AGENDA

COMMITTEE OF THE WHOLE MEETING OF COUNCIL TUESDAY, FEBRUARY 19, 2019 AT 2:30 PM IN THE CITY HALL COUNCIL CHAMBERS

PRESENT:

A. CALL TO ORDER AND APPROVAL OF AGENDA

1. Recognition of Traditional Territories.

That the agenda be approved as circulated.

B. ADOPTION OF MINUTES - Page 3

1. Meeting held at 3:30 pm on January 21, 2019.

D. DELEGATIONS

2:30 PM

1. Joe Calenda, Consulting City Planner - "1400 Days" - Page 8

A presentation from the Consulting City Planner regarding a Strategy for Growing Port Alberni Housing and Attainable Housing Through Environmentally Responsible Development and a Dialogue about New City Planning and Governance for Port Alberni.

That 'The Next 1400 Days' Full Report, Executive Summary, Briefing Notes and Transmittal Report prepared by the Consulting City Planner be received.

That the Committee of the Whole refer the initiatives and recommendations in 'The Next 1400 Days' to Strategic Plan 2019 for review and consideration.

Recess

E. <u>REPORTS</u>

4:00 PM

1. Economic Development Manager/Manager of Planning - Harbour View Lands - Page 56

Report from the Economic Development Manager providing background regarding the Harbour View Lands on lower Argyle Street and Manager of Planning presentation regarding zoning.

F. PUBLIC INPUT/COMMENTS

Open for stakeholder and public input including via City's social media platforms

E. ADJOURNMENT

That the meeting adjourn at pm.

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF COUNCIL HELD MONDAY, JANUARY 21, 2018 AT 3:30 PM IN THE CITY HALL COUNCIL CHAMBERS

PRESENT: Mayor Minions; Councillors Corbeil, Haggard, Paulson, Solda and

Washington

LATE: Councillor Poon (3:55 pm)

A. CALL TO ORDER AND APPROVAL OF AGENDA

It was moved and seconded.

That the agenda be approved as circulated.

CARRIED

B. ADOPTION OF MINUTES

It was moved and seconded.

That the minutes of the Committee of the Whole Meeting held at 4:00 pm December 17, 2018, be adopted.

CARRIED

C. CAO - INTRODUCTION

The City's CAO provided context to the meeting which will focus on the current and future operations of the McLean Mill and Port Alberni's tourism rail service. He also outlined the following documents attached for reference also noting that presentation materials and written public input received will form part of a larger report to be provided to an upcoming regular meeting of Council.

Documents provided for reference:

- Cost Sharing Agreement for McLean Mill National Historic Site (outlining City's obligations) dated July 23, 1996
- McLean Mill Society (MMS) Constitution dated December 8, 2016
- Operation and Management Agreement between City and MMS dated January 1, 2017
- McLean Mill Site Assessment prepared by John Dam & Associates Inc. dated July 3, 2018

D. CORRESPONDENCE

1. Jim Del Rio

Copy of a newspaper article from 'The Canadian Press" regarding the Tumbler Ridge dinosaur museum facing closure after funding denial.

2. Roland Smith

Letter dated January 14, 2019 including questions regarding McLean Mill and Alberni Pacific Railway operations and budget for 2019.

It was moved and seconded:

That the correspondence items be received.

CARRIED

E. DELEGATIONS/PUBLIC INPUT

1. McLean Mill Society (MMS)

Sheena Falconer provided an overview of MMS and its initiatives and their recommendation that the current structure be reviewed. A copy of the presentation provided is attached hereto.

2. Industrial Heritage Society

Kevin Hunter, President, presented background regarding the Western Vancouver Island Industrial Heritage Society (WVIIHS) which was formed in 1984 and their involvement in the formation of the McLean Mill National Historic Site. He outlined the IHS commitment to continuing to restore Port Alberni's heritage equipment and operating trains and to continuing their efforts at McLean Mill working with their partners, the MM and the City. A copy of the presentation provided is attached hereto.

The Mayor invited input from the JJ Logging Demonstration group as well as from Dr Jamie Morton prior to hearing from the public.

3. Dave Hooper spoke on behalf of Jack James Old Time Steam Logging demonstration noting that this type of logging is unique to Port Alberni. He provided background noting that in 2009 steam logging was taking place at the Mill for the first time in 50 years. Mr. Hooper commented on the then twice weekly demos for the public and school groups and the Swedish group that now comes annually. He indicated they follow stringent safety plans and outlined their willingness to continue and work with whomever in 2019.

4. Dr. Jamie Morton outlined the history of the McLean Mill designation as a National Historic Site and the obligations of the City to maintain the commemorative integrity of the site in accordance with the agreement with Canada. He outlined the options that were considered at the time and the one chosen which was a full-on working historic sawmill village because of the potential to generate significant revenue. Revenues were never realized and in 2012 operations were contracted out to the IHS and most recently to the MMS. Dr. Morton endorsed the special events held at the Mill which generate the most money (as long as they not impact the commemorative integrity of the site). He also noted the Alberni Pacific Railway as an attraction and potential revenue generator.

In response to a question from Council, Dr. Morton suggested that the City's object inventory does need to be looked at with a view to what does have local significance; what story does it tell.

He also indicated that the initial financial projections were made via an extensive community consultative process with stakeholders outlined in the Management Agreement.

Additional reference materials provided by Dr. Morton are attached hereto.

Ellie Hadley, office manager currently employed at the Mill provided some feedback from tourists visiting from all over the world noting most prefer their own transport (train too expensive).

Jim del Rio commended the many volunteers and supported the Mill as a static attraction rather than an operating mill. He noted the 'older' volunteers and expressed concern about who will continue when they are gone.

Rochelle Collette, Events Coordinator at McLean Mill, outlined 13 weddings are booked for 2019 and are booking into 2020. She expects all events to be fully subscribed.

Susan Roth provided excerpts from her correspondence (attached hereto) expressing her concern regarding contaminants from the Mill Pond and requesting the City undertake more detailed testing.

Ken McRae, former Mayor and Director of the Island Corridor Foundation, commented that the people who will come by rail/passenger trains in the future will want to see something. He cautioned Council about being careful about what they get rid of as once it's gone it will never come back. He recommended pursuing funding through the federal government.

Bill Collette, Executive Director, Chamber of Commerce and initial President of the MMS commented that was started by the MMS in 2017 has been successful – the deck, clean up of the main hall, kitchen facilities – the ability to host large event. He urged Council to stay the course noting that McLean Mill is "a national historic site with profound importance to Canada" as identified by Parks Canada.

Sharon Adams, a neighbor to the Mill, expressed her concerns about the increasing health issues suffered by herself and her animals and the inadequate testing she feels has been done.

John Adams, neighbor to the Mill, commended the volunteers but suggested the City doesn't have enough money to take care of the contamination issues.

Manager of Communications, Alicia Puusepp, provided comments that have been received through the City's social media platforms (summary attached hereto).

Sheena Falconer indicated that the water quality testing that was undertaken on the Adams property was done by West Coast Aquatic on a fisheries basis.

Jeff Cook urged Council to think about what you want the place to look like 20, 30 50 years from now. Think about children, grandchildren – will it benefit them; how.

Rod Gladhill, Railway Engineer, Alberni Pacific Railway stated he is both a volunteer and an employee of APR. He commented on the many good things that have been done but that there is also a lot of old stock. He said there is a selection of people looking at preserving the history for the future. He commented on steps taken by Duncan Forest Museum which is generating revenue and who are looking outside the box for events. He stated there are many opportunities for events and also felt that the environmental aspects need to be studied and that everyone needs to work in harmony for a collective purpose.

The CAO was asked to comment on water testing which the City is taking very seriously. He noted the City is working with Environment Canada; Fisheries; Health and Worksafe BC – he indicated that a Stage 1 Preliminary Site Investigation for the entire site is being undertaken in early 2019 which involves a historical review of the site and its current operations.

Wayne Oliver stated "if you don't know where you've come from, it's hard to figure out where you're going". Preserving our past is important. He commented on the potential of the Mill and said what is needed is more involvement with the community to tie in events. He said that steam trains are a huge draw. (Correspondence submitted attached hereto).

Nathan Brownridge, new to town, volunteer at the Heritage Centre and train. He commented on the passion on the faces of kids when they can climb up into the train. He said if we don't continue to preserve the assets of the past we won't find people to be interested in it. He did comment on issues of transparency, unanswered questions and confusion. He also suggested perhaps the federal government may have some responsibility in regards to contaminants as they existed pre-City ownership.

Mel Francoeur, Beaufort Gang Leader, noted the Gang has filled the train on many occasions (capacity 182). She stated many out of town people are interested in the train operation.

Soup Campbell, provided history of his involvement at the Mill since 1951 and the comments from the community about the millions of dollars that have been spent on the mill but nothing is ever said about the amount of money that is retained in the community.

Jack James, JJ Logging – set up the JJ Logging show which has now being passed on to others. He said McLean Mill is one of the greatest things there is, it was a great experience to be a BC Logger. He urged Council to support the Mill.

Joe Larson, local Business Owner, commented on the poster boards in Council Chambers which present information on our heritage and culture. He indicated he is a volunteer at the Heritage Centre and has a great passion for the vehicles there. He is a supporter of events and stated we need to embrace our heritage.

Hugh Grist, volunteer with IHS since its inception commented that two-thirds of train riders are from out of town. He referenced the presentations he made to Council on an annual basis and commented on the dollars that are being left in town.

Bob East has been involved with IHS for many years. He suggested that the IHS members love to play but don't really know how to market. He commented on the opportunities we have and also referenced the truck shows in the US that they take City artefacts to where they are ambassadors for the City.

F. ADJOURNMENT

It was moved and seconded.

That the meeting adjourn at 5:41 pm.

CARRIED

CERTIFIED CORRECT

Mayor City Cle

MOLTO BENE ENTERPRISES

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THE NEXT 1400 DAYS

A Strategy for Growing Port Alberni by Providing for Affordable Housing and Attainable Housing Through ERD – Environmentally Responsible Development and a Dialogue About the New City Planning and Governance for Port Alberni – Circa 2019

LAND IS EVERYTHING

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM

Consulting City Planner to Port Alberni

Urbanisti – Pianificatori – City Planner

Molto Bene Enterprises

December 25, 2018

THE NEXT 1400 DAYS

Port Alberni has a new Mayor and Council in place. The administration is being supported by both a 'new team' at City Hall; young, bright, energetic and enthusiastic; and the 'old team' committed to serving Port Alberni for the long term and who hold the corporate memory. It will take vision and strategic governance from Council and financial courage from the right investors and community developers, in partnership, to move Port Alberni forward.

Port Alberni is a remarkable place located on 'central' Vancouver Island. Its opportunities are greater than its threats and its strengths are greater than its weaknesses. There is a rising tide of investment opportunity on Vancouver Island and its draining into Port Alberni. The land cost to rents ratio, as it exists today, is attracting interest in the development and redevelopment of the city.

There is an opportunity to steer and guide this interest such that Port Alberni can become a bigger and better place in 1400 days. And yet there continues to be the tendency to plan and develop the city by consensus with the neighbours, sometimes to a fault and sometimes with the result of losing investment and development opportunities. So how does Council govern in an age of consultation, citizen engagement and democracy? And how does Council guide and steer the investment opportunity over the next 4 years?

1. THE OCP AND THE ZONING BYLAW

Land is everything and the OCP is about using the land to build and grow the city. The OCP is the primary planning policy document of the municipality. It is the umbrella document under which all other planning documents and policy are formed; local area plans, neighbourhood plans, district plans, zoning bylaws, form, character and design guidelines, downtown revitalization strategies, development permit area policies and so on. These must all be consistent with the OCP and are intended to implement the OCP.

