go in newsletter.
- The CLIP grant documentation has now been approved; still awaiting deposit of grant funding.

## 4.0 Reports

### 4.1 Vice Presidents report

**Gerry & Kersh**

Gerry says:

- Thank you to everyone for showing up on such a cold night.
- The Plus community swim program didn't offer us much of an advantage, so as agreed to previously, Grovenor will retain the status quo for 2018.
  - Rob takes initiative to get Grovenor on Community swim night. Can pick from different pools.
  - Gerry has agreed to ask Heather to access all the Grovenor email addresses. Her predecessor did that. Rob subsequently offered to help Heather to implement a better email solution. It was agreed to have Rob follow through with this plan.

**Action Item:** Rob to offer to help Heather set up Grovenor accounts through Google.

### 4.2 Treasurer's report

**Peggy**

Peggy reported that she has no report as she has been away. But will provide balances shortly.

- Account balances are as of Feb 08:
  - General account - \$39,022.61
  - Casino account - \$46,523.65
  - Total - \$85,546.26

**Action Item:** Peggy advises Allan to be prepared to write reports detailing rink & hall expenditures as auditors will want this information.

**4.3 Civics report** (\*included at end of these minutes)

**Cassandra**

Cassandra sent a report to be included in the minutes. Highlights are:

1. Private property damage caused by infill construction – City council and the provincial department of Justice.
2. Private property damage caused by construction excavations - City council and the provincial Department of Municipal Affairs.
3. Public property damage caused by driving over boulevards – City council and the Law.
4. The Blue Chicago site, Holyrood, and the Council Code of Conduct – City council, the provincial Department of Municipal Affairs, and the Rule of Law.
5. The Planner Code of Ethics – City Administration and Planner regulatory bodies.

**Action Item:** Bill offered to get boxes of Grovenor development permits delivered to Cassandra's office downtown. These are some civics documents Bill found in the bags in closet.

**4.4 City of Edmonton**

**Margaret**

Margaret Smith was absent but sent the following report:

- Regarding her action items:
  - The Learn to Skate poster was sent out.
  - There is no City internet available
  - AED's are not a "standard" item from EFCL or the City.
  - The community swim program should include Grovenor.
- The Park Bench e-newsletter is being relaunched. There will be monthly updates on recreation programs and events, and park/green space initiatives.
- Upcoming recreation programs and events include: Green Shack, Family Nature Night and Nightworks. Also Play and Save updates.

**5.0 Old business**

**5.1 Goals and Objectives**

**Gerry/All**

**MOTION** to approve goals and objectives as set forth is **MOVED** by Rob, **SECONDED** by Bill. **APPROVED** unanimously.

**5.2 Facilities (Hall and Rec Centre) status update**

**Allan**

Allan reported that:

- For the hall we have another request for a regular renter for a karate club.
- They want to use it Tuesday and Saturday mornings, so that could work as we like to reserve Saturday afternoons for birthday parties.

**Action Item:** Organization of file room is needed. File cabinet needed.

**Action Item:** Brian to arrange for locking file cabinets.

**Action Item:** Allan to update on meeting with insurance agent, Rose.

**5.3 Sports report**

**Rosa**

Rosa absent but sent a report stating that:

- Indoor soccer season is coming to a close this weekend.
- There is a U10 Boys team and a U 16 Boys team.
- The coaches for the first team are: Rob Carver, Nathaniel Friedenthal and Crystal Marshall. The coaches for the second team are: Brian Ficko, Andreas Donauer, Michael and Jordan Mis and Rosa Ficko.

