

**Subject: FW: Implementing the OCP - last words?**

**Date:** Mon, 29 Sep 2003 09:28:23 -0700

**From:** "Ernie Crist" <ernie\_crist@dnv.org>

**To:** "FONVCA (E-mail)" <fonvca@fonvca.org>, <cagebc@yahoo.com>

**CC:** <wrtracey@telus.net>

-----Original Message-----

From: Ernie Crist

Sent: September 29, 2003 9:21 AM

To: 'Dan Ellis'

Cc: Elizabeth James; Brian Platts; Allan Orr; Corrie Kost; Maureen Bragg; Eric Andersen; Cathy Adams; Mayor and Council - DNV; Senior Management Committee; FONVCA (E-mail)

Subject: RE: Implementing the OCP - last words?

Hello Dan;

Notwithstanding, we now have to unite, salvage as much as we can and move forward.

Thank You,

Ernie

-----Original Message-----

From: Dan Ellis [<mailto:ellis7880@shaw.ca>]

Sent: September 26, 2003 11:21 PM

To: Ernie Crist

Cc: Elizabeth James; Brian Platts; Allan Orr; Corrie Kost; Maureen Bragg; Eric Andersen; Cathy Adams; Mayor and Council - DNV; Senior Management Committee; FONVCA (E-mail)

Subject: Implementing the OCP - last words?

Ernie: I understand what you're saying, and this correspondence is every bit as tedious for me as for you and the others. As you note, we did object to the creation of Indigo / Winners, which were at odds with the OCP. Good research. But Staff could do nothing to stop them, as re-zoning was not required for the stores, only a DVP for exterior changes as you've quoted below..

To get Indigo to down-size their sign, Staff invoked the OCP streetscape guidelines, with our strong support. Had nothing to do with the stores themselves, or Bentall's ability to go ahead with them, ignoring what the community wanted.

We don't have a more pedestrian-oriented town centre at this time, because the mall site hasn't re-developed yet ! One has to mis-construe today's Core Area as the end-state, in order to support your statements.

To suggest the integrated Town Centre Project (Library, civic square and shops) is all the Core Area of the OCP will ever attain is to miss the point completely.

Building the Civic Square / Library project will catalyze re-development of the surrounding properties, in time. When they have, you and I can debate whether the end-state is pedestrian-oriented, and whether the amenities associated with it are a good bargain. Perhaps this is where I should say "I'll bet you won't read this!" I agree, enough, already! Dan

----- Original Message -----

From: Ernie <[mailto:ernie\\_crist@dnv.org](mailto:ernie_crist@dnv.org)> Crist

To: Dan Ellis <<mailto:ellis7880@shaw.ca>>

Cc: Elizabeth James <<mailto:cagebc@yahoo.com>> ; Brian Platts <<mailto:bplatts@shaw.ca>> ; Allan Orr <<mailto:allandorr@shaw.ca>> ; Corrie Kost <<mailto:kost@triumf.ca>> ; Maureen Bragg <<mailto:m.bragg@shaw.ca>> ; Eric Andersen <[mailto:eric\\_g\\_andersen@hotmail.com](mailto:eric_g_andersen@hotmail.com)> ; Cathy <<mailto:cathyadams@canada.com>> Adams ; Mayor and <<mailto:Council@dnv.org>> Council - DNV ; Senior Management Committee <<mailto:managecomm@dnv.org>> ; FONVCA (E-mail) <<mailto:fonvca@fonvca.org>>

Sent: Thursday, September 25, 2003 10:01 PM

Subject: RE: Implementing the OCP

Dear Dan:

This will be the last time I am going to deal with this issue. You stand on your side and I on mine. The central issue is and always has been that what was promised was a PEDESTRIAN ORIENTED TOWN CENTER along the area which has already been densified more or less (not be confused with the civic square) and the fact that what we got is a regional car mall. Also in line with modern planning principles, including fiscal planning, the District could have had amenities, including the Library, at no cost when instead we got nothing except a big bill. That is the main issue and nothing you say can detract from this fact.

As far as the rezoning and the Box store issue, including the sign issue, is concerned this is what I stated in my e-mail and I quote "The Council has the power to rezone or not to rezone any property. To implement the OCP, the District had to rezone the properties leading to the subsequent densification. The same is true for the signs on the box stores themselves (DVP). Maybe you did not see my (DVP) comment but it was made and I still have it on my screen".

But for your further edification and to put this issue to rest and prove once and for all is who right and who is wrong I am quoting from the staff report to Council dated March 30,2000.

"Subject 1199 Lynn Valley Road - Lynn Valley Center development Permit Application.

Recommendation - It is recommended that Council

1) Issue Development Permit 83.99 and 2) Authorize the Mayor and Municipal Clerk to execute a Servicing Agreement required in conjunction with the development permit application.

Reason FOR REPORT - the subject property at 1199 Lynn Valley Road is located in a development permit area. Therefore, issuance of a development permit by Council is required to allow modifications to the existing building.

Summary: The development permit application for exterior changes to Lynn Valley Centre is being brought forward for Council's consideration. It is recommended that development permit 83.99 be issued, requiring revisions to the Indigo Books facade and implementation of all works as per the Streetscape Guidelines for Lynn Valley Town Center as set out in Bylaw 7157 - District of North Vancouver Subdivision and Development Bylaw (Lynn Valley).

Existing policy as set out in the Lynn Valley Plan, the objectives of the DVP guidelines include encouraging a sense of unity and distinctive character to the Lynn Valley Area. Design objectives for the Town Center focus on the creation and strengthening of a village atmosphere and identity".

Further under item 6, I quote - "However most of the signage is in violation of the Sign Design guidelines. For example, the Indigo sign which protrudes above the roof line by 19 feet is over height by 2 feet and its secondary signage Indigo Books are not permitted".

Under Lynn Valley Community Association Executive we find the following comments.

"The comments of the Lynn Valley Community Association executive meeting on Jan. 19,2000 are appended as Attachment F. The executive was particularly concerned with the design of the Indigo storefront, it's compatibility with the overall design scheme featuring turrets and the Lynn Valley Plan development permit guidelines which states the preference for sloped roofs".

I am mentioning all this since you claimed, if I understood you correctly, that none of

this had anything to do with the Lynn Valley Plan and that the Council had no power regarding this matter.

In line with this allow me to also quote from the Minutes of the Regular Council meeting of April 10,2000 - DVP 83.99 LYNN Valley Town Center 1199.

Public Input:

"Mr. Robert Poburko, 2800 Bushnell place, Lynn Valley Community Association SUGGESTED THE PROPOSED STORES WILL LEAD TO TRAFFIC CONGESTION AND A LOSS OF BUSINESS FOR LOCAL MERCHANTS".

"He suggested THE COMMUNITY DOES NOT WANT THESE NEW STORES AND URGED Council to send THIS PROPOSAL BACK TO THE PLANNING DEPARTMENT FOR a review."

So there you have it. I am sure you can no longer claim that the box stores had nothing to do with the Lynn Valley Plan or that it was outside Council's power -NOT SO. It had very much to do with the evolution of the Lynn Valley Plan. To give Bental the OK without getting anything in return was the first blow against the PEDESTRIAN ORIENTED TOWN CENTRE.

I hope this will clarify the matter but in any case I do not wish to communicate on this issue any further.

Thank you for your interest.

Ernie

-----Original Message-----

From: Dan Ellis [<mailto:ellis7880@shaw.ca>]  
Sent: September 24, 2003 8:15 PM  
To: Ernie Crist  
Cc: Elizabeth James; Brian Platts; Allan Orr; Corrie Kost; Maureen Bragg; Eric Andersen; Cathy Adams; Mayor and Council - DNV; Senior Management Committee  
Subject: Re: Implementing the OCP

Ernie, your response below is very revealing.

First, it completely ignores the point I made below, that no re-zoning was required or took place for the two stores in question. One was simply a change of tenant, the other was an internal re-modeling of an existing building. To imply they were both somehow part of the OCP implementation, is utter fallacy.

Second, you said: "NOT exactly my idea of a PEDESTRIAN ORIENTED TOWN CENTER." This is the heart of the issue: your ideas, as opposed to what the plan actually will deliver in the future,.....when it gets implemented.

My offer stands, for you to sit down privately with us to clarify your mis-conceptions. Sincerely, Dan

From: Ernie <[mailto:ernie\\_crist@dnv.org](mailto:ernie_crist@dnv.org)> Crist  
To: Dan Ellis <<mailto:ellis7880@shaw.ca>> ; Elizabeth <<mailto:cagebc@yahoo.com>> James  
Cc: Brian Platts <<mailto:bplatts@shaw.ca>> ; Allan Orr <<mailto:allandorr@shaw.ca>> ; Corrie Kost <<mailto:kost@triumf.ca>> ; Maureen Bragg <<mailto:m.bragg@shaw.ca>> ; Eric Andersen <[mailto:eric\\_g\\_andersen@hotmail.com](mailto:eric_g_andersen@hotmail.com)> ; Cathy <<mailto:cathyadams@canada.com>> Adams ; Mayor <<mailto:Council@dnv.org>> and Council - DNV ; Senior Management Committee <<mailto:managecomm@dnv.org>>  
Sent: Tuesday, September 23, 2003 10:24 AM  
Subject: RE: Implementing the OCP

Dan:

Clearly you are unaware of the powers of Council. The Council has the power to rezone or not to rezone any property. To implement the OCP, the District had to rezone the

properties leading to the subsequent densification. The same is true for the signs on the box stores and the box stores themselves (DVP).

In any case the rezoning and the subsequent developments took place without a financial plan being in place, it was done without a community amenity plan in place and it was done by hoodwinking the public in making them believe that they would get a PEDESTRIAN ORIENTED TOWN CENTER when in reality all they got is a regional car mall - NOT exactly my idea of a PEDESTRIAN ORIENTED TOWN CENTER. And please don't tell anybody with a degree in Planning or a graduate of a higher institution of learning or school of common sense that it is.

The civic square is NOT a PEDESTRIAN ORIENTED TOWN CENTER it is merely it's core. The Council had the power to hold off on the community plan until such time when all the necessary steps leading to a truly PEDESTRIAN ORIENTED TOWN CENTER WERE IN PLACE. They also had the power to request a share of the profits from the rezoning etc., but they did not do so. The result was that the developers came and developed while the taxpayers are holding the bag containing the bills for the infrastructure. Not to speak of amenities.

In any case following the completion of the Plan you had little control over what happened. So why are you defending the hijacking of the PEDESTRIAN ORIENTED INTENT and philosophy of the PLAN? Why call it a PEDESTRIAN ORIENTED TOWN CENTER in the first place if not to create a Pedestrian Oriented Town Center? You are trying to defend what happened but you can't. I for one know too much. I have made it my business to know. I have also made it my business to know the players and what motivates them. Since your intentions were good, instead of attacking the people who have seen through the machiavellian shenanigans surrounding this issue why don't you admit that you were double crossed and join the people to prevent a repetition of this monumental hoax called the LYNN PEDESTRIAN ORIENTED TOWN CENTER?

[Ernie Crist]

-----Original Message-----

From: Dan Ellis [<mailto:ellis7880@shaw.ca>]

Sent: September 22, 2003 10:50 PM

To: Ernie Crist; Elizabeth James

Cc: Brian Platts; Allan Orr; Corrie Kost; Maureen Bragg; Eric Andersen; Cathy Adams; Mayor and Council - DNV

Subject: Implementing the OCP

Ernie / Liz:

With respect, your comments are totally off-base with respect to plan implementation thus far. Here's why I say that.

It's my understanding that Canadian land owners are free to (re)develop private real estate, within existing zoning, any time they like, as long as they don't contravene other by-laws. Free country, and all that.

This was the case with Winners and Indigo, which Bentall instigated on their own. The existing shopping centre zone has allowed retail up to 40 feet in height from Day 1. The suggestion that DNV has the power to put a moratorium on such development is just not true ! Which would make criticism of Staff and Council based on that notion entirely unfair. Those stores had nothing, I repeat nothing, to do with the implementation of the OCP.

Liz, you might wish to speak with other Councilors about this concept, and why it links to Council's rejection of PPP proposals for the Town Centre Project. The proposals not only carried a cost premium, but also would have resulted in loss of control of the site. Significant exposure to higher future costs if the Library is leased.

The project is about synergy. It is the combination of a civic square with a Library and retail outlets that will make it a vibrant "people place." Thus the logic of building an integrated project, and since it is predominantly about

civic amenities, doing it as a municipal project.

I'm sorry folks think that one of Dominion Construction's best project managers (GM Place, Pac Press Bldg) wouldn't be up to the task.

But I digress.

To re-iterate, all the other sites where re-development has taken place, or is underway, comply fully with the OCP.

And again, some in-depth discussion about the facts and the real process here, would have clarified misconceptions to which some of you still fiercely cling.

To underscore my point Liz, I'll quote your phrase:


"..... - or, if it is (the OCP is being implemented exactly as intended), then it's certainly not as I and many of my acquaintance interpreted earlier discussion of the Plan."

Whose discussion have you interpreted?  
up?

Don't you and Ernie want to clear this

Cheers, Dan

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