The City of Port Alberni Official Community Plan was adopted on April 10, 2007 and is entering its 12th year. The OCP was preceded in 2004 by a newsletter and questionnaire to every household. This introduced the planning process and gave households the opportunity to document their opinions on a number of issue areas. The questionnaire was followed by an open house program to review specific city planning issues and subsequently by a second open house program to capture people's input on a draft Community Plan. There was also participation with external agencies and stakeholders in the preparation of the OCP. And there was the review of a number of studies that have implications for long range planning and community development. All of this informed the OCP as it exists today.

As a general rule OCP's should have a minor tune up in 5 years, a major overhaul in 10 years and a complete rebuild in 15 years. The rebuild or 'starting from scratch' is

necessary because the world changes so much in 15 years; even in 10 years or a decade. Whereas our city planning principles and values may not have changed, the vision of the future city may need to change and the ways and means by which the new vision is achieved may need to be negotiated. That's a rebuild.

Some target areas for consideration in updating the OCP include:

- Joint general municipal planning with the ACRD along our common boundaries and defining boundary extension areas for the next 70 years,
- Densification of the municipality to make it a more affordable and attainable city,
- Economic sustainability at city hall in particular,
- Sustainable community including economic, environmental and social sustainability,
- Reconsideration of the 'Future Development FD' designation of the 70 acre city owned parcel on Golden Street (sometimes referred to as Jurassic Park),
- Review of the regional context statement,
- Update of the climate change mitigation policies,
- Consideration of tsunami mitigation and preparation strategies,
- Documentation of the city's growth and development performance since 2006 and revised population projections and land use absorption estimates,
- The new OCP should have a 15 year term and a 25 year planning horizon for the purpose of population projections, planning policies and planning strategies.

One of the purposes of an OCP is to provide residents, property owners, taxpayers, developers, investors, stakeholders and others, who have an interest in Port Alberni and its hinterland, with a reasonable level of certainty about future land use and development and the quality of life to be achieved.

It is important for Council to support its OCP with every city planning decision it takes. To do otherwise will create confusion about the predictability of growth and development in the city, a serious economic development DEGENERATOR. This confusion will slow down investment faster than any tax increase or the elimination of any development incentive ever will! Furthermore the primacy of the OCP will be diminished as will its importance and the city planning and land development process is reduced to an arbitrary gamble.

Council's role in the city planning process is to provide governance; to make decisions. The best practice governance in city planning is to make decisions consistent with the OCP each and every time; including amendments to the OCP.

The Zoning Bylaw is a regulatory tool whose prime purpose is to implement the OCP and give shape and form to our cities. It is NOT a policy document and so has

very little utility for Council. Many of the regulations, setbacks, side yards, building envelopes and so on have evolved from generations of city planning practice in North America; certainly back to the early 1900's in Canada.

The standards and regulations can be viewed as arbitrary in certain circumstances. If you don't believe that try and explain why a 25 foot front yard is so much better than a 20 foot front yard in a residential zone in any context. Or try explaining why a 7 foot side yard is so much better than a 5 foot side yard or why a 50 foot rear yard is so much better than a 40 foot rear yard; and so on and so on and so on. In fact the effective use and application of regulations in a zoning bylaw depends on the context and location to which they are applied. Otherwise it can be quite arbitrary. And yet these are the issues along with density, building height, form and character design and lot sizes that we argue about at almost every public hearing.

If the Zoning Bylaw were a toolkit it would have three tools only; a hammer, wrench and screwdriver. The hammer is used to say NO. "Your application doesn't fit into any of our zones; so no!" The wrench and the screwdriver are used to adjust, loosen or tighten our zones, or to create new zones including site specific zones, specialized zones or spot zones, all to make the application consistent with and implement the OCP. The wrench and screwdriver are the most effective tools in the tool kit. The hammer should only be used when the wrench and the screwdriver are broken.

These 'tools' are best used by professional planners and only in the context of implementing the OCP. Council's role in city planning is to govern and the OCP is Council's most useful governance tool.

(We remember George Cuff encouraging Council to focus on the high level, the governance level, the decision making level. Making decisions consistent with OCP policy is the high level, the governance level. Learning all about the Zoning Bylaw and playing with the tools is mucking about in the weeds. Council is wasting its time and diminishes its opportunity to govern best when it plays in the weeds. That's the point George Cuff repeated at the Port Alberni and Region Elected Official Seminar 2018 – "Good Governance": Principles, Processes, Practices held November 16, 2018.)

2. Affordable Housing and Attainable Housing

Affordable housing is defined as housing, 'which takes no more than 30% of gross family income (GFI) to own or rent'. It typically includes medium density residential in a multiple family residential form including townhouses and condominium buildings. It typically does not include single family or two family houses as these are relatively expensive when compared to medium density housing. Single family houses on larger urban lots are the most expensive, least affordable and least attainable of any house type in the city. These houses are out of reach of many with a GFI below the median or average GFI in their community.

Attainable housing includes single family and two family houses with a 'mortgage helper' like a legal second suite, garden home, carriage home, lane house or a rent controlled 'tiny house' on wheels; and triplexes, townhouses and condominiums. These are considerably less expensive than a 'stand alone' single family house. If any community wishes to make itself more affordable it should focus on planning for and developing attainable housing; by encouraging multiple family residential proposals in preference over strictly large lot single family residential subdivisions.

Council should work towards a goal of having 70% of its housing stock as attainable housing including single family houses with mortgage helpers.

This goal should be introduced into the OCP through a policy amendment or through the tune up, overhaul or rebuild of the OCP. It is the first step in making Port Alberni more affordable and attainable.

3. MFR Tax Base Profit Centres and Economic Sustainability at City Hall.

Economic sustainability at city hall means the ability to pass zero or minimal tax increase budgets each and every year on a sustained basis; with minimal tax increases being no greater than the Consumer Price Index (CPI), the inflation rate, the Cost of Living Allowance (COLA) or another similar measure of the devaluation of money. This can only be achieved by the influx of new tax base assessment and new taxpayers, every year, to pick up the increase in the budget thereby yielding a net zero tax increase overall.

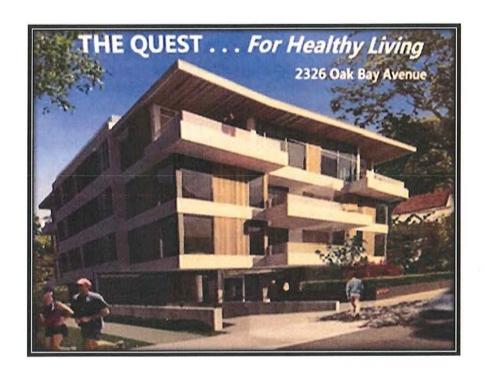
Multiple family residential developments yield the highest value tax base assessment in the residential development category. It far outperforms any lower density residential development per unit of land developed. The Land is everything!

Council should be using its land base carefully, sustainably and with a view to securing the highest tax base assessment yield all things considered.

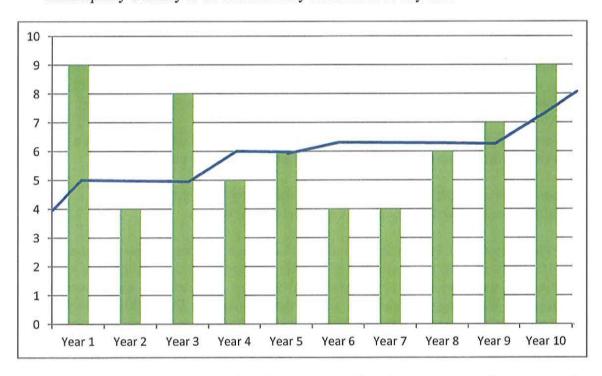
Here is an example of the value to a municipality of a proposed MFR - Multiple Family Residential development as a tax base profit centre.

'The Quest' is a 14 unit four storey condominium building proposed on a 980 m² (10,500 ft²) site on the north side of Oak Bay Avenue between Clive Drive and York Place on the main street in downtown of Oak Bay. The current assessment on the property including the land and single family house is \$997,300.00 (July 2015). Assessments are expected to escalate by at least 5% every year given the current high demand and constant supply condition of the local real estate market.

It is expected there will be 14 new taxpayers/units on the site in 2018 or at full occupancy. The post development assessment value of 'The Quest' in 2018 is calculated to be over \$9,000,000.00. The new value is almost nine times greater than current value. It is in fact a tax base profit centre.



The following chart illustrates the impact of tax base profit centres on a municipality's ability to be economically sustainable at city hall.



Line 0 represents the base line budget in year zero. Line 4 represents the increases to the budget year by year. The bars/histograms represent new tax base assessment in the form of new multi-family residential development year by year. The municipality is economically sustainable whenever the bars touch or surpass the budget line 4.

New tax base assessment is sufficient to pass budgets without a tax increase in years 1,3,5,9 and 10. New tax base assessment is available to decrease taxes for all residential taxpayers in years 1, 3, 9 and 10 where the new tax base assessment is greater than what is needed to finance the budget increase. The municipality is **NOT** economically sustainable in years 2, 4, 6, 7 and 8. In those years there is insufficient new tax base assessment to fund the entire budget increase. The budget increase can only be funded with an increase in taxes or not at all.

4. The 'New' City Planning in 2019 – ERD!

ERD or Environmentally Responsible Development ensures the careful and sustainable use and reuse, development and redevelopment of residential land, a scarce and diminishing resource, within the urban containment boundaries (UCB) of the municipality. The ERD value is expressed as the number of **households** on a site. (Density expresses the number of **units** per acre/hectare as the case may be.)

- Example 1: A four storey 18 unit condominium building on a 10,000 square foot lot has an ERD Value of 18; or 18 households.
- Example 2: A duplex/semi-detached building with a separate and legal second suite in each house and a garden suite on each side has an ERD value of 6; or 6 households.
- Example 3: A single family house with a legal second suite on a 5000 square foot lot has an ERD value of 2; or 2 households.
- Example 4: A single family house on a 5000 square foot lot has an ERD value of 1; or 1 household.

Planning applications and proposals with high ERD values show a preference for medium density residential or greater, are consistent with the OCP, exhibit good city planning, urban design, landscape design, form/character and architectural values and have site and context fit.

Council needs to approve more high ERD value development proposals for Port Alberni with or without the support of the neighbours.

There needs to be a different conversation and dialogue about city planning and governance in Port Alberni; a new paradigm; a new credo.

• A conversation which unifies YIMBY'S, NIMBY'S, taxpayers and neighbours with Council in a common purpose to move Port Alberni forward to a beneficial, brighter and better future as a more affordable and attainable community.

- A dialogue which promotes ERD as the vehicle to protect our part of the planet and to help our poor; those for whom affordable housing is only a dream and virtually a nightmare.
- A conversation which includes sustainable community, ERD, affordable and attainable housing, density and design, and the good City Planning SWEET SPOT.
- A dialogue which addresses how to plan our city in response to climate change. (This was last done in 2010 and needs to be updated.)

Council needs to sponsor and initiate a conversation about the 'new city planning and governance' circa 2019.

5. First Nations Land Theology and the Long View

When First Nation people speak of the Land it goes something like this:

The Land is given to us by the Creator. We do not own the Land even though we may have title to it. It belongs to our unborn children SEVEN generations hence. We are to use the Land today in consideration of our children tomorrow.

This is the long view on land use and development. Develop the land today in such a way that it utilizes the land fully, carefully and sustainably and leads to the proper reuse and redevelopment of the land seven generations hence.