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- Both teams have entered the EWZSA Slush Cup tournament between Mar 1-Mar 4th
- 5.4 CLIP 2017 grant application status update** Gerry/Kersh
- Gerry reports that:
  - Documentation has now been approved by city, but the funds have yet to be deposited to our account.
- 5.5 Ice maintenance for 2017-18 season** Allan
- Allan reported that:
  - The doors need to be replaced on shed. Sam who repaired the rink will take care of it this week.
- 5.6 Solar Project update** Tony
- Tony was absent but sent report that:
  - The solar project is set to start next Monday and should be done by end of week.
  - The architect has no concerns about pucks damaging panels.
- Action Item:** Allan to ask Tony to make sure that power remains on during installation.
- 5.7 Baby Program update** Brian
- Brian to connect with Heather re baby programs.
- 5.8 AED status update** Allan
- Allan reported that:
  - He is meeting the insurance agent at rec centre to assess AED theft there.
  - We have \$1000 insurance deductible.
  - He has gotten some AED estimates of around \$1000, not including pads & case.
  - He will place the order for 2 devices (one for hall; other for rec centre) soon as the board agrees it is important to have them in both locations. The board has agreed to proceed with these purchases.
- 5.9 Other old business** All
- 6.0 New business**
- 6.1 Plus Plan CoE Community League Swimming Pool usage** Gerry
- Gerry deduced that the higher investment would not reap many rewards, so Grovenor will retain the status quo for 2018.
- 6.2 Proposed LRT expropriations** Gerry/Kersh
- Cassandra wants to do FOIP to learn the background of the City's decisions (made up to now) to build underpass at 149 Street. Grovenor will cover the \$50 fee.
- It is mentioned that the West LRT will include the demolition of 15 homes and 21 businesses. Also, a 3-story apartment building.
- It goes to the City for approval March 21.
- If the province approves the cost in their budget, the City will go ahead right away.
- Discussion ensues on the impacts to Grovenor such as:
  - Decreased walkability.
  - Will left turns be permitted to go east on Stony Plain Road from the north.
  - Streets will be limited; blocked streets.
  - Parking infringements.
  - Cut through traffic.
  - Traffic being reduced to one lane each way.
- It is stated that Cassandra is to solicit City re parking bans.

- It is stated that we should explore less costly and disruptive options for reducing the footprint of the LRT impact in Grovenor as the reasons for living here are being eroded.

**Action Item:** Gerry to resend list of 10 questions from Cassandra.

**Action Item:** Cassandra to approach City re parking bans.

**6.3 Joint Summer Programs with N Glenora in 2018**

**Gerry**

Gerry mentions that:

- N. Glenora wants to expand the summer program this year.
- He asks for the go-ahead if proposal seems reasonable. Board APPROVES.

**Action Item:** Kersh and Gerry are still awaiting further details regarding the costs of the proposed expansion from Ryan of N Glenora, in order to determine if it's reasonable or not to expand the program.

**6.4 Draft 2018 Budget**

**Gerry/All**

Gerry reported that he prepared a draft budget and:

- With our projected expenditures, it would still leave \$41,000 in the bank for Grovenor at end of year.
- We expect to obtain another \$75,000 - 80,000 from our next casino in early 2019.
- Kersh, Gerry and Allan will apply for as many grants as possible in 2018.
- The N. Glenora summer program may be \$2000 more than previous year, but still awaiting further details from N Glenora's president.
- We will do everything included in the final approved schedule for the 2017 CLIP grant.
- He added in 3% for inflation.

**MOTION** to approve 2018 budget is MOVED by Bill, SECONDED by Rob. APPROVED.

**6.5 Newsletter archive online**

**Mariette**

- Mariette asks if the online copies of newsletter can be brought up to date as currently the latest one is one year old.

**Action Item:** Bill offers to contact Heather as he needs to send her some past issues.

**6.6 Newsletter deadline**

**Bill**

Bill reports that:

- The newsletter deadline will be February 23.
- It is important to be on time with submissions for delivery the 1<sup>st</sup> week of March.

**Action Item:** Bill will send the normal newsletter submission reminder.

**6.7 Other old business**

**Adjourned 9:00 pm**

**7.0 Next meeting – March 06, 2018 ▪ 7:00 pm.**

<b>Grovenor Community League Civics Report</b>	<b>Feb. 2018</b>
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Submitted by:

Cassandra Haraba, B.A., M.A., LL.B., Barrister and Solicitor  
Chair, Civics and Development Issues, Grovenor Community League

**These are the ongoing issues I am working on for the benefit of Grovenor Community League, members, and residents.**

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## **1. Private property damage caused by infill construction – City Council and the provincial Department of Justice**

Peace Officers are intended to enforce the Petty Trespass Act, which - in conjunction with the Provincial Offences Procedure Act - can provide a public-law remedy to private property damage caused by all types of construction trespass. POs are provincially accredited to enforce provincial law. They are hired by the city to do that in the city limits, but their mandate is set by the province and cannot be modified by city staff.

The Infill Compliance Team is composed of Peace Officers, but they refuse to enforce trespass law. Instead, Peace Officers tell aggrieved homeowners to call police.

This is wrong because (1) POs are authorized to enforce the Act, which is intended to take the pressure off EPS, and (2) homeowners should in fact lay their own information at the police station. There is no need for police attendance. However, police don't know the nuances of the Act and don't give proper advice about the laying of informations. So no one gets the benefit of the Act.

I spent considerable energy conveying the above message to City Council. At last, in spring and summer 2017, City Council directed the Peace Officer section to better enforce trespass law.

Meanwhile, I advanced a Complaint to the Director of Law Enforcement. The Director ultimately informed me that the POs had removed the Act from their authorizations so they can no longer enforce it.

At that point, I FOIPPed the city's file.

Just before Christmas this year I received partial disclosure. It shows that the POs asked to have the Act removed from their authorizations a month AFTER Council told them to enforce it. It also shows that the City Manager wanted the matter suppressed.

Recently I sent the above information, with scans of the pertinent records, to the Mayor and interested councillors, and to the EFCL (who maintains an interest in the matter on behalf of all leagues).

I also filed a Request for Review of the city's disclosure with the Information and Privacy Commissioner, because it seems reasonable that the city holds undisclosed records. This issue is ongoing.

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## **2. Private property damage caused by construction excavations - City Council and the provincial Department of Municipal Affairs**

Safety Codes Officers are intended to enforce the Building Code, which requires that construction excavations be supported to prevent soil movement and loss by water (and, as an incidental effect, to prevent fences from falling in and foundation damage to neighbouring buildings), and that excavations be securely fenced. (Note: fencing cannot be on neighbouring property because officers cannot endorse the breach of a law, in this case trespass law.)

SCOs are provincially accredited to enforce provincial law. They are hired by the city to do that in the city limits, but their mandate is set by the province and cannot be modified by city staff. I spent considerable energy explaining this to Council. Persistence is paying off.

Meanwhile, I laid complaints to the Safety Codes Council (Sept. 2016). After what I thought was sufficient delay, I set up a meeting with the SCC. EFCL attended too. The SCC agreed with my analysis of the Code.

However, more delay ensued. Therefore, late this summer I FOIPPed the Council. Municipal Affairs (the department that operates the SCC) called to tell me the SCC was pleading for me NOT to FOIPP them because they knew they hadn't done anything and they promised they would start. I told Muni Affairs no problem, send me back my \$25 cheque. I received it, ripped it up, and instead sent a \$50 cheque to FOIPP the SCC for two years at 3-month intervals. I received the first disclosure in October. Expecting the next disclosure soon. So far the records include only my own submissions, except that the SCC did a quick report about the matter and included that too.

The report applies a soft touch to the city, but basically says what I want it to say (SCOs must enforce all parts of the Code, including those relating to construction excavations).

This issue is ongoing.

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## **3. Public property damage caused by driving over boulevards – City Council and the Law**

Peace Officers are intended to enforce the Traffic Bylaw, which contains an absolute prohibition against driving over curbs, boulevards, and sidewalks. However, city staff thinks they can issue a permit for anything, even if the Bylaw does not provide for a permit (this is where the prohibition arises – if the Bylaw does not provide for a permit, the activity cannot be permitted).

I haven't had time to push this issue as hard as it needs to be pushed. The most useful thing would be for the public to be able to learn about how the Bylaw works and hold the city to account if they see damage. Typically, however, the public tends to ask rhetorical questions, and forgets to include me, or fails to realize the immense benefit of including me, so nothing improves.

This issue is ongoing.

#### **4. The Blue Chicago, Holyrood, and the Council Code of Conduct – City Council, the provincial Department of Municipal Affairs, and the Rule of Law**

By June 23, 2018, all municipal Councils must pass a Code of Conduct, as part of changes to the Municipal Government Act. The Code must remind Councils that they are bound by their own laws and policies (such as how to design transit-oriented development, as on the Blue Chicago site).

I worked hard with Holyrood on their Council public hearing regarding the big Regency DC2 that they managed to fight back. I was glad to be involved because what happens in Holyrood will impact our Blue Chicago DC2.

While in Council on the Holyrood matter (a month or so ago), I emphasized that the MGA and the Code are mere reminders to Council of the state of the law as it exists today. The message hit home because Council returned to it repeatedly throughout the public hearing, and ultimately decided for Holyrood.

Since then, the Bonnie Doon social housing DC2 has taken a completely different route, and other changes are in the wind.

This raises the bar for the Blue Chicago proponents.

Note that I tried to interest the parties affected by the Aldritt 80-storey tower in a similar approach, but to no avail.

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#### **5. The Planner Code of Ethics – City Administration and Planner regulatory bodies**

Just before the public hearing in the fall, after I informed Holyrood of the way planners are regulated in Canada, Holyrood asked me to send a letter to the national and provincial planner regulatory bodies stating that Alberta's Planner Code of Conduct fails to meet national minimum standards, and that the failure in standards could lead to complaints against planners. All bodies, plus their lawyer, responded. I also made City Council and the City Manager aware of the matter.

This is ongoing.

Note that I tried to interest the parties affected by the Aldritt 80-storey tower in a similar approach, but to no avail.

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#### **6. The Subdivision and Development Appeal Board**

a. I may have mentioned this one already: In the spring I went to the SDAB regarding variances on a property at 10034-142 Street. My argument was that the proponent had not

brought evidence of need or non-impact of the variances (essentially a non-suit), but that there is plenty of evidence of impacts, which militates against the variances. Success.

THE TAKEAWAY: It is possible to win on the strict terms of the MGA, without discussion of the zoning bylaw.

b. Again, I may have mentioned this one: In the later summer I filed an SDAB appeal of a permit for a fourplex beside Debbie Johnson's (across from the skating rink). The permit had already been issued and construction had begun, but it turned out that there were serious breaches of privacy caused by a bank of second-floor, floor-to-ceiling windows. The appeal stopped construction. We were able to negotiate a reasonable solution. The windows are now nice and small.

THE TAKEAWAY: Even if there is a permit already issued, and even if the permit does not include variances, and even if construction has begun, an appeal can be filed and good results can occur.

ANOTHER TAKEAWAY: This experience applies to rooftop patios with zero setbacks, which is strictly prohibited. Permits allowing them can be fought back.

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## 6. To watch

- There is a pending application for a 5-unit complex on Bill Hill's former studio site. A concerned resident contacted me. I gave her information about the process and what needs to be done by the affected parties. She said she found it intimidating and may be having second thoughts about taking the necessary steps, but she said she'd canvass her neighbours after she returns from her tropical vacation in January.
- Residents behind the Blue Chicago asked me why there seems to be work going on at the site. I contacted the city planning office a week ago, and followed up today (Jan.31, 2018) with a request to investigate and find out whether there is unpermitted work going on. Planning assured me that no action has been taken on the DC2 and today they said the investigation into the permits is ongoing.
- The provincial Ombudsman is supposed to receive powers of oversight of municipalities that might extend to issues of civic employees failing to enforce laws.