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July 19, 2010

Mayor Gregor Robertson
City of Vancouver
453 West 12th Avenue
Vancouver, V5Y 1V4

Subject: Recommendations, Terms of Reference, Mayor's West End Community Advisory Committee

Honorable Mayor Robertson,

I am writing on behalf of West End Neighbours to (1) restate our serious reservations about the proposed Mayor's West End Community Advisory Committee, and (2) urge you to amend its terms of reference before the City calls for applicants. Please see the table in the Appendix 1 for a list of the most critical issues relating to the governance of this proposed Committee.

Your motion of July 6 was adopted on July 8, 2010 with Vision Vancouver Councillors voting as a bloc against strong opposition from non-Vision Councillors and the public to create the Committee. The Motion states that this Committee is to "pilot an innovative engagement approach that can be evaluated as a potential interim measure for all communities awaiting official planning processes..." Obviously, it is important that this proposed Committee be formed properly, as experiences with this Committee will be relevant for and scrutinized by the whole City. The terms of reference should be detailed enough to enable any member of the public to verify at any time that the Committee serves the public good.

Most of these matters are critical issues concerning the governance of the Committee, and should not be left to Committee members themselves to decide after they have been selected. To leave such decisions to them puts them in a very difficult situation and is not in the public interest.

Will the Committee be expected to formulate an opinion either supporting or not supporting specific spot rezonings? If so, I am compelled to remind you that the Committee may then be fundamentally contrary the



wishes of the nearly 8,000 people who have signed the “West End No Rezoning without a Comprehensive Plan” petition (see text in Appendix 2). We are concerned that the Committee’s terms of reference imply that the intent of the Committee is to meet directly with developers regarding site-specific rezonings and then provide advice to the Mayor. The West End Petition states “in the event of considering general or site-specific land use and/or West End zoning changes, that these include meaningful consultation with residents, protect existing neighbourhood livability, and respect/maintain the character of the neighbourhood. We need a comprehensive plan, not site-by-site rezoning.” We hope that you and Council will respect those words.

In developing the terms of reference for this Committee, did you refer to “best practices” and exemplary models in other municipalities? If not, besides asking you to address the requests and suggestions in this letter, we urge you to instruct City staff to consult respected experts in this field and report back with their findings before you call for applicants.

Instead of forcing the Motion rapidly through council, Vision Vancouver had the opportunity to postpone the establishment of this Committee for even the ten days requested in the meeting—especially considering the lack of formal notification or consultation with the larger community prior to the motion, and considering the fact that the City report on the May 2010 community consultation process and survey was only released while the meeting was in session. You still have the opportunity to demonstrate prudence by taking time to improve the Committee’s terms of reference, or to design a more innovative consultation system—committee-based or otherwise—that has a greater chance of truly reflecting West End needs and assisting in achieving the community and your objectives. The West End community plan has been generally applied in its current to the satisfaction of the community form for 23 years. In that context, a few more days or weeks spent for due process is not a long time and would be a valuable investment of time.

The proposed advisory Committee was presented as a way to improve consultation. However, we question whether it will be able to do so as currently formulated. In fact, a more urgent need is to eliminate or modify the specific policies that are now imposing enormous development pressure on the West End—policies like *STIR that include large subsidies for developers and override the concerns of the community.* We would also like to see City Council find additional planning resources for the West End for an updated community plan—one based on existing guidelines that protect the livability and respect the character of the West End. In view of recent decisions on other City expenditures, one wonders why Vision Vancouver gives community visioning and planning processes such a low priority.



The formation and function of the proposed Committee have the potential to affect every other community in the city that awaits a community planning process promised under CityPlan, and as committed to by Vision Vancouver during the 2008 election campaign. CityPlan is still the over-riding community planning document for the City of Vancouver. (<http://vancouver.ca/commsvcs/planning/cityplan/visions/index.htm>.)

There is no role under CityPlan for either a Mayoral or Council advisory committee to oversee planning policy and implementation for a community, and no group of 12 individuals based on stereotypes should serve as the primary advisory body for planning and development decisions affecting tens of thousands of residents, and potentially billions of dollars worth of property investments that could stand for a hundred years.

Finally, I wish to address a concern about a number of statements by Vision Councillors that have repeatedly made in media and off the record during these past ten days, with the apparent intent of wrongly discrediting opponents of Vision policies, of wrongly portraying our views, and of implying that a “split” exists between renters and owners. These statements are incorrect, damaging and divisive. Living in the West End creates a common bond in this community, and people who live here are interested in the well-being of all who live in this neighbourhood, regardless of tenure. We are all “Westenders.” We ask that you as Mayor and that all Vision Councillors move beyond the rhetoric and get on with supporting the West End community to move forward in creating an exciting and vibrant future.

I hope that we can pursue these matters constructively in the very near future.

Sincerely,

A handwritten signature in black ink that reads "Randy Helten". The signature is written in a cursive, flowing style.

Randy Helten
Spokesperson

cc. Vancouver City Council, Vision Vancouver Executive



Appendix 1. “Mayor’s West End Community Advisory Committee”

West End Neighbours’ Requested Revisions to Terms of Reference, PRIOR TO City’s Call for Applications

As of July 19, 2010

Issue	Current Terms of Reference	Needed for Good Governance
	<p>July 8, 2010 Motion passed (7 Vision Councillors in favor, 2 non-Vision Councillors against – split along partisan lines)</p>	<p>Requested revisions of terms of reference or related documents</p>
<p>Clarity of mandate</p>	<p>Reference is only to “communicating”</p>	<ul style="list-style-type: none"> ● State that Committee’s first priority is to serve the interests of the community. ● State that the Committee’s primary role is not intended to support or encourage “spot” rezonings before an updated community plan is in place ● State that Committee’s primary function is liaising with the community, rather than liaising directly with developers. ● State exact physical/geographical boundaries for the Committee.
<p>Relationship with— and requirement to base advice on— policies and guidelines currently governing land use planning in Vancouver and the West End</p>	<p>No mention</p>	<ul style="list-style-type: none"> ● State that Committee is to base its advice on (1) existing programs such as CityPlan, as well as planning and policy documents for the West End, including the West End Policy Plan, the Council-adopted development guidelines for the RM5 zones, and so on; (2) other official documentation, including but not limited to the June 2010 <i>West End Discussion on Community Needs and Affordable Housing: Community Discussion Summary Report</i> and the July 8 staff memo titled “West End



		Community Engagement – Community Needs and Affordable Housing”; and (3) other documents in the public domain that express the wishes of West End residents (e.g., the West End "No Rezoning Without a Comprehensive Plan" petition, now with nearly 8,000 signatures).
Role of Committee vis-à-vis City departments	No mention	<ul style="list-style-type: none"> ● State clearly the role and function of the Committee in relation to City departments (e.g., Community Services, Planning Department, etc.). ● State that the Committee may seek information from Community Services, Planning, and other departments to ensure that advice from the Committee reflects and is in harmony with City policies. ● State that the Committee is not intended to replace any function of our Public Servants and City departments
Resources	No mention	<ul style="list-style-type: none"> ● State what resources will be provided (staff expertise, training, financial, etc.)
Membership and chairpersons	Demographic stereotypes	<ul style="list-style-type: none"> ● Elected officials should serve as observers, not as members of this advisory committee. ● To avoid partisan bias, the participation of elected Councillors on the Committee (as observers) be modified to represent a diversity of elector organizations (e.g., Vision, COPE, NPA). ● Committee should be chaired or co-chaired by members of the community (not by an elected official). This will ensure that the “Community Advisory Committee” is more representative of the community. ● Elected officials who have already expressed a bias for or against any demographic groups, and for or against any form of development, should



		<p>not be eligible for Committee membership.</p> <ul style="list-style-type: none"> ● Elected officials and who have been involved in any way (officially or unofficially) in any current or future rezoning application should declare such involvement, and should not be eligible to be on this Committee. ● Criteria for membership should be clarified. How will the selection committee prioritize applications? For example, length of residence in the West End, prior involvement in the community, professional expertise and experience, time availability, affiliation with a community group, special interest in a key community issue, and so on. ● Will the names and contact information of members be made public, and if so, how? Will the public be able to contact members to obtain information from the Committee and to provide comments to the Committee. Will that information be public? ● Will the rationale (quota) for selection of individuals be made public? Will the demographic group each member is selected to represent be made public?
<p>Roles, tasks and obligations of Committee members</p>	<p>Limited mention under “Activities”</p>	<ul style="list-style-type: none"> ● Are members expected to communicate with the community? If so, how? ● Are members of the Committee accountable to the community, and if so, how? ● Can members of the public address the Committee when it meets? ● What will be the time commitments to join the committee? ● If a person is selected on basis of demographics (e.g., seniors, LGBTQ community, etc.), is that person expected to report, represent, and communicate with that segment of the population? How can that



		<p>segment ensure its views are reflected? How can that segment learn how Committee members are portraying the public's needs?</p>
Decision-making	No mention	<ul style="list-style-type: none"> ● Where decisions are required, state how are they to be made. ● Will the Committee vote on any matters? If so, the voting record should be made public.
Meetings	No mention	<ul style="list-style-type: none"> ● Meetings must be open to the observers from the public. ● Agendas must be made public with adequate prior notice. ● Meetings must be held in the West End. Reports of meetings should be made public immediately and include adequate detail, including which parties (e.g., developers) the Committee or its members will meet (and have met) and adequate detail of discussions and documentation provided to members.
Output	No mention	<ul style="list-style-type: none"> ● State how the Committee is to provide advice to the Mayor. Will it be oral or written? ● All relevant matters should be made public via the City website within a specified time. ● The public should have the opportunity to know and comment on the Committee's advice to the Mayor in good time.
Activities:	<ol style="list-style-type: none"> 1. <i>Developing and maintaining a list of community priorities for the West End.</i> 2. <i>Meeting with developers proposing re-zonings in the West End prior to community open houses to</i> 	<ul style="list-style-type: none"> ● Clarify expected parameters or content of advice to Mayor. For example, is this Committee empowered to support or oppose specific spot rezonings? ● Will this Committee have extensive influence and over ride community input from the open houses? Currently there are concerns that suggestions from the Urban Design Panel carry excessive influence and



	<p><i>ensure these proposals are informed by current community priorities</i></p> <p><i>3. Providing advice to the Mayor's Office on further initiatives to increase linkages between the West End and City in relation to development and policy.</i></p>	<p>raise expectations that the developer can go ahead with projects prior to staff or community submitting comments and input.</p>
Links to governing documentation	<p><i>Reference is made to Type D committees, but no further information provided.</i></p>	<ul style="list-style-type: none"> ● Provide all relevant details and references on Type D committees and how they will apply to this one.
Confidentiality	<p>Not mentioned</p>	<ul style="list-style-type: none"> ● Indicate whether or not Committee members may be required to protect confidentiality of information. If this is a condition for membership, adequate detail should be provided in the terms of reference so that the public can still verify that the Committee is working in the public interest.



Appendix 2

Text of WEST END: “NO REZONING WITHOUT A COMPREHENSIVE PLAN” PETITION

(Nearly 8,000 signatures as of July 19, 2010)

As a Vancouver citizen and West End resident:

- 1) I support current zoning provisions in the West End that permit a maximum building height of 18.3 meters (60 feet or 6 storeys), request that they be maintained for future developments in the West End, and that the current Zoning District Plan for the West End be upheld.*
- 2) I request in the event of considering general or site-specific land use and/or West End zoning changes, that these include meaningful consultation with residents, protect existing neighbourhood livability, and respect/maintain the character of the neighbourhood. We need a comprehensive plan, not site-by-site rezoning.*