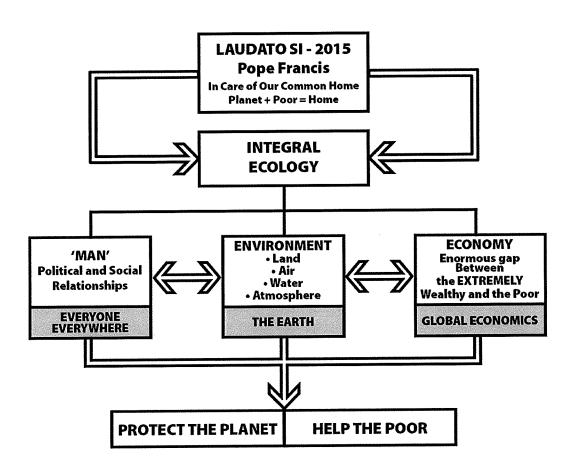
Council has the opportunity to take the long view each and every time it reviews a planning application; be it a zone change, OCP amendment or a development permit application. These applications will demonstrate the highest ERD values possible on the site in consideration of consistency with the OCP, good city planning principles and so on. When Council goes high and approves the right ERD value application, they will be right for 100 years because that development will be there for 100 years in one form or another. When council goes low, succumbs to the protestations of the neighbours and the NIMBYs, who are not in support of the new city planning paradigm, undervalue the ERD potential of the site, and care not for the long view or our future citizens, they will be wrong for 100 years.

Council should take the long view and think about our future citizens seven generations hence each and every time they make a decision on a city planning application.

6. Laudato Si and ERD and Port Alberni and the ACRD

In his papal encyclical of 2015, 'Laudato Si - In Care of Our Common Home' Pope Francis discusses the state of man, environment and economy on a global scale. It is a critical analysis of the human condition physically and spiritually, geopolitical conflict, exposing of the perilous condition of the environment/economy/planet interface, the failure of the global economy to look after the poor and the resulting enormous gap between the extremely wealthy and the extremely poor. He concludes that the state of affairs in the man/environment/economy 'integral ecology' is miserable at best and critically desperate at worst. Through the consideration of catholic social teaching and the gospels Pope Francis evolves a prescription for what ails us. Simply stated we are invited to:

PROTECT THE PLANET AND HELP THE POOR.



Many will look at the prescription as a theological imperative worthy of implementing as it comes from Pope Francis. Others who are secular, political and involved in

solving the problems of the planet, the continent, or the city may accept the invitation as a prescription for what ails us; good city planning policy so to speak.

For everyone else who pays attention 'Laudato Si' becomes an existential reality which can't be ignored. Which is to say: "HERE is my piece of the planet; the land, the air, the water and the atmosphere in its wounded and bleeding condition. HERE are the miserable poor in my community. And HERE am 'I' on the planet NOW. There is no exit from NOW short of death. That is the existential reality and indeed the existential threat! The existential question is how will 'I' respond HERE and NOW to 'Protect the Planet and Help the Poor.'

'Laudato Si' can be used to inform and inspire the city planning and development process for Port Alberni and everywhere else. Protecting the Planet in Port Alberni means using the Land in a careful and sustainable way in consideration of our unborn children seven generations hence. Helping the poor in Port Alberni means, among other things, providing properly designated and zoned land for affordable housing in particular and attainable housing in general. It means informing, guiding and steering city planning and development by using ERD and the new city planning paradigm as a protocol to protect our part of the planet and to help the poor in our community thereby implementing 'Laudato Si'.

Council should facilitate city planning and development by using ERD and the new city planning paradigm as a protocol to protect our part of the planet and to help the poor in our community thereby implementing 'Laudato Si'.

7. Citizen Engagement/Public Participation and City Planning – Antithesis or Opportunity?

What is or ought to be the role of public participation and citizen engagement in city planning? What do we want from it and how can we do it more effectively? And are we certain that city planning by consensus, committee or community association, produces good city planning? Or does it produce a camel designed by committee which ends up looking like an elephant? And why would anybody accept an elephant if they wanted a camel in the first place?

Public participation in the city planning process in British Columbia is legislated in the Local Government Act and the Community Charter. And what appears to be a focused, limited and prescribed approval process requirement seems to have gotten completely out of hand. In part, this results from a tendency to over involve citizens in the decision making process amounting to an abdication of Council's responsibility to govern; especially on city planning applications. The idea of gathering opinions and comments from the general public as a means of tallying support for an application can be the antithesis of good city planning; think of the camel and the elephant.

Public participation and citizen engagement is effective when it is done strategically and purposefully. Best practices in Port Alberni could look something like this.

- Do not confuse citizen participation in the planning approval process with democracy. Democracy gives one his say but not always his way. Public hearings are very democratic in that it gives all interested parties their say in a structured, legal and open process. The hearings are well advertised and equally accessible to all parties. Council attends the hearing with an open mind and listens to all parties. Council closes the hearing and makes a decision. It governs! Any citizen participation in the planning approval process beyond legislated public hearings can become onerous, fruitless and frustrating. Proceed with caution.
- Set your expectations correctly and understand why you are doing any extraordinary citizen engagement in city planning in the first place. Do you expect democracy in decision making thereby sharing governance with the citizens? (Dangerous!) Do you expect the citizens to somehow improve the planning application through their comments, observations and opinions? (Unlikely!) Or is there another reason for it all? Citizen engagement in the planning process is expensive, time consuming, often frustrating for all involved and burns staff resources. Don't do it unless you are getting value for your money. Streamline your processes accordingly.
- Focus any extraordinary citizen engagement initiatives to long range planning projects like initiating a dialogue and conversation on the 'new city planning' circa 2019 and updating the OCP, drafting neighbourhood plans and similar. These are opportunities to hear from the citizens about their hopes and aspirations for their city and neighbourhoods. It is the most useful and best form of public engagement because it can inform the review of the OCP and it can actualize a new and meaningful city planning paradigm with considerable public support. The least useful form of public participation is when you gather people in a room to review a planning application and argue about building height, density, design, building envelopes, parking ratios and similar. This is where citizen engagement is the antithesis of good city planning.
- Council must take seriously its responsibility to govern. To share that responsibility with the electors through unwieldy and complex consultation efforts amounts to an abdication of responsibility. Resist the temptation to have every planning application reviewed by the public over and above the legislated public hearing process. It's too much effort for too little benefit.
- Continue to use the Advisory Planning Commission model. This is the chamber of sober first thought and review which can and will generate recommendations of considerable utility to Council.
- Consider devolution of certain authorities to staff. Subdivision Approving Authority rests with staff. Perhaps the approval of development permits and development variances can also rest with staff.
- Decide whether you wish to govern by consultation or by sweet spot city planning and proceed accordingly.

8. Sweet Spot City Planning, Governance, Decision Making and Values Tradeoffs

Council is often faced with choosing between diametrically opposed positions; good city planning sweet spot applications versus the neighbours' opposition to the application. This usually shows up most clearly at a Public Hearing.

Good city planning applications demonstrate the following characteristics:

- They are consistent with the OCP.
- They have high ERD values.
- They exhibit good city planning, urban design, landscape design, form and character principles. And they typically reflect good architecture.
- They have 'Site and Context Fit' which means the proposal sits well on the site, relates well to the street and the adjacent properties and relates well to the blocks surrounding the site.

This is called the 'Good City Planning Sweet Spot'. Sweet spot applications deserve to be approved on their own merits with or without the support of the neighbours.

There is a cost to supporting the neighbours and trading off a sweet spot application; short term gain for long term loss. The short term gain is the temporary satisfaction and victory felt by the neighbours. This reflects well on the councilors that voted against the application. The long term loss includes not implementing the OCP and all that means in terms of predictable land use and a disincentive to the investment community, loss of a tax base profit centre and an impaired ability to achieve economic sustainability at City Hall. Here are some examples of Sweet Spot City Planning applications and governance and values trade offs.

Governance and City Planning Case Studies

Case Study 1: Request for Decision - The Quest at 2326 Oak Bay Avenue and the OCP - Oak Bay, BC

'The Quest' is a 14 unit four storey condominium building proposed on a 980m² (10,500 ft²) site on the north side of Oak Bay Avenue between Clive Drive and York Place on the main street and in the downtown of Oak Bay. The applicant applied for a zone change from single family to multiple family residential in accordance with the OCP. As part of its submission to Oak Bay Council the applicant conducted a massive community contact plan which yielded the following results:

CATEGORY	RESPONSES	PERCENT
Number of Respondents	160	100%
Letters of Support	109	68.1 %
Verbal Support	31	19.4%
Qualified Support	4	2.5 %
Total Support	144	90.0 %
Neutral/Ambivalent Support	13	8.1 %
Total Support (incl. Neutral)	157	98.1 %
Non Support for OCP	2	1.3 %
Non Support for Quest	1	0.6 %
Total Non-Support	3	1.9 %

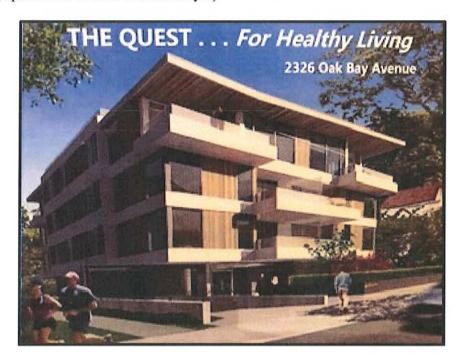
And then there was the issue of the tree next door. The applicant had offered to remove the 100+ year old garry oak tree on the adjacent York House Co-op property, replace the tree with three large trees although not the same species, size or age as the garry oak, offer \$25,000.00 to the York House Coop owners for the loss of their tree and contribute \$15,000.00 to the District of Oak Bay for its tree planting program.

Council, sitting as Committee of the Whole, refused the application at its meeting in October 2017. Even though the proposal is extraordinarily consistent with the OCP, has high ERD values, demonstrates good city planning, urban design, and landscape design principles, is designed by the award winning architecture firm Cascadia, expresses site and context fit and has considerable support from the community as evidenced by the Community Contact Plan.

Council was persuaded by the neighbours and ratepayers who opposed the application. They argued that it did not fit their neighbourhood; even though the OCP designates the site for medium density residential. And this only two months after Council approved a similar application several blocks east of this site on an inferior site with less OCP consistency and after a huge public hearing that was held at Oak Bay High School.

This decision represents a values trade off. Council traded off accepting its share of regional growth, supporting its OCP, good city planning, a tax base profit centre and economic sustainability at city hall in favour of keeping the neighbours happy and saving the tree the large limbs of which could drop dead onto the street tomorrow and kill someone(s). Arguably it amounts to bad governance. It shows inconsistency on the part of Council relative to the decisions it took on each of the two similar applications. And certainly it creates confusion in the investment community. If one can't count on the OCP as a predictor of future land use what can one count on? (The applicant resubmitted the application to the new Mayor and

Council in November 2018. It has been renamed 'The Request'. There are 14 parking spaces not 18 and the tree stays!)



Case Study 2: Request For Decision - 1821 Midgard and the Mount Tolmie Community Association - Saanich, BC

The property is a large single family corner lot zoned RS-6 which has frontage on Midgard Avenue and a side yard access off Nancy Hanks Street. It includes a large single family house built after 1930. The lot dimensions are 23m width and 37m depth or 75 feet by 121 feet. The lot area is 871m2 or 9,279 square feet. The applicant is asking to rezone from single family to two family to build a duplex house.

The proposal, two multi- generational homes each with a 'father in law' suite' doubles or quadruples the ERD value at 1821 Midgard Avenue. As such it responds to the Environmental Integrity directions of the OCP. The proposal contributes to social well-being. It introduces housing diversity and choice into the immediate area in the form of multi-generational semi-detached houses. It is very much a human scale pedestrian oriented development which will contribute to social wellbeing.



Existing Single Family House Above and Proposed Duplex Below



TWO FAMILY HOUSE DATA TABLE

	CORNER UNIT A	INTERIOR UNIT B		
2 BR and 1 Bathroom with Living, Level Dining and Kitchen		2 BR and 1 Bathroom with Living, Dining and Kitchen		
Main Floor	Den, 1 Bathroom, Living, Dining, Kitchen and 2 car garage	Den, 1 Bathroom, Living, Dining, Kitchen and 2 car garage		
Upper Floor	2 BR and 2 Bathroom	2 BR and 2 Bathroom		
Floor Space	Basement: 64.17m2 (691 sq. ft.) Main: 86.44m2 (930 sq. ft.) Garage: 33.82m2 (364 sq. ft.) Upper: 77.17m2 (831 sq. ft.)	Basement: 62.81m2 (676 sq. ft.) Main: 71m2 (762 sq. ft.) Garage: 31.77m2 (342 sq. ft.) Upper: 69.37m2 (747 sq. ft.)		
1	TOTAL : 261.6m2 (2816 sq.ft.)	TOTAL: 235m2 (2529 sq. ft.)		

ZONING DATA TABLE

	Existing	Proposed	RS-6	RD-1
Lot Size	871.36m2	871.36m2	yes	yes
Lot Coverage	145.31m2 or	239.54m2 or	40%	30%Front yard
	16.68%	27.49%		
Front Yard	7.88m	7.81m	6.0m	7.5m
Rear Yard	20.53m	10.89m	7.5m	10.5m
Exterior Side	3.51m	4.58m	3.5m	4.5m
Yard (west)				
Interior Side	1.49m	3.06m	1.5m	3.0m
Yard (east)				
FSR	0.1094	0.495	0.50	0.50
Gross Floor	95.31m2	431.47m2	310.00m2	N/A
Area				
Garage Area	50.0m2	75m2	50.0m2	75.0m2
Height	4.87m	7.17m	7.5m	7.5m
Parking	4 spaces	4 spaces	4	4

The application was submitted to the District of Saanich in September 2018 after considerable consultation with Planning Staff during concept development. And after an on-site open house in August to which 45 adjacent addresses were invited and over 20 attended.

The staff comment letter has not yet been received. The Applicant attended and presented at the Mount Tolmie Community Association (CA) meeting of November 28, 2018. His application and presentation was preceded by an application and presentation to rezone a nearby site for two condominium apartment buildings in excess of 120 units on Shelbourne Street.

The role of the CA is to receive the presentation and to provide comments to the District of Saanich. The comments are typically confined to recommending support with or without conditions, expressing no objections to the application or expressing no comments on the application as in, 'We have reviewed the application and have no comments.'

In the case of 1821 Midgard, the CA member(s) tried to negotiate community amenity contributions at the table and in the absence of a Council endorsed Community Amenity Contribution policy and with hardly an inkling of sections 482 and 483 of the Local Government Act.



Sustainable Saanich, the 2008 OCP, provides a vision, goals and policies to achieve Environmental Integrity, Social Well-Being and Economic Vibrancy, the three pillars of sustainability as defined by Saanich. It wants sustainability at both the corporate and community levels.

completely proposal is The consistent with the OCP which infill allows for limited neighbourhoods inside the Urban Containment Boundary. Such infill is intended to be along or near key corridors and in proximity to education, shopping, employment (various throughout the area) and service uses (all over the place with easy bus, road and bicycle access). The proposed redevelopment is compatible with the character and development in the pattern neighbourhood.

A member then challenged the Applicant on the interpretation of the Zoning Bylaw and whether a multi-generational house with two kitchens could even be built in the proposed zone. He offered to meet with the Applicant in the offices of the City Planner to work out the interpretation of the Zoning Bylaw. The Applicant did mention that the zoning bylaw and the application had been reviewed with the City Planner who is responsible for interpreting and applying the Zoning Bylaw, and there was no mention of two kitchens being prohibited anywhere.

A further comment from another member revealed that the proposed duplex with father in law suites could easily become a fourplex; contrary to the intended and expressed use as a multi-generational house in the Italian, Indian and Oriental tradition of looking after the 'older' parents and in laws. The Applicant informed the member that the owners will be required to sign an undertaking ensuring that the suites are never used as a 'for market' rental second suite.

The member suggested that such undertakings are never enforced. The Applicant offered that it would be enforced upon complaint just like every other bylaw, regulation and undertaking in the municipality. The member found that unbelievable and went on to say that she does not live in a multi-generational house and probably would not want to live in such a house; not her neighbourhood style or preference.

Her comments show a bias against multi-generational homes that would appeal to certain cultures and traditions. Her bias was masked as a concern over the application becoming a fourplex rather than the duplex it is represented to be. Her comments implied a challenge to the integrity and veracity of the Applicant and his proposal.

The 'expert zoning' member went on to say the applicant should hold yet another open house which would include mail box invitations to a broader area and include a notice in the newspaper as well as an invitation for the CA to attend. His rationale is that there is certainly interest in this duplex application well beyond the 45 addresses contacted in the first open house. And the CA would like to hear from these other interested parties before they are willing to submit their comments to the District of Saanich. The Applicant reminded the CA that there will be a formal and advertised public hearing as part of the approval process. The 'expert zoning' member then offered to get in touch with the Applicant with a way forward. Here is the email.

Hello Joseph

Thank you for meeting with the Mount Tolmie Community Association (MTCA) last Wednesday. Further to our discussion I would like to meet with you and the Area Planner assigned to this application in person to discuss the proposal and confirm that it meets the conditions of the zoning bylaw. Briefly my understanding is that if a zoning bylaw allows a use in one zone, that it therefore does not allow that use in other zones unless specifically permitted. My reading of s. 5.26 of the Saanich Zoning Bylaw seems to suggest that a 2nd kitchen is only permitted in the A or RS zones.

Secondly if the proposal is to proceed with any comment from MTCA, we need to be part of a public consultation process. I am available to discuss options for consultation if you choose to proceed on that point. MTCA is not able to support a proposal without participating in such consultation. I am reasonably flexible with my time so it may be easier if you can arrange a meeting time with the Area Planner and then advise me. Please let me know if that is acceptable.

And here is the Applicant's response to the Area Planner on the email from the CA member.

I will take your direction on this before I respond. I don't know why he wants to clarify whether the zoning bylaw allows a second kitchen in the RD1 zone or not. That's the planners job not his. I'm satisfied with the public consultation open house done so far and content that the public hearing will be properly advertised, which I will be paying for by the way.

To make any comments from the MTCA subject to a second open house is ultra vires the authority of the MTCA; in my opinion. I don't think they should be requiring extraordinary processes to provide their comments to City Hall.

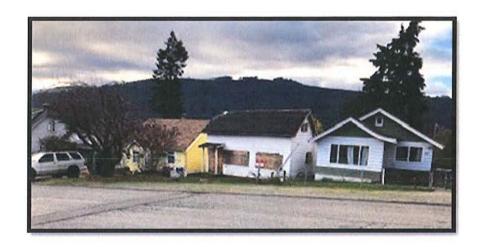
If this is how all of the CA's are doing their work I would suggest the system is broken and they need to receive clear guidelines from the planning department on how they should be conducting their meetings, how they interact with the applicant, limits to what they should be asking of the applicant and certainly do not negotiate CAC's. These are done at city hall in the context of sections 482 and 483 of the LGA. CAC's are usually provided in trade for bonus density zoning. CAC's are usually negotiated in the context of CAC policy, which I believe Saanich has not yet prepared. Absent these provisions the CA's are negotiating CAC's like playing on a slot machine.

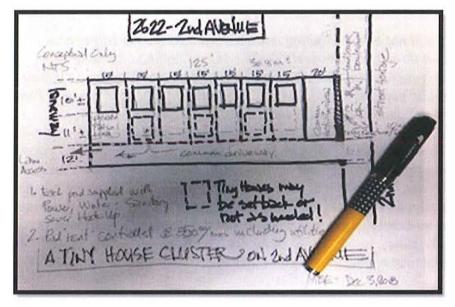
I will not be contributing any CAC's unless the CA is prepared to recommend an 8 unit three storey properly designed Condominium Building with surface parking only on this site. We are doing a two family development on this site. Are you really going to negotiate CAC's for a two family development? Please let me know how I should respond to the CA member. Thanks.

The CA is acting ultra vires its authority, responsibility and purpose. They are in dangerous territory negotiating CAC's, have no business interpreting the Zoning Bylaw, and showed an ethnic bias which could be grounds for appeal if this position is carried by Council and they refuse the Zoning Bylaw amendment. This is an example of where Council and the Planning Department need to provide clear guidelines to its 12 Community Associations in the matter of reviewing city planning applications. This application has not yet proceeded to Council.

Case Study 3: <u>Request For Decision - A Tiny House Cluster on 2622 Second</u> Avenue in Port Alberni

At its meeting of November 26, 2018 Council authorized the demolition of the house at 2622-2nd Avenue. A post demolition redevelopment option could be to rezone the property to provide for up to 7 tiny homes rental pads. The property would be serviced with a driveway, a front yard common space, water, sanitary sewer and power hook ups to each of the 7 pads. Lane access would also be provided. There would be no design guidelines for the tiny houses; only that they are able to fit on the pad more or less as shown on the diagram.





The merits of the application include a high ERD value of 7 households for one small 33 foot lot and the provision of affordable/attainable rental housing in Port Alberni. This is not a tax base profit centre. Indeed the taxes on this property would be relatively low as there would be no permanent improvements on the lot, services notwithstanding. Staff might recommend consideration and support of the application to rezone as it is consistent with the OCP and meets other city planning/design values; perhaps even a planning 'sweet spot' application!

Case Study 4: Request For Decision – Community Amenity Contributions and Section 482 and 483 of the LGA – Sydney, BC and Orillia, Ontario

We begin the case study with three recommendations. These are guidelines for policy and best practice.

 Don't ever use your Community Association or APC members to negotiate CAC's.

- Don't ever negotiate CAC's with the applicant in open Council or in-camera for that matter. Let planning staff work that out in the context of an approved CAC policy and in accordance with Sections 482 and 483 of the LGA.
- Recognize that CAC's are a trade-off for bonus density. It has to be a win/win, a quid pro quo, for the applicant and the City. Nothing given nothing gained.

The LGA provides for community amenity contributions in the form of density benefits in exchange for amenities, affordable housing and special needs housing. (Sections 482 and 483 are appended.)

Here is a scenario on how a community amenity contribution might be secured in Port Alberni by using section 482 of the LGA.

Multiple Family Residential Zones and Regulations in Port Alberni

	RM1 LOW DENSITY MFR	RM2 MEDIUM DENSITY	RM3 HIGH DENSITY MFR
LOT AREA	500m2 (5382 ft.)	840m2 (9042 ft.)	1120m2 (12056 ft.)
FAR (floor area ratio)	0.5	0.8	1.2
MAX HEIGHT	10.0m (32.8 ft.)	12.5m (41 ft.)	14m (45.9 ft.)
MAX STOREYS	2.5	3	4

The applicant proposes a 4 storey 18 unit 14m high condominium free hold building on a parcel zoned RM3. The proposal is consistent with the OCP and looks something like this; a four story mixed use condo in Sidney BC.



Staff offers consideration of a bonus zoning or density benefit proposal in exchange for affordable housing as follows:

A 6 storey 26 unit 21m high condominium free hold building including 8 units which will be rental units at a rent controlled rate for 20 years after which they may become freehold or continue as rental at the choice of the owner. The proposal requires a specialized RM3 Zone and an amendment to the OCP. It looks something like this: Orchard Harbour in Orillia, Ontario.



The applicant revises his proposal, staff reviews it and forwards it to the APC and Council with a recommendation for approval subject to the applicant entering into a section 483 housing agreement. The agreement is a condition of 4th reading and adoption of the amending bylaws to the OCP and the Zoning Bylaw. The agreement is also a condition of approval of the development permit. Staff has reviewed the revised application and finds it consistent with the OCP, has high ERD values, demonstrates good city planning, urban design, landscape design and architecture and it has site and context fit. A public hearing will be scheduled as required. Council gets to approve the application or not.

Here is the win/win. The municipality gets affordable housing, a tax base profit centre, implementation of its OCP and the satisfaction of knowing it has used/reused developed/redeveloped the land parcel in a careful and sustainable manner with a high ERD value in consideration of future generations. It is 'protecting the planet' and 'helping the poor' in Port Alberni. The applicant gets a larger and better development which may increase his expected rate of return and profit when compared to the original proposal.

9. Strategies – HOW TO GET THERE!

- 1.0 Amend the OCP to include goals and policy to densify the city to reach a 30/70 split between exclusively SF housing and all other housing types including single family houses with mortgage helpers, two family homes, triplexes, townhouses, condominiums and other forms of multifamily residential.
- 2.0 Develop policy and amend the Zoning Bylaw to provide for Secondary Suites, Garden Suites, Lane Houses, Tiny 'transportable' Houses in clusters and stand alones. The objective here is to allow for the unfettered densification of single family home lots with 'mortgage helpers' thereby making the houses more attainable.
- 3.0 Prepare an overlay **High Density Multi-Family Residential Designation** for the OCP. This designation is intended to facilitate higher density multiple storey residential development in various parts of the City including Southport; beyond what is currently provided for in the OCP and the RM3 Zone in the Zoning Bylaw.
- 4.0 Develop a community amenity contributions policy as a means of facilitating the construction of affordable housing.
- 5.0 Employ sections 482 and 483 of the Local Government Act. These can be used strategically and judiciously to facilitate the construction of affordable housing.
- 6.0 Prepare a strategy for downtown revitalization, continued development and promotion of Harbour Quay, a redevelopment strategy for the Somass Mill site, the Railway Station Reuse and Redesign proposal and the terracing of Argyle Street among other initiatives.
- 7.0 Provide for and facilitate 'ten buck a day' daycare and free youth transit as a means of making Port Alberni more affordable and attainable. An alternative to providing free transit could be to invest in more buses, routes and runs to make the system more convenient and user friendly.
- 8.0 Continue with land banking and making that land available for affordable housing projects under a lease arrangement or otherwise. Do not give away the Land.
- 9.0 Apply to the Agricultural Land Commission to remove the ALR designation on the city owned 17 acre parcel at 5355 Cherry Creek Road. Amend the OCP to designate the site from Highway Commercial to High

Density Residential to permit the development of a high density residential neighbourhood for Port Alberni. High density is defined as up to 10 stories. Rezone the land accordingly. (This is not the same designation proposed in section 3.0.). Consult with the ACRD to identify a boundary extension area that includes at least 17 acres of ALR Land.

10. RECOMMENDATIONS

- That staff be directed to prepare amendments to the OCP and Zoning Bylaw which provide for densification of the city, secondary suites, garden suites, the legalization and upgrading of existing illegal suites, rent controlled tiny houses in side yards, backyards and in clusters, prepare a new floating MFR Zone providing for high density at a minimum 7 stories and a floating MFR designation for use in the OCP and provide for cannabis products processing (centre of excellence); including the need for Development Permits to review form and character in all cases.
- That Council provide for and authorize a minor tune up, a major overhaul or a complete rebuild of the OCP, as they see fit, in Strategic Plan 2019.
- That Council engages its citizens to help shape the 'new city planning' in 2019. (This is in aid of reaching a consensus on what we want Port Alberni to become in the next 15 years. It would be a separate initiative from updating the OCP. And the product of this initiative, a report or series of findings, could be used to inform the update of the OCP; somewhat like the open house/questionnaire process used to inform the Port Alberni OCP in 2007.)
- That Council allocates resources to the revitalization of Southport including the implementation of 'Ten Dead Windows'; an arts and literature experiment to be used for tourism development and downtown revitalization.
- That Council authorize a Southport Revitalization Strategy including consideration of the terracing of Argyle Avenue, the Harbour Quay / Southport Promenade, the Railway Station Reuse and Redesign, redevelopment of the Somass Mill Site and similar initiatives.
- That Council develop a policy for Community Amenity Contributions in consideration of the opportunities presented by section 482 and 483 of the Local Government Act and further to the proposed floating MFR Zone and OCP designation.
- That Council initiates the removal of its lands at 5355 Cherry Creek Road from the ALR designation starting with an amendment to the OCP for a high density neighbourhood.

10. THE NEXT STEPS

This report should be reviewed by staff, circulated to council for receipt and adoption and then implemented. Once adopted it should be work shopped with the Advisory Planning Commission as part of the implementation process.

Respectfully submitted,

Joseph a. Calenda

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM

Urbanisti – Pianificatori – City Planner

Molto Bene Enterprises

The Job of the City Planner is to Implement the OCP. That's it!!!

Consulting City Planner to Port Alberni

ADDENDUM 1 – Local Government Act sections 482 and 483 – DENSITY BENEFITS and COMMUNITY AMENITY CONTRIBUTIONS

'Density benefits for amenities, affordable housing and special needs housing

- 482 (1) A zoning bylaw may
 - (a)establish different density rules for a zone, one generally applicable for the zone and the other or others to apply if the applicable conditions under paragraph (b) are met, and
 - (b)establish conditions in accordance with subsection
 - (2) that will entitle an owner to a higher density under paragraph (a).
- (2) The following are conditions that may be included under subsection (1) (b):
 - (a)conditions relating to the conservation or provision of amenities, including the number, kind and extent of amenities;
 - (b)conditions relating to the provision of affordable and special needs housing, as such housing is defined in the bylaw, including the number, kind and extent of the housing;
 - (c)a condition that the owner enter into a housing agreement under section 483 before a building permit is issued in relation to property to which the condition applies.
- (3) A zoning bylaw may designate an area within a zone for affordable or special needs housing, as such housing is defined in the bylaw, if the owners of the property covered by the designation consent to the designation.

Housing agreements for affordable housing and special needs housing

- **483** (1) A local government may, by bylaw, enter into a housing agreement under this section.
- (2) A housing agreement may include terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement,

including but not limited to terms and conditions respecting one or more of the following:

- (a)the form of tenure of the housing units;
 (b)the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
 (c)the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
 (d)rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.
- (3) A housing agreement may not vary the use or density from that permitted in the applicable zoning bylaw.
- (4) A housing agreement may be amended only by bylaw adopted with the consent of the owner.
- (5) If a housing agreement is entered into or amended, the local government must file in the land title office a notice that the land described in the notice is subject to the housing agreement.
- (6) Once a notice is filed under subsection (5), the housing agreement and, if applicable, the amendment to it is binding on all persons who acquire an interest in the land affected by the agreement, as amended if applicable.
- (7) On filing under subsection (5), the registrar of land titles must make a note of the filing against the title to the land affected.
- (8) In the event of any omission, mistake or misfeasance by the registrar of land titles or the staff of the registrar in relation to the making of a note of the filing under subsection (7),
 - (a)neither the registrar, nor the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

(b)neither the assurance fund nor the Land Title and Survey Authority of British Columbia, as a nominal defendant, is liable under Part 19.1 of the *Land Title Act*, and

(c)neither the assurance fund nor the minister charged with the administration of the *Land Title Act*, as a nominal defendant, is liable under Part 20 of the *Land Title Act*.

(9) The Lieutenant Governor in Council may prescribe fees for the filing of notices under subsection (5), and section 386 of the *Land Title Act* applies in respect of those fees.'

TINY HOUSE SAMPLES - yet to come!

MOLTO BENE ENTERPRISES

c/o 3130 Frechette Street, Victoria, BC, V8P 4N5 Tel: 1-250-595 -8430 cell: 1-250-589-8430 E-mail: moltobene@telus.net

THE NEXT 1400 DAYS

Executive Summary

A Strategy for Growing Port Alberni by Providing for Affordable Housing and Attainable Housing Through ERD – Environmentally Responsible Development and a Dialogue About the New City Planning and Governance for Port Alberni – Circa 2019

LAND IS EVERYTHING

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM

Consulting City Planner to Port Alberni

Urbanisti – Pianificatori – City Planner

Molto Bene Enterprises

January 1, 2019

Land is everything. The land cost to rents ratio, as it exists today, is attracting much interest in the development and redevelopment of the city. There is an opportunity to steer and guide this interest such that Port Alberni can become a healthier, wealthier and better place in 1400 days. And yet there continues to be the tendency to plan and develop the city by consensus with the 'neighbours': sometimes to a fault and sometimes with the result of losing investment and development opportunities. So how does Council govern in an age of consultation, citizen engagement and democracy? And how does Council steer the investment opportunity over the next 4 years?

1. THE OCP

Council's role in the city planning process is to provide governance; to make decisions. The best practice governance in city planning is to make decisions consistent with the OCP each and every time; including amendments to the OCP.

Land is everything and the OCP is about using the land to build and grow the city. It is important for Council to support its OCP with every city planning decision it takes. To do otherwise will create confusion about the predictability of land use and development in the city, a serious growth and economic development DEGENERATOR. The City of Port Alberni Official Community Plan was adopted on April 10, 2007 and is entering its 12th year. As a general rule OCP's should have a minor tune up in 5 years, a major overhaul in 10 years and a complete rebuild in 15 years. Some target areas for consideration in reviewing the OCP include:

- Defining boundary extension areas for the next 70 years and joint general municipal planning with the ACRD along our common boundaries,
- Densification of the municipality to make it more affordable and attainable,
- Sustainable community including economic, environmental and social sustainability in general and economic sustainability at city hall in particular,
- Future development reconsideration of the 70 acre city owned parcel on Golden Street and review of the regional context statement,
- Update of the climate change mitigation policies,
- Consideration of tsunami mitigation and preparation strategies,
- Documentation of the city's growth and development performance since 2006 and revised population projections and land absorption estimates,
- Using a 15 year term and a 25 year planning horizon for the purpose of estimating population projections and designing planning policies.

2. Affordable Housing and Attainable Housing

Affordable housing is defined as housing, 'which takes no more than 30% of gross family income (GFI) to own or rent'. It typically includes medium density residential in a multiple family residential form including townhouses and condominium buildings. It typically does not include single family houses on larger urban lots.

Attainable housing includes single family and two family houses with a 'mortgage helper' like a legal second suite, garden home, carriage home, lane house or a rent controlled 'tiny house' on wheels; and triplexes, townhouses and condominiums. These are considerably less expensive than a 'stand alone' single family house. If any community wishes to make itself more affordable it should focus on planning for and developing attainable housing.

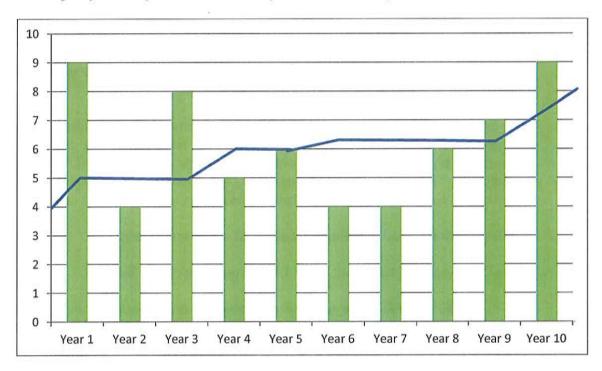
Council should work towards a goal of having 70% of its housing stock as attainable housing including single-family houses with mortgage helpers.

3. Tax Base Profit Centres and Economic Sustainability at City Hall.

Economic sustainability at city hall means the ability to pass zero or minimal tax increase budgets each and every year. This can only be achieved by the influx of new tax base assessment and new taxpayers, every year, to pick up the increase in the budget thereby yielding a net zero tax increase overall. MFR - multiple family residential developments yield the highest value residential tax base assessment. MFR developments are tax base profit centres for the municipality. (Minimal tax increases are no greater than the Consumer Price Index (CPI), the inflation rate, the Cost of Living Allowance (COLA) or another measure of the devaluation of money.)

Council should be using its land base carefully, sustainably and with a view to securing the highest tax base assessment developments all things considered.

The following chart illustrates the impact of tax base profit centres on a municipality's ability to be economically sustainable at city hall.



Line 0 represents the base line budget in year zero. Line 4 represents the increases to the budget year by year. The bars/histograms represent new tax base assessment in the form of new MFR development year by year. The municipality is economically sustainable whenever the bars touch or surpass budget line 4. New tax base assessment is sufficient to pass budgets without a tax increase in years 1,3,5,9 and 10. New tax base assessment is available to decrease taxes in years 1, 3, 9 and 10. The municipality is **NOT** economically sustainable in years 2, 4, 6, 7 and 8.

4. The 'New' City Planning in 2019 – ERD!

Council needs to sponsor and facilitate a conversation and dialogue about the 'new city planning' circa 2019.

There needs to be a different conversation and dialogue about city planning in Port Alberni; a new paradigm; the new city planning credo circa 2019.

- One which promotes ERD as the vehicle to protect our part of the planet and to help our poor; those for whom affordable housing is only a dream and virtually a nightmare.
- One which includes sustainable community, affordable and attainable housing, density and design, and the good City Planning SWEET SPOT.
- One which addresses how to plan our city in response to climate change.
- And one which unifies YIMBY'S, NIMBY'S, taxpayers and neighbours with Council in a common purpose to move Port Alberni forward as a more affordable and attainable community in the next 1400 days.

Updating the OCP presents the opportunity to dialogue about the 'new city planning' circa 2019.

Council needs to approve more high ERD value development proposals for Port Alberni with or without the support of the neighbours.

ERD or environmentally responsible development ensures the careful and sustainable use and reuse, development and redevelopment of residential land, a scarce and diminishing resource, within the urban containment boundaries (UCB) of the municipality. The ERD value is expressed as the number of **households** on a site. (Density expresses the number of **units** per acre/hectare as the case may be.)

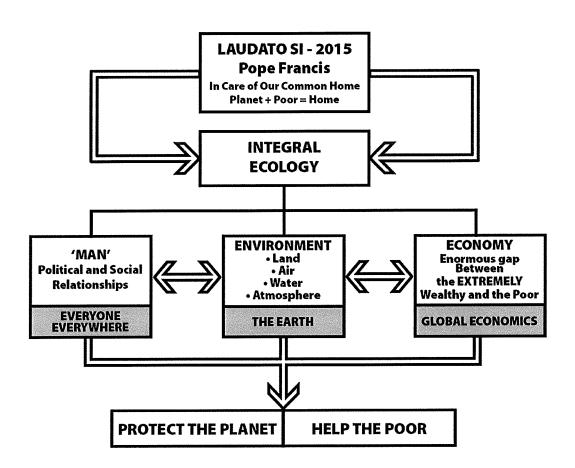
5. First Nations Land Theology, Laudato Si and Port Alberni

When First Nation Elders speak of the Land it goes something like this:

The Land is given to us by the Creator. We do not own the Land even though we may have title to it. It belongs to our unborn children SEVEN generations hence. We are to use the Land today in consideration of our children tomorrow.

This is the long view on land use and development. Develop the land today such that it utilizes the land fully, carefully and sustainably and leads to the proper reuse and redevelopment of the land seven generations hence.

In his papal encyclical of 2015, 'Laudato Si - In Care of Our Common Home' Pope Francis considers the condition of man, environment and economy on a global scale. He concludes that the state of affairs in the 'integral ecology' is miserable at best and critically desperate at worst.



He proposes a prescription for what ails us. Simply put it is to **PROTECT THE PLANET AND HELP THE POOR.** 'Laudato Si' can be used to inform and inspire the city planning and development process for Port Alberni and everywhere else. Protecting the Planet in Port Alberni means using the land in a careful and sustainable way in consideration of our unborn children seven generations hence. Helping the poor in Port Alberni means, among other things, providing properly designated and zoned land for affordable housing in particular and attainable housing in general.

Council should take the long view and think about our future citizens each and every time they make a decision on a city planning application. Council should

guide city planning and development by using ERD and the 'new city planning' paradigm to protect the planet and to help the poor in our community thereby implementing 'Laudato Si'.

6. Citizen Engagement/Public Participation and City Planning – Antithesis or Opportunity?

Public participation in the city planning process in British Columbia is legislated in the Local Government Act and the Community Charter. It focuses mostly on notice and public hearing requirements for current planning and long range planning applications. Public participation and citizen engagement is effective when it is done strategically and purposefully. Best practices in Port Alberni could look something like this.

- Public hearings are very democratic in that it gives all interested parties their say in a structured, legal and open process. The hearings are well advertised and equally accessible to all. Council attends the hearing with an open mind. Council closes the hearing and makes a decision. It governs! Any citizen participation beyond legislated public hearings can become onerous and fruitless. Proceed with caution.
- Council must understand why they would want to do any extraordinary citizen engagement in city planning in the first place. Do they expect democracy in making decisions thereby sharing governance with the citizens? (Dangerous!) Do they expect citizens to somehow improve the planning application through their comments, observations and opinions? (Unlikely!) Or is there another reason for it all? Citizen engagement in the planning process is expensive, frustrating and time consuming. Don't do it unless you are getting value for your money. Temper your expectations and streamline your processes accordingly.
- Focus any extraordinary citizen engagement initiatives to long range planning projects like updating the OCP and dialoguing about the 'new city planning' circa 2019. It is the highest and best form of public engagement because it can inform the production of the OCP and secure public support for the 'new city planning' paradigm.
- Council must take seriously its responsibility to govern. Resist the temptation to share that responsibility by having every planning application reviewed by the public over and above the legislated public hearing process.
- Continue to use the Advisory Planning Commission model. This is the chamber of sober first thought and review. It produces recommendations of considerable utility to Council.
- Consider devolution of certain authorities to staff. Subdivision Approving Authority rests with staff. Perhaps the approval of development permits and development variances can also rest with staff.

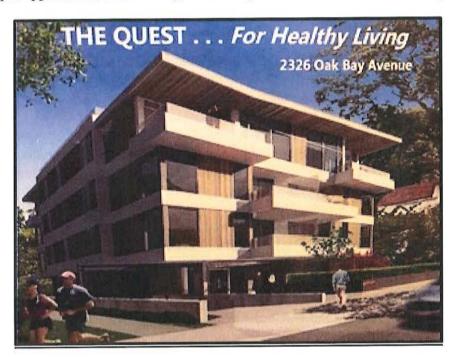
7. Sweet Spot City Planning, Decision Making and Values Tradeoffs

Council is often faced with choosing between diametrically opposed positions; good city planning sweet spot applications versus the neighbours' opposition to the application. This usually shows up most clearly at a Public Hearing. The least useful form of public participation is when you gather people in a room to review a planning application and argue about building height, density, design, building envelopes, parking ratios and similar. This is where citizen engagement can become the antithesis of good city planning.

Sweet spot city planning applications demonstrate the following characteristics:

- They are consistent with the OCP.
- They have high ERD values.
- They exhibit good city planning, urban design, landscape design, form and character principles. And they typically reflect good architecture.
- They have 'Site and Context Fit' which means the proposal sits well on the site, relates well to the street and the adjacent properties and relates well to the blocks surrounding the site.

Sweet spot applications deserve to be approved on their own merits with or without the support of the neighbours. There is a cost to supporting the neighbours and trading off a sweet spot application; short term gain for long term loss. Here is an example.



The Quest is an 18 unit beautifully designed condominium building proposed for a 980 m2 (10,500 square foot) lot on the main street of Oak Bay. It is designated multiple family in the OCP and will have a tax assessment value of over \$9,000,000 at occupancy;

an almost nine fold increase over the current assessment value. It is a sweet spot application of the first order.

Council, sitting as Committee of the Whole, refused the application in October 2017 even thought the application is extraordinarily consistent with the OCP and was accompanied by a Community Contact Plan which showed considerable community wide support. A values trade off at best and bad governance at worst. The short term gain is the temporary satisfaction and victory felt by the neighbours. The long term loss includes not implementing the OCP and all that means in terms of predictable land use and a disincentive to the investment community, loss of a tax base profit centre, an impaired ability to achieve economic sustainability at City Hall, a refusal to accept the municipality's share of regional growth, and a failure to implement good city planning in favour of keeping the neighbours happy.

8. HOW TO GET THERE!

- 1.0 Amend the OCP to include goals and policy to densify the city to reach a 30/70 split between exclusively SF housing and all other housing types including single family houses with mortgage helpers, two family homes, triplexes, townhouses, condominiums and other forms of multi-family residential.
- 2.0 Develop regulations and amend the Zoning Bylaw to provide for unfettered Secondary Suites, Garden Suites, Lane Houses, Tiny 'transportable' Houses in clusters and stand alones. The objective here is to allow for the densification of single family home lots with 'mortgage helpers' thereby making the houses more attainable.
- 3.0 Prepare an overlay **High Density Multi-Family Residential Designation** for the OCP. This designation is intended to facilitate higher density multiple storey residential development in various parts of the City including Southport; beyond what is currently provided for in the OCP and the RM3 Zone in the Zoning Bylaw.
- 4.0 Develop a community amenity contributions policy and employ sections 482 and 483 of the Local Government Act. These can be used strategically and judiciously to facilitate the construction of affordable housing.
- 5.0 Prepare a strategy for downtown revitalization, continued development and promotion of Harbour Quay and a redevelopment strategy for the Somass Mill site, the railway station and the terracing of Argyle Street.
- 6.0 Provide for and facilitate 'ten buck a day' daycare and free youth transit as a means of making Port Alberni more affordable and attainable. An alternative to providing free transit could be to invest in more buses, routes and runs to make the system more convenient and user friendly.
- 7.0 Continue with land banking. Designate, zone and market the lands for affordable and attainable housing proposals under a lease arrangement or otherwise.

8.0 Apply to the Agricultural Land Commission to remove the ALR designation on the city owned 17 acre parcel at 5355 Cherry Creek Road. Amend the OCP to designate the site from Highway Commercial to High Density Residential to permit the development of a high density residential node for Port Alberni. High density is defined as up to 10 stories. Rezone the land from A1 Agriculture to a zone which implements the OCP as amended. Consult the ACRD to identify a boundary extension area which includes ALR land.

RECOMMENDATIONS

- That staff be directed to prepare amendments to the OCP and Zoning Bylaw which provide for densification of the city, secondary suites, garden suites, the legalization and upgrading of existing illegal suites, rent controlled tiny houses in side yards, backyards and in clusters, prepare a new floating MFR Zone providing for high density at a minimum 7 stories with a corresponding floating MFR designation for use in the OCP and provide for cannabis products processing (centre of excellence) if required; including the need for Development Permits to review form and character in all cases.
- That Council provide for and authorize a minor tune up, major overhaul or rebuild of the OCP, as they see fit, in Strategic Plan 2019.
- That Council engage its citizens to help shape the 'new city planning' in 2019. This is in aid of reaching a consensus on what we want Port Alberni to become in the next 1400 days and the next 15 years. The findings of the engagement can be used to inform the review of the OCP.
- That Council authorize a Southport Revitalization Strategy including consideration of the terracing of Argyle Street, the Harbour Quay / Southport Promenade, the Railway Station Redesign, redevelopment of the Somass Mill Site and similar.
- That Council develop a policy for Community Amenity Contributions in consideration of the opportunities presented by section 482 and 483 of the Local Government Act.
- That Council initiate the removal of its lands at 5355 Cherry Creek Road from the ALR designation starting with an amendment to the OCP for a high density neighbourhood.

MOLTO BENE ENTERPRISES

c/o 3130 Frechette Street, Victoria, BC, V8P 4N5 Tel: 1-250-595 -8430 cell: 1-250-589-8430 E-mail: moltobene@telus.net

THE NEXT 1400 DAYS

Briefing Notes

A Strategy for Growing Port Alberni by Providing for Affordable Housing and Attainable Housing Through ERD – Environmentally Responsible Development and a Dialogue About the New City Planning and Governance for Port Alberni – Circa 2019

LAND IS EVERYTHING

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM

Consulting City Planner to Port Alberni

Urbanisti – Pianificatori – City Planner

Molto Bene Enterprises

February 14, 2019

Land is everything. The land cost to rents ratio, as it exists today in Port Alberni, is attracting much interest in the development and redevelopment of the city. How does Council steer the investment opportunity over the next 4 years? And how does Council govern effectively in an age of citizen engagement, consultation and democracy?

1. THE OCP

The best practice governance in city planning is to make decisions consistent with the OCP each and every time; including amendments to the OCP.

The City of Port Alberni Official Community Plan was adopted on April 10, 2007 and is entering its 12th year. As a general rule OCP's should have a minor tune up in 5 years, a major overhaul in 10 years and a complete rebuild in 15 years. Some target areas for updating the OCP include:

- Defining boundary extension areas for the next 70 years and joint general municipal planning with the ACRD along our common boundaries,
- Densification of the municipality to make it a more affordable and attainable city,
- Sustainable community including economic, environmental and social sustainability in general and economic sustainability at city hall in particular,
- Reconsideration of the future development of the 70 acre city owned parcel on Golden Street,
- Review of the regional context statement,
- Update of the climate change policies and consideration of tsunami mitigation and preparation strategies,
- Documentation of the city's growth and development performance since 2006 and revised population projections and land use absorption estimates,
- Using a 15 year term and a 25 year planning horizon for updating the OCP.

2. Affordable Housing and Attainable Housing

Council should work towards a goal of having 70% of its housing stock as attainable housing including single-family houses with mortgage helpers.

Affordable housing is defined as housing, 'which takes no more than 30% of gross family income (GFI) to own or rent'. It typically includes medium density residential in a multiple family residential form including townhouses and condominiums. It typically does not include single family houses on larger urban lots.

Attainable housing includes single family and two family houses with a 'mortgage helper' like a legal second suite, garden home, carriage home, lane house or a 'tiny house' on wheels; and triplexes, townhouses and condominiums. These are considerably less expensive than a single family house. If any community wishes to make itself more affordable it should focus on planning for and developing attainable housing.

3. Tax Base Profit Centres and Economic Sustainability at City Hall.

Council should be using its land base carefully, sustainably and with a view to securing the highest tax base assessment developments all things considered.

Economic sustainability at city hall means the ability to pass zero or minimal tax increase budgets each and every year. This can only be achieved by the influx of new tax base assessment and new taxpayers, every year, to pick up the increase in the budget thereby yielding a net zero tax increase overall. MFR - multiple family residential developments yield the highest value residential tax base assessment. MFR developments are tax base profit centres for the municipality. ('Minimal' increase means no greater than the inflation rate or similar measures.)

4. The 'New' City Planning in 2019 - ERD!

Council needs to sponsor a conversation about the 'new city planning' circa 2019.

It is time for a new conversation and dialogue about city planning in Port Alberni; a new paradigm; the 'new city planning credo' circa 2019.

- One which promotes ERD as the vehicle to protect our part of the planet and to help our poor; those for whom affordable housing is only a dream and virtually a nightmare.
- One which includes sustainable community, affordable and attainable housing, density and design, and the good City Planning SWEET SPOT.
- One which addresses how to plan our city in response to climate change.
- And one which unifies YIMBY'S, NIMBY'S, taxpayers and neighbours with Council in a common purpose to move Port Alberni forward as a more affordable and attainable community in the nest 1400 days.

Updating the OCP presents the opportunity to dialogue about the 'new city planning' circa 2019.

Council needs to approve more high ERD value development proposals for Port Alberni with or without the support of the neighbours.

ERD or environmentally responsible development ensures the careful and sustainable use and reuse, development and redevelopment of residential land, a scarce and diminishing resource, within the municipality. The ERD value is expressed as the number of **households** on a site. (Density expresses the number of units per acre/hectare as the case may be.)

5. First Nations Land Theology, Laudato Si and Port Alberni

Council should take the long view and think about our future citizens each and every time they make a decision on a city planning application.

When First Nation people speak of the Land it goes something like this:

The Land is given to us by the Creator. We do not own the Land even though we may have title to it. It belongs to our unborn children SEVEN generations hence. We are to use the Land today in consideration of our children tomorrow.

This is the long view on land use and development. Develop the land today such that it utilizes the land fully, carefully and sustainably and leads to the proper reuse and redevelopment of the land seven generations hence.

Council should guide city planning and development by using ERD and the 'new city planning' paradigm to protect the planet and to help the poor in our community thereby implementing 'Laudato Si'.

In his papal encyclical of 2015, 'Laudato Si - In Care of Our Common Home' Pope Francis discusses the state of man, environment and economy on a global scale. He observes that the state of affairs in the 'integral ecology' is miserable at best and critically desperate at worst. He proposes a prescription for what ails us. Simply put it is to **PROTECT THE PLANET AND HELP THE POOR.**

'Laudato Si' can be used to inform and inspire the city planning and development process for Port Alberni and everywhere else. 'Protecting the Planet' in Port Alberni means using the land in a careful and sustainable way in consideration of our unborn children seven generations hence. 'Helping the Poor' in Port Alberni means, among other things, providing properly designated and zoned land for affordable housing in particular and attainable housing in general.

6. Citizen Engagement/Public Participation and City Planning – Antithesis or Opportunity?

Public participation in the city planning process in British Columbia is legislated in the Local Government Act and the Community Charter. It focuses mostly on notice and public hearing requirements for current planning and long range planning applications. Public participation and citizen engagement is effective when it is done strategically and purposefully. Best practices in Port Alberni could look something like this.

• Public hearings give all interested parties their say in a structured, legal and open process. Any citizen participation beyond legislated public hearings can become onerous, frustrating and fruitless. Proceed with caution.

- Council must take seriously its responsibility to govern. Resist the temptation to share that responsibility by engaging the public over and above the legislated processes. Temper your expectations and streamline your processes accordingly.
- Focus any extraordinary citizen engagement initiatives on the 'new city planning' circa 2019, updating the OCP and similar.
- Continue to use the Advisory Planning Commission model. This is the chamber of sober first thought and review.
- Consider devolution to staff of certain authorities including development permit applications and development variance applications. (Subdivision Approving Authority already rests with staff.)

7. Sweet Spot City Planning

Sweet spot city planning applications demonstrate the following characteristics:

- They are consistent with the OCP.
- They have high ERD values.
- They exhibit good city planning, urban design, landscape design, form and character principles. And they typically reflect good architecture.
- They have 'Site and Context Fit' which means the proposal sits well on the site, relates well to the street and the adjacent properties and relates well to the blocks surrounding the site.

Sweet spot applications deserve to be approved on their own merits with or without the support and approval of the neighbours.

8. How To Get There!

- 1.0 Amend the OCP to include goals and policy to densify the city to reach a 30/70 split between exclusively SF housing and all other housing types.
- 2.0 Develop policy and amend the Zoning Bylaw to provide for unfettered Secondary Suites, Garden Suites, Lane Houses, Tiny 'transportable' Houses in clusters and stand alones.
- 3.0 Prepare an overlay **High Density Multi-Family Residential Designation** for the OCP.
- 4.0 Develop a community amenity contributions policy and employ sections 482 and 483 of the Local Government Act.
- 5.0 Prepare a strategy for downtown revitalization including Southport, Harbour Quay, Somass Mill Site, Argyle Street Terraces and the Railway Station Reuse and Redesign project.

- 6.0 Provide for and facilitate 'ten buck a day' daycare and free youth transit as a means of making Port Alberni more affordable and attainable. An alternative to providing free transit could be to invest in more buses, routes and runs to make the system more convenient and user friendly.
- 7.0 Continue with zoning and land banking for affordable/attainable housing.
- 8.0 Apply to the Agricultural Land Commission to remove the ALR designation on the city owned 17 acre parcel at 5355 Cherry Creek Road. Consult the ACRD to identify boundary extension areas that include at least 17 acres of ALR land.

RECOMMENDATIONS

- That staff be directed to prepare amendments to the OCP and Zoning Bylaw which provide for densification of the city, secondary suites, garden suites, the legalization and upgrading of existing illegal suites, rent controlled tiny houses in side yards, backyards and in clusters, prepare a new floating MFR Zone providing for high density at a minimum 7 stories with a corresponding floating MFR designation for use in the OCP and provide for cannabis products processing (centre of excellence); including the need for Development Permits to review form and character in all cases.
- That Council provide for and authorize a minor tune up, major overhaul or complete rebuild of the OCP, as they see fit, in Strategic Plan 2019.
- That Council engage its citizens to help shape the 'new city planning' paradigm in 2019. This is in aid of reaching a consensus on what we want Port Alberni to become in the next 15 years. The findings of the engagement can be used to inform the update of the OCP.
- That Council authorize a Southport Revitalization Strategy including consideration of the terracing of Argyle Avenue, the Harbour Quay / Southport Promenade, the Railway Station Redesign, redevelopment of the Somass Mill Site and similar.
- That Council develop a policy for Community Amenity Contributions in consideration of the opportunities presented by section 482 and 483 of the Local Government Act.
- That Council initiate the removal of its lands at 5355 Cherry Creek Road from the ALR starting with an amendment to the OCP to redesignate the lands to 'High Density Residential Neighbourhood'.



CITY OF PORT ALBERNI

PLANNING DEPARTMENT COMMITTEE OF THE WHOLE AND COUNCIL TRANSMITTAL REPORT

TO:

Tim Pley, CAO

FROM: Joseph A. Calenda, MCIP, RPP (Rtd.), DTM

Consulting City Planner to the City of Port Alberni

DATE: February 19, 2019

SUBJECT: The Next 1400 Days - A Strategy for Growing Port Alberni - LAND IS **EVERYTHING!**

Issue and Request For Decision

At issue is the consideration of 'The Next 1400 Days' - Full Report, Executive Summary, and Briefing Notes. Receipt and implementation by Council is recommended.

Background

There is a rising tide of investment opportunity and it's draining into Port Alberni, a remarkable place located on 'central' Vancouver Island. The land cost to rent ratio, as it exists today, is attracting interest in the development and redevelopment of the city. Its opportunities are greater than its threats and its strengths are greater than its weaknesses. Certainly it will take vision and strategic governance from Council and financial courage from the right investors and community developers, in partnership, to move Port Alberni forward.

The new Mayor and Council and Administration have the opportunity to steer and guide growth and development such that Port Alberni can become a better place than it is today. And yet there continues to be the tendency to plan and develop the city by consensus with the neighbours, sometimes to a fault and sometimes with the result of losing investment and development opportunities. So how does Council govern in an age of consultation, citizen engagement and democracy? And how does Council guide and steer the investment opportunity over the next 4 years when land is everything?

How To Get To 1400 Days - The Actions and Initiatives

'The Next 1400 Days' recommends the following actions and initiatives to move Port Alberni forward.

1. Amend the OCP to achieve 70% attainable housing in the long term.

- 3. Amend OCP to provide for a High Density Multiple Family Residential Overlay.
- 4. Prepare a Community Amenity Contributions policy further to sections 482 and 483 of the LGA.
- 5. Prepare a Southport Revitalization Strategy.
- 6. Facilitate '10 Buck A Day' daycare and improve access to public transit.
- 7. Continue with strategic land banking for affordable housing including zoning and marketing.
- 8. Apply to the ALC to remove the ALR designation at 5355 Cherry Creek Road.
- 9. Designate and Zone 5355 Cherry Creek Road for 'High Density Residential Neighbourhood'.
- 10. Consult ACRD to identify a boundary extension area including 17+/- acres of ALR land.

How To Get to 1400 Days - Best Practices in City Planning and Governance

'The Next 1400 Days' recommends the following best practices in city planning and governance to move Port Alberni forward.

- 1. THE BEST PRACTISE GOVERNANCE FOR CITY PLANNING IS TO MAKE YOUR DECISIONS CONSISTENT WITH THE OCP EACH AND EVERY TIME. The OCP is, by legislation, the primary planning document in the municipality and all other plans, regulations and city planning decisions are to be consistent with it. One of the functions of an OCP is to provide predictability about growth, development and the quality of life to be achieved in the municipality. And so the 'public' should be able to rely on Council to support its OCP each and every time.
- 2. COUNCIL SHOULD WORK TOWARDS THE GOAL OF HAVING MOST OF ITS HOUSING STOCK AS 'ATTAINABLE HOUSING'. This includes single family and two family houses with mortgage helpers like secondary suites and garden suites. And it includes triplexes, townhouses and condominium buildings. Stand alone single family houses, on large lots, are the least attainable of all housing types and are not considered to be attainable housing per se.
- 3. COUNCIL SHOULD BE USING ITS LAND BASE CAREFULLY, SUSTAINABLY AND WITH A VIEW TO SECURING THE HIGHEST TAX BASE ASSESSMENT DEVELOPMENT ALL THINGS CONSIDERED. Multiple family residential buildings yield the highest tax base assessment value of any residential development; the 'biggest bang for your buck'. Council should show a preference for well planned and properly located MFR buildings moving forward.

- 4. COUNCIL NEEDS TO APPROVE MORE HIGH ERD VALUE DEVELOPMENT PROPOSALS FOR PORT ALBERNI (WITH OR WITHOUT THE SUPPORT OF THE NEIGHBOURS Values Trade-off.). Environmentally Responsible Development (ERD) usually means multiple family residential developments at medium or higher densities. The neighbours, who may prefer to have lower density development in their city, often oppose such developments. Council is faced with trading off values to satisfy diametrically opposed positions. More often than not they should trade off 'keeping the neighbours happy' in favour of 'approving ERD'. That is the higher value all things considered and it is the better choice to move Port Alberni forward.
- 5. COUNCIL NEEDS TO SPONSOR AND FACILITATE A CONVERSATION AND DIALOGUE ABOUT THE 'NEW CITY PLANNNG' IN PORT ALBERNI. This dialogue should be:
- One which promotes ERD as the vehicle to protect our part of the planet and help our poor, those for whom affordable housing is only a dream and virtually a nightmare.
- One which includes sustainable community, affordable and attainable housing, density and design and the good City Planning SWEET SPOT.
- One which addresses how to plan our city in response to climate change.
- And one which unifies YIMBY'S, NIMBY'S, TAXPAYERS AND NEIGHBOURS with COUNCIL in a common purpose to move Port Alberni forward as a more affordable and attainable community in the next 1400 days.
- 6. COUNCIL SHOULD TAKE THE LONG VIEW AND THINK ABOUT OUR FUTURE CITIZENS EACH AND EVERY TIME THEY MAKE A DECISION ON A CITY PLANNING APPLICATION. Any decision that council makes will last 70 to 100 years in terms of the building and development that results from the decision. Accordingly, it is not useful to 'under utilize' the land. That is a waste.
- 7. COUNCIL SHOULD GUIDE CITY PLANNING AND DEVELOPMENT BY USING ERD AND 'THE NEW CITY PLANNING PARADIGM/CREDO CIRCA 2019' TO PROTECT THE PLANET AND HELP THE POOR IN PA. Protecting the Planet in Port Alberni means paying attention to the land and how it is used. It means using the land carefully, fully, completely and sustainably each and every time with each and every development application. We reference ERD, Sweet Spot City Planning, First Nation land theology and the long view, tax base profit centres, economic sustainability at city hall, the New City Planning Credo and best practices in citizen engagement to get us there. Helping the Poor in Port Alberni means 'Housing the Poor' through city planning to provide for attainable and affordable housing. Of course inadequate housing is not the only criteria by which our poor are defined. But it is the criteria best dealt with through city planning. Using a 'Social Planning Commission' to look after feeding and healing and caring for the poor is being considered in a separate report to Council.
- 8. SWEET SPOT CITY PLANNING APPLICATIONS DESERVE TO BE APPROVED ON THEIR OWN MERITS WHETHER THE NEIGHBOURS SUPPORT THEM OR NOT! (There's that values trade-off again.) Sweet spot city planning applications are consistent with the OCP, have high ERD values, demonstrate good city planning, urban design, landscape design and form and character principles and have site and context fit.

Approving such applications, with or without the support of the neighbours, will move Port Alberni forward in the next 1400 days.

9. COUNCIL SHOULD USE BEST PRACTISES IN CITIZEN ENGAGEMENT AND PUBLIC PARTICIPATION IN CITY PLANNING AND GOVERNANCE. Accordingly, Council should continue to use public hearings to give all interested parties their say in a structured, legal and open process. They should focus any extraordinary citizen engagement on the 'New City Planning Paradigm — Credo Circa 2019' and updating or rebuilding the OCP. They should take seriously its responsibility to govern and resist the urge to share that responsibility through governing by public consensus and opinion. They should continue to use the Advisory Planning Commission model. And Council might wish to consider devolution to staff of certain authorities including development permit applications and development variances.

Discussion

The next steps should include presentation of the report to Council for receipt, adoption of the recommendations and an orientation to Council post adoption; perhaps as part of the strategic planning sessions.

Conclusions and Recommendations

I'm not from here. And I make the following recommendations.

- 1. That Council receive, 'The Next 1400 Days' Full Report, Executive Summary and Briefing Notes.
- 2. That the following recommendations be referred to Strategic Plan 2019 for review and consideration.
 - That staff be directed to prepare amendments to the OCP and Zoning Bylaw which provide for densification of the city, secondary suites, garden suites, the legalization and upgrading of existing illegal suites, rent controlled tiny houses in side yards, backyards and in clusters, prepare a new floating MFR Zone providing for high density at a minimum 7 stories with a corresponding floating MFR designation for use in the OCP and provide for cannabis products processing (centre of excellence); including the need for Development Permits to review form and character in all cases.
 - That Council provides for and authorize a minor tune up, major overhaul or complete rebuild of the OCP.
 - That Council engage its citizens to help shape the 'new city planning' paradigm/credo in 2019. This is in aid of reaching a consensus on what we want Port Alberni to become in the next 15 years. The findings of the engagement can be used to inform the update of the OCP.
 - That Council authorize a Southport Revitalization Strategy including consideration of the terracing of Argyle Avenue, the Harbour Quay / Southport Promenade, the Railway Station Redesign, redevelopment of the Somass Mill Site and similar.

- That Council develops a policy for Community Amenity Contributions in consideration of the opportunities presented by section 482 and 483 of the Local Government Act.
- That Council direct staff to initiate the removal of its lands, at 5355 Cherry Creek Road, from the ALR designation starting with an amendment to the OCP to designate the lands to 'High Density Residential Neighbourhood'.

Respectfully submitted,

Joseph A. Calenda, MCIP, RPP (Rtd.), DTM

Consulting City Planner to Port Alberni

Attachments: 'The Next 1400 Days' – Full Report, Executive Summary and Briefing Notes

The following recommendation should be added to the COW Agenda of February 19, 2019 in lieu of recommendations 1 and 2 above.

That Council receive 'The Next 1400 Days' - Full Report, Executive Summary and Briefing Notes, and

That Council refer the initiatives and recommendations in 'The Next 1400 Days' to Strategic Plan 2019 for review and consideration.



CITY OF PORT ALBERNI

ECONOMIC DEVELOPMENT MANAGER REPORT

TO:

Timothy Pley, CAO

FROM:

Pat Deakin, Economic Development

Manager

DATE:

For February 19, 2019 Committee of the

Whole

I concur, forward to next Regular Council Meeting for Consideration:

Tim Pley, CÁO

SUBJECT:

HARBOUR VIEW LANDS

ssue:

Development opportunities exist for the City-owned property known as 'Harbour View Lands' (5350 Argyle Street and 3050 Kingsway Avenue). The site consists of two legal parcels and totals 0.876 hectares (2.166 acres).

Discussion:

The City has recently fielded inquiries from different entrepreneurs interested in buying Harbour View lands. Although their development interests vary, the parties making the inquiries all see a few very desirable attributes of the property including that;

- it has one of the best views in the City
- it is 'greenspace'
- · it is, in relative terms, inexpensive compared to other such properties on the Island
- it is located in an area of the City that many people believe is 'up and coming'.

The property could be sold for a new development thus yielding the following benefits;

- a one-time capital revenue infusion
- · future annual property tax revenues
- · jobs during the construction phase of the project
- · a boost to the community's confidence
- the addition of a great project to the critical mass desired for Port Alberni
- new residents.

At least one of the recently interested developers has a solid reputation for doing great projects and getting into areas 'ahead of the curve or tipping point' thus increasing the interest of other developers. If Council is willing to sell this land at this time, certainty about its availability for sale and a current appraisal would assure the developers that we are ready to do business.

If Council would rather wait until the new strategic plan has been completed and/or the OCP has been redone, this message will be conveyed to the prospective developers. This approach carries a small risk that the developers will lose interest in Port Alberni.

Some considerations about the property should be kept in mind:

- A Request For Proposals (RFP) for the site was issued in 2005. Several developers invested a
 considerable amount of money and effort in their responses. Public pressure contributed to City
 Council declining to sell the property after proposals were received, leaving Port Alberni with
 something of a 'black eye' in the development community.
- Another RFP was issued in 2013. Some public discussion took place at Council meetings prior
 to issuing the RFP and although Council was encouraged to retain as many of the trees as
 possible, no opposition to the proposed sale was expressed. No responses to the RFP were
 received by the deadline. A local news article about the lack of response generated two
 inquiries, neither of which materialized.
- The western portion of the property ends at a point where it slopes down to Harbour Road; that slope and the railway right of way below are owned by Western Forest Products.
- Tseshaht First Nation has previously indicated their interest in the property.
- Past discussions have indicated that the large trees on the property are visually important to the community.
- This site is arguably the best development site the City owns. Several Councils over the past two decades have expressed a desire to see a 'marquee' or 'signature' project there.

Sincerely.

Pat Deakin, Economic Development Manager



Harbour View Lands looking West



