

To: Mayor and Council, City of North Vancouver
(arp@cnv.org; rclark@cnv.org; bfeanley@cnv.org; rheywood@cnv.org; ckeating@cnv.org,
dmussatto@cnv.org, bperrault@cnv.org)

CC: Cemetery Advisory Board c/o Patty Larivee, City of North Vancouver Committee
Clerk plarivee@cnv.org

Brent Mahood, City of North Vancouver, Engineering Operations
(bmahood@cnv.org)

Mr. Gordon Ferguson, Chief Bylaw Officer, District of North Vancouver
gferguson@dnv.org

Mayor and Council, District of North Vancouver dnvcouncil@dnv.org

Blueridge Community Association, Ms Angela Trudeau, Co-Chair
a.trudeau@canada.com

Lynnmour & Inter-River Community Association, Mr. John Fair jfair@shaw.ca

From: Seymour Valley Community Association

Date: June 4, 2003

Re Illegal North Vancouver Cemetery Operations

The purpose of this letter is to clarify the Seymour Valley Community Association's (SVCA)¹ position with respect to the North Vancouver Cemetery operations following a meeting between City, District and residents.

That meeting was held on the May 12, 2003 and attended by:

- o Gordon Ferguson, Chief Bylaw Officer, District of North Vancouver
- o Brent Mahood, City of North Vancouver, Engineering Operations
- o Michele Payne, Director, SVCA
- o William Schuurman, Director, SVCA
- o Several other Seymour Valley residents.

Prior to the meeting, the SVCA understood that:

- o The City operates a cemetery in lands owned by the City on Lillooet Road physically located within the District. That land is within the municipal jurisdiction of the District.
- o The land is zoned a special Cemetery "CM" zoning by the District². The intent of the CM zoning is to provide the deceased and visitors paying respect with a quiet, park like resting spot.

- Prior to the year 2000, the lands were zoned Park. The CM zoning was created "To delete a use which is inconsistent with the intent of the Park, Recreation and Open Space Zone³".
- The City has been opportunistically operating a landfill at the site for years. According to the City "the site functions as the only location within city boundaries available to accept municipal landfill as well as rendering previously inappropriate terrain into land suitable for future cemetery expansion⁴".
- The City has entered into an agreement with a private company, Jim Wiles & Sons Ltd⁵ where the company provides landfill processing services to the City in exchange for being permitted to perform commercial operations of recycling, crushing, sorting and storage of materials such as rock, gravel and concrete on site.
- There are cost benefits to both the City and Jim Wiles & Son's Ltd in their agreement.
- The noise from the materials processing and landfill operation echoes through the Seymour River Valley and disturbs many residents living within the Seymour Valley Community Association boundary. Several residents have raised concern about noise levels since the summer of 2002.
- The materials processing and landfill operations are not consistent with the permitted uses in the CM zoning or its previous park zoning and are thus illegal.
- That the District is willing to enforce its land use bylaw⁶ and "directed the business operator to discontinue the use by October 2, 2002". Operations continue unabated.
- It appears that the City finds these lands suitable for uses that would be unsuitable to its own residents if they were located within City boundaries. In February 2002, City Council asked City staff to report on the suitability of sites for an Animal Shelter, one of sites was on the City cemetery lands.⁷ City staff acknowledged that the zoning only permitted "park like uses."
- A meeting was called by the SVCA with the intent of getting the City & District out to hear the noise at operational levels and agree to stop generating it.

It is the SVCA's understanding after the meeting that:

- The City intends to move the materials processing operations to an appropriately zoned industrial site, but that there is no timeline or budget for this move.
- That the City plans to continue its landfill operations indefinitely with the justification of developing future burial sites although one can question the viability of selling burial spots in what will eventually be a closed landfill.
- The City wishes to attempt to find a mode in which they can continue their industrial operations on the existing site at a noise level acceptable to residents that attended the meeting.

Acceptable noise levels are subjective and each resident's tolerance is unique and a function of many factors including their activities, the season, the day and time, their ability to hear, their tolerance, their location relative to the cemetery, the atmospheric pressures and wind directions.

The SVCA requests that the City immediately cease uses of the cemetery lands that are inconsistent with uses permitted by the Districts Cemetery zoning. Imagine how chaotic the North Shore would be if residents and businesses showed the same disrespect for local bylaws in order to achieve better financial results.

On behalf of the Seymour Valley residents,
 Mr. Bill Maurer,
 Chair, Seymour Valley Community Association
 2403 Riverside Drive
 North Vancouver, BC
 V7H 1V8

¹ For information about the SVCA, see <http://www.seymourvalley.ca>

² See District Zoning Bylaw 3210, Page 70, Part 11 for acceptable land uses under the Cemetery Zoning <http://www.dnv.org/upload/pdocsdocuments/54w301!.htm>

³ from the District of North Vancouver Report of the Public Hearing for BYLAW 7127 which introduced the CM Zone

⁴ from the City of North Vancouver's Cemetery Master Plan <http://www.cnv.org/Cemetery/>

⁵ see <http://www.jimwiles.com>

⁶ email to Bill Maurer.

⁷ See <http://www.cnv.org/Council/meetings/minutes/2002/020225rm.htm>