

VIEWFINDER |

Late afternoon reflections in the Vancouver Community College building take on wild shapes in the mirrored glass panels that appear to bend buildings.

MARK VAN MANEN/
Vancouver Sun



THE VANCOUVER SUN

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FINAL EDITION

CITY WINS BATTLE FOR ARBUTUS CORRIDOR



GLENN BAGLO/VANCOUVER SUN

Ryan Booth and golden retriever Edwin stroll along the Arbutus Corridor. The courts have affirmed the city's right to enact its development plan for the land.

Court blocks CP Rail plan

But there's still no clear decision on final use for the west-side railway land

BY MAURICE BRIDGE
VANCOUVER SUN

The City of Vancouver won the battle of the Arbutus Corridor in the Supreme Court of Canada Thursday, but everyone involved in the situation cautioned there is still no clear decision on a final use for the land.

The court affirmed the city's right to enact its Arbutus Corridor official development plan, effectively killing a proposal by CP Rail, which owns the 11-kilometre west-side corridor, to sell or develop the land for commercial or residential use.

Vancouver Mayor Sam Sullivan, currently in Turin for the conclusion of the Winter Olympics, hailed the victory in

a news release.

"We are very pleased that the Supreme Court of Canada has upheld the powers of the city to enact the Arbutus Corridor ODP and preserve the Arbutus Corridor," said Sullivan. "We strongly believe the Arbutus Corridor should be preserved as a whole, to be used in the future for transportation and gateway uses.

"Preserving the corridor for the benefit of Vancouver residents has been a long-standing council policy, and contributes to the livability of the city."

A CPR representative noted the court's decision does not change the current status of the property as a rail-freight corridor, nor does it provide for

See CPR HAS B3

Province looks at more local control of schools

BY JANET STEFFENHAGEN
VANCOUVER SUN

THE PROVINCE | The B.C. government is considering a plan to give principals and parents more control over public schools and a greater say over how education dollars are spent locally, Education Minister Shirley Bond confirmed Thursday.

She described the plan as "school-based leadership" and stressed that participation is voluntary for now. Some schools have already expressed interest in being part of the experiment, she added.

But Bond said her government has no intention of eliminating school boards.

The minister was responding to a story in the *Prince Rupert Daily News* on Thursday that said the province was pushing ahead with a plan that would all but eliminate school boards and force schools to be run more like individual corporations.

"At this point, there is no plan to eliminate public school boards," she said in an interview with *The Vancouver Sun*.

See PARENTS WANT B6

Thousands of seabirds dying along the B.C. coast

BY LARRY PYNN
VANCOUVER SUN

THE PROVINCE | Countless thousands of seabirds are mysteriously washing ashore dead along the B.C. coast this winter from the west coast of Vancouver Island to the Queen Charlotte Islands.

"It's spooky to see them coming in like that," Pete Clarkson, assistant chief warden at Pacific Rim National Park Reserve at Long Beach, said Thursday in an interview.

The massive die-off of seabirds this winter follows the near-complete failure of at least two seabird nesting colonies last spring.

About 1,000 glaucous-winged gulls failed to successfully breed at Cleland Island, a provincial ecological reserve northwest of Tofino, while about 400 glaucous-winged gulls and 300

See MASS STARVATION B4

Oppal's proposal laughably unrealistic

With public confidence in the justice system failing, it's no wonder he's trying to build trust



IAN MULGREW
VANCOUVER SUN
COLUMNIST

Attorney-General Wally Oppal was back on the hustings the day after the B.C. budget was unveiled, telling yet another audience he has a solution to the crime that plagues us.

It's a continuing PR campaign for the former B.C. Court of Appeal judge because the provincial legal system is tarnished — I think in a large part as a result of the severe cutbacks and changes

made by the Liberals during their first term.

British Columbians today, according to the A-G's ministry, are split down the middle when it comes to having a great deal or quite a lot of confidence in the system: Half do, half don't.

Look at other indicators: Only 11 per cent of people 15 years and older believe the courts do a good job of providing justice

expeditiously, only 16 per cent believe they help victims, only 22 per cent believe they get the verdict right and 43 per cent believe they ensure a fair trial.

No wonder Oppal is out there sticking his finger in the dike of public trust.

I think those are big cracks he's trying to fill — we are witnessing today the erosion of public confidence in the legal system that

should concern all of us.

When you look at some of the numbers, I think you can understand why: The average family hearing takes 113 days from inception to disposition, a traffic case on average 186 days, adult and youth criminal cases 170 days, small claims actions 303 days.

See OPPAL FACES B4

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THE DAILY SPECIAL

TO STAY GREEN

Gregor hailed the ruling, noting elected officials "have to be able to establish the overall planning policies of the city."

He said while the ODP is not specific about a final use for the corridor, "existing uses that are on it would be permitted, and future transportation uses: pedestrian, cycling, recreation uses, those kinds of things."

"The whole issue is preserving the corridor for the benefit of Vancouver residents. It's been a long-standing council policy and has contributed to the livability of the city."

However, moving south from the community gardens, the corridor takes on the landscape of a downtown back alley, with overgrown shrubs and even an old mattress lying across its rusting tracks. Running behind a stretch of businesses, the corridor between Broadway and 16th Avenue doesn't lend itself well to an afternoon stroll.

But in most areas, the 20- to 30-metre wide stretch of railway track and greenway blends seamlessly behind schools, parks, playgrounds and houses, where residents enjoy afternoon walks or bike rides through Kerrisdale and as far south as Marpole.

"I think it's a fabulous resource," said Diana Bracken, who lives on Laburnum Street near where the corridor hits 54th Street.

From her kitchen window, Bracken can see a stretch of overgrown bushes and gated gardens along the corridor.

She enjoys walking along the gravel path next to the train tracks, and occasionally uses it to ride her bike downtown, something she thinks more people would do if given the chance.

"I think if it's developed [with proper paths], an awful lot of people would use it," she said Thursday.

Walking his black Pomeranian named Winston, local resident Stan Carter, 75, agreed.

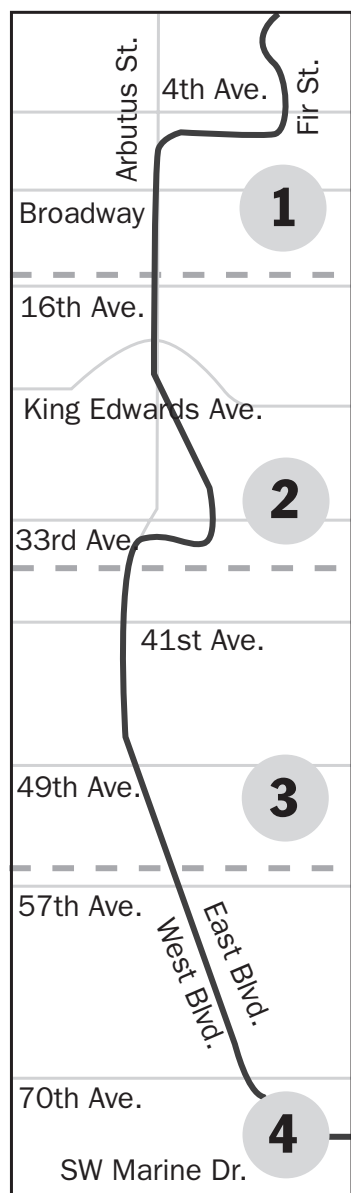
"I'd like to see it developed with trees and walkways and bike paths," he said, pointing to a stretch of the corridor not far from Bracken's house.

"It gives people some outdoor space, and the opportunity to enjoy what we have," he said, adding he doesn't like the idea of it being turned into condos.

Farther north along the line, Ryan Booth said he thinks greenways such as the Arbutus Corridor make Vancouver stand out from many other cities, and give people much-needed space to enjoy the outdoors.

"It's the perfect spot for a quick afternoon walk," he said, explaining he recently moved to Vancouver from Toronto, and he hadn't found anything like it there.

Tracking the history of the Arbutus Corridor



SOURCE: SUN FILES

From the time the Canadian Pacific Railway acquired the Arbutus Corridor property in 1886, its rails carried freight and passengers for more than a century. But by 1995, it was down to one run a day, and even that came to an end in 2001.

The legal battle over future uses of the corridor hit the courts in 2000, and came to an end Thursday when the Supreme Court of Canada upheld the City of Vancouver's right to determine what those uses might be. The 11-km property, which ranges from 20 to 30 metres in width, runs south from the light industrial False Creek area past the Shaughnessy residential district through the Kerrisdale business and residential zone to Marpole on the banks of the Fraser River.

- 1.** Kitsilano (North of 16th Avenue): The False Creek district is a mixture of marine and retail, wholesale, auto-oriented businesses and business services.
- 2.** Arbutus Ridge/Shoughnessy (16th to 37th Avenue): This stretch passes primarily single-family residential neighbourhoods before opening into the West Boulevard section in Kerrisdale.
- 3.** Kerrisdale (37th to 57th Avenue): This part of the corridor passes two high schools, multi-family residences, commercial property and more single-family residences.
- 4.** Marpole/South Kerrisdale (south of 57th Avenue): This area is primarily residential, turning from single-family homes to condos and townhouses before reaching the light-industrial zone on the banks of the Fraser River.



VANCOUVER SUN



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Much-vandalized CP Rail sign along the railway right-of-way hasn't stopped people from using it as a greenway trail.

"It's nice with the gardens, and you can be reasonably safe playing with your dog," added the 32-year-old personal fitness trainer.

Paul Clark, vice-president of communications and public affairs for CPR, noted Thursday the land still belongs to the CPR, which can do as it wishes within the ODP guidelines, even to the point of resuming rail service.

However, he said he expects there will be talks with the city sooner or later, adding the rail company has not aggressively pursued third parties to purchase the land.

"We're hopeful that at some time we can open a discussion with [the city]," he said. "We're ready to come and meet with the city at the drop of a hat."

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Arbutus Corridor timeline

2006	2004	2002	2001	2000	2000	1999
Supreme Court of Canada rules in favour of city.	The B.C. Court of Appeal rules in the city's favour. The CPR appeals to the Supreme Court of Canada.	B.C. Supreme Court rules against city council, striking down the bylaw as being beyond the city's powers.	The last train runs along the Arbutus line.	CPR challenges the city's plan in B.C. Supreme Court.	City enacts Arbutus Corridor Official Development Plan to protect area as light transit or recreation greenway.	CPR announces plans to discontinue service on line and proposes selling it for commercial or residential use.

CPR has not ruled out restarting rail service

From BI

the corridor to become public land.

Paul Clark, vice-president of communications and public affairs, said a change in use would require a change in ownership, and he did not rule out restarting rail service on the line, which has not been used since 2001.

He said a public discussion is needed to determine the best use of the land.

"That public discussion should go on to say what it is that we could do here, because simply having it sit there as a rail line with suspended operations is not bringing great value to the communities along the line," he said. The court's decision drew

sharp criticism from the Vancouver-based Urban Development Institute, whose executive director termed it "intolerable."

"What a terrible time to be sending such a signal to the investment community when we are inviting the world to come for the Olympics and we are trying to attract investment," said Maureen Enser.

"We work hard to purchase our property, to build our homes. We work hard in business to get ahead, but all of that can be for naught if the city decides it wants your property [for other purposes]."

Vancouver councillor Suzanne Anton called the UDI position "a gross over-reaction."

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The growing sport is leading to damage in some of the province's sensitive wildlife areas

LANGLEY

RCMP hunting for knife-wielding man suspected in five holdups over 15 hours

Langley RCMP are hunting for a man suspected in five robberies that occurred between 2:30 a.m. and 5:10 p.m. Thursday. Police said that in the first robbery, the suspect flagged down a private vehicle, pointed a knife at the driver and demanded money. He fled with a small amount of cash. The suspect later robbed four cab drivers. In each case, he held up the cab driver at knife-point, then ran away.

Police said no one was injured in any of the incidents. Four of the robberies occurred in the area of 54 Avenue and 204 Street, while the last incident occurred at 89 Avenue and 208 Street.

The suspect was described as a Caucasian man aged 20-22, about 172 cm (5-foot-8) tall, with short brown hair and a clean-shaven face. Police said he may have changed his clothing between the robberies, sometimes wearing a ball cap and sometimes a hood.

Anyone with information is asked to call Langley RCMP at 604-532-3200.

Vancouver Sun

DELTA

Police credit girl, 14, for arrest of burglar after she hid, phoned 911

Delta police have high praise for a cool-as-a-cucumber 14-year-old girl who hid in the basement of her home and called police on her cellphone when a burglar broke in around noon Wednesday.

While frightened, the girl, who relies on a wheelchair to get around, relayed important information to the police dispatcher and followed all instructions given to her, thereby remaining safely hidden, Delta Police Chief Jim Cessford said.

Police arrived and caught the burglar as he fled with several bags of stolen items from the home, including the laptop provided the girl by a government program that enables disabled youth to access the internet. James MacDonald, 29, of no fixed address, was arrested and a judge has ordered him held in custody.

Vancouver Sun

BURNABY

Men with butcher knives rob pharmacy

BURNABY | The RCMP is hunting for two "nervous" robbers who brandished butcher knives as they made off with the painkiller Oxycontin — sometimes known on the street as "hillbilly heroin" — for the Burnaby Centre Pharmacy.

The two men burst into the drugstore at 4277 Kingsway Wednesday afternoon and demanded the prescription drug by name. They also demanded and were given cash.

RCMP said the men were about 25, Caucasian, thin, "very nervous," and wearing white tracksuits with the hoods tied tightly and topped by a toque in one case and a black hat in the other. One was about 5-foot-9 with curly brown hair, the other a bit shorter.

Vancouver Sun

LETTER OF THE DAY

People with a permanent handicap need clearly different vehicle licence plates

I have always contended that everyone with a permanent handicap should have a clearly different licence plate on their vehicles for fast identification, with the prefix H, as is done in many provinces and countries. Our provincial government needs to re-examine this situation.

However, that alone will not solve the problem of ignorant and selfish drivers. Why do they all contend that "I was only gone for a few minutes" is a legitimate defence of their actions when they park in a spot reserved for the handicapped?

