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MEMORANDUM

June 15, 2018

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Katrina Leckovic, City Clerk

FROM: Vancouver City Planning Commission

SUBJECT: Heather Street Lands Development

The Vancouver City Planning Commission (VCPC) has been engaged in discussions with urban professionals, city advocates and community thinkers about the development of the Jericho and Heather Street Lands since 2014, when the federal government transferred ownership of the properties to the Canada Lands Company (CLC) and the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation Partnership (MST Partners).

The transfer of ownership of the Jericho lands is recognized as one of the transformative events of 2014 on VCPC's [Chronology of Planning and Development in Vancouver](#). Plans for redevelopment of the Heather Street Lands and the City of Vancouver's adoption of the Truth and Reconciliation Commission's Call to Action were part of the discussion of significant events of 2016. The impact of development of the Heather Street Lands was debated once again during a workshop on emerging milestones of 2017.

The VCPC was not among the City of Vancouver advisory bodies that were consulted during development of the *Heather Lands Policy Statement* unanimously adopted by Council on May 15, 2018. However, as an advisory body with a mandate to consider and report to Council on any proposal likely to have a significant effect on the future of the city, we hope to be part of the deliberations as the City moves into the next stage in its unprecedented approach to planning for a parcel of land in Vancouver with citywide significance.

Three aspects of the *Heather Lands Policy Statement* are of particular interest to VCPC:

1. Integration of reconciliation into the City's planning process;
2. Development of a City policy on privately-owned publicly accessible space; and,
3. Integrating a new community within an established neighborhood, specifically construction of a sizeable development with a variety of building forms ranging from townhouses to towers and a new commercial district in the midst of a long-established single-family neighborhood.

City policies in those areas carry implications beyond the 21-acre Heather Street Lands site; not only for the 52-acre Jericho Lands owned by the CLC and MST Partners, but also for future developments throughout the city.

Reconciliation

Council has embraced the Heather Street Lands development as an opportunity to advance principles of reconciliation and create a shared vision for planning and development in Vancouver. The *Heather Lands Policy Statement* enumerates several guiding principles, including reflecting our shared history and collected vision, respecting the land, enhancing natural systems, creating community for all cultures and connecting neighborhoods. Principles of reconciliation – respect, storytelling, healing, welcoming and legacy – were added to the list following a dialogue with invited participants.

The incorporation of reconciliation principles into the Heather Street Lands planning process marks a significant landmark in the evolution of planning in our city. As a City of Reconciliation, Vancouver should consider expanding the planning horizon and integrate these principles into the City's overall planning process. Reconciliation is not solely an initiative applicable to First Nations land. What would it mean to articulate values reflected by reconciliation in principles that reach beyond the Heather Street Lands, to all urban development in Vancouver?

- