

Q&A Regarding FGCA Board Motion on June 22nd, 2016

Q – What was the exact wording of the motion that the FGCA board passed on June 22, 2016.

A – The motion that was passed states: “In order to protect our charitable status and consistent with legal direction, effective immediately the FGCA is withdrawing from land use planning and zoning activities.”

Q – Why did the FGCA pass this motion?

A – The FGCA is incorporated as a not-for-profit society under the BC Society Act and has been a registered charity under the federal Income Tax Act for 20 years. The research prompted by a requisition initiated by some FGCA members for a special general meeting brought further clarity around our obligation as a registered charity under that act to the FGCA board. Our resources are required to be substantially devoted towards our charitable purposes. The FGCA’s charitable purpose activities, as filed with the Canada Revenue Agency, include: Community Recreation Facilities and Trails, Daycare/After School Care, and Children and Youth Services/Housing. It should be noted that although our organization may engage in political activities, they must be directly related to our charitable purposes and can only account for a small proportion of the activities we carry out to support these goals. The Board has passed the above motion in order to fulfill its fiduciary responsibility to ensure that the Association complies with legislation.

Q – Was the FGCA undertaking political activities in relation to land use planning and zoning?

A – The FGCA has taken a position for many years that it does not undertake political activities in relation to land use planning and zoning matters. However, as a result of recent proposals and events in Victoria including (a) the proposal for a sewage treatment plant at Clover Point, (b) the tent city on the provincial courthouse grounds, (c) the proposals for bike lanes in the Fairfield area, (d) the City’s local area planning processes for Fairfield and Gonzales and (e) the purchase by the province of the Mount Edwards Court building to provide transitional housing and support services, there has been increasing pressure on the FGCA coming from its members and local residents to take political positions with regards to these developments. In addition, some individual Board Members have held themselves out to be representatives of the FGCA and have voiced political perspectives on some of these matters, without the authorization of the FGCA. These are serious matters which put at risk the services and programs of the FGCA, creating the need for this action by the Board to protect our organization from harm.

Q – Does passing the motion affect any services provided by the FGCA, other than land use planning and zoning activities?

A – No. This motion does not affect any of the services that the FGCA provides.

Q – What are the implications of the FGCA motion on land use planning for the Community Association Land Use Committee (CALUC) process?

A – The FGCA board does not have the full answer to that question, and will be exploring it with the City of Victoria and our membership. At present, this is a service offered by the FGCA for the City of Victoria. The CALUC process involved hosting a meeting on behalf of the City where a rezoning application has been received. The community association then facilitates a meeting to solicit public feedback on the application and is responsible for objectively reporting the outcomes of the meeting to the City, including providing a summary of all the comments received. This was a service that the FGCA provided to the City of Victoria. The City has undertaken a recent review of the CALUC process, and the outcomes of that review will inform the discussion between the FGCA and the City on next steps.

Q – Did the FGCA cancel the special general meeting proposed for June 24, 2016 requisitioned by a number of members?

A – No, the FGCA did not cancel the special general meeting. The group of members who requisitioned the meeting indefinitely postponed the meeting request, as the requisition did not have a clear motion included in it that members could vote on. The BC Society Act requires that anyone seeking a special general meeting must provide the wording of the proposed motion(s) at least 14 days in advance of the meeting.

Q – What was the topic of the request for a special general meeting?

A – A copy of the requisition to the FGCA is located below. In summary, the requisitioning members were requesting that the FGCA withdraw from land use planning and zoning activities, as well as endorse and facilitate a new organization in hosting those activities.

Q – Is there another organization that is prepared to undertake land use planning and zoning activities?

A – The FGCA has been informed by some individuals that they are preparing to establish an organization to address land use planning and zoning activities. The FGCA does not have further information that it can provide and anticipates that those individuals will be making information available to the Fairfield and Gonzales communities. It will be up to those individuals to make their ideas and plans known to the community. The FGCA is open to acknowledging any neighbourhood organization that forms and is prepared to engage in planning and zoning activities in Fairfield-Gonzales. However, as these would not be charitable activities, it is appropriate that they do not have any formal affiliation with the FGCA.

Q – Will there be any opportunities for FGCA members to gain more information and discuss the implications of the motion for the FGCA?

A – The FGCA understands that our members will have many questions about this change. The FGCA has scheduled an informal Community Forum for Tuesday, July 19th from 7 – 9 pm to meet with its members in order to communicate further information and address any related matters.