Surely, in this advanced day and age, we can invent an electronic system that will monitor special handicapped licence plates or even a bar-code sticker that can be permanently attached to the plate. If a vehicle without the code parks in a space for the handicapped, a loud alarm would sound, thereby encouraging the offender to leave to save embarrassment — or to allow security officers to issue a ticket.

For people requiring a temporary handicapped permit, such as while having to use crutches, a time limit could be programmed into the code. Come on, B.C. inventors, you're the best in the world; you can do it.

ROSS WILLIAMS
Coquitlam



LAW AND ORDER

Melee over repossession of vehicle turns into neighbourhood show, terminated by police

BURNABY | A crowd gathered to watch Wednesday evening as a woman attacked a tow truck driver and bailiff who were trying to repossess her vehicle. Cpl. Pierre Lemaitre said the woman stood between the tow truck and her vehicle, pulling at the bumper as if to release the car from the tow truck.

Then, in quick succession, she lay down in front of the tow truck, ordered her young son to throw a rock at the truck driver (he picked one up but did not throw it), punched the truck driver in the face, suddenly began waving a meat cleaver at two men while threatening them, threw the meat cleaver but missed the men (it smashed the tow truck window), and again punched the tow truck driver, in the mouth.

The driver grabbed the woman in an effort to restrain her as the bailiff tried to spray her with pepper spray. Unfortunately, the truck driver took it in the face, too.

As two police officers arrived, the woman's husband tried to get involved and each officer had to attempt to arrest a struggling adult. The officer trying to arrest the woman got it in the face from her busy fist, as the woman's husband tried to block her arrest. The woman continued to try to resist arrest by holding a chain on the tow truck with one hand while flailing about with the other one, hitting the officer several times as she resisted being handcuffed.

It finally took several backup officers to make the arrests, and disperse the crowd, which included an elderly woman who also began trying to stop police from arresting the car owner.

The woman and man are now facing several criminal charges, including, assault, assault with a weapon, mischief and obstructing police, Lemaitre said.

Vancouver Sun

Distraught mother speeds off with baby in her lap as estranged lover calls police

BURNABY | An estranged couple is behind bars and their toddler is in government care after a nasty showdown that ended with a high-speed chase on Hastings Street Wednesday evening.

Cpl. Pierre Lemaitre said the 42-year-old distraught mother called police to say she was heading to her 33-year-old ex-boyfriend's house and if he did not return their 28-month-old son there would be shooting. The police dispatcher listened as she screamed at the man and yelled that he was trying to choke her. Then, the father called to say the woman had taken off at 100 km/h in her car with the boy and he was pursuing. He refused a police order to abandon the pursuit.

Police said the two cars were driven erratically at high speed along Hastings before police caught up as the two cars were boxed in behind a stopped transit bus.

The parents were arrested, and the toddler retrieved. He'd been in his mother's lap, without a seat belt, for the whole incident. The parents face a variety of charges.

Vancouver Sun

Border guards nab man wanted on fraud charges as he tries to re-enter Canada

RICHMOND | Canadian Border Services officers have nabbed a Canadian wanted on fraud charges dating back to 2002 as he tried to come back into Canada from the U.S. using an alias known to police.

RCMP were called to the Peace Arch border crossing on Wednesday after the alias used by Anthony Champ, 55, who had been wanted on a Canada-wide warrant, popped up in the border agency's computer.

Champ worked for Bizsmart, a subsidiary of the Canadian Imperial Bank of Commerce, that ran banking kiosks in Staples stores. Champ worked for the company in 2001 and 2002 when \$93,000 went missing.

Richmond RCMP's economic crime section investigated and recommended changes against Champ alleging fraud exceeding \$5,000, theft exceeding \$5,000 and forging documents. But by the time the lengthy police probe concluded, there was no sign of Champ and a Canada-wide warrant was issued last year.

Richmond RCMP said Champ used numerous aliases and postal boxes in the U.S. to redirect his mail, but was believed to be living in Las Vegas and was driving a vehicle with Nevada plates.

Vancouver Sun

WESTCOAST BY THE NUMBERS

A decade of export declines with Japan

Over a 10-year period, B.C. exports to Japan have dropped by nearly half, primarily caused by the recession that began in Japan in 1998.

Commodity (in millions)	1995	2004	% change
Wood and wood articles	\$2,787.2	\$1,584.3	-43.2%
Ores and concentrates	\$685.6	\$443.7	-35.3%
Aluminum and articles thereof	\$345.7	\$381.7	10.4%
Wood pulp	\$991.6	\$314.4	-68.3%
Coal and other mineral fuels	\$826.3	\$298.6	-43.8%
Total B.C. exports to Japan	\$6,758.8	\$3,799.5	-43.8%



SOURCE: B.C. STATISTICS

VANCOUVER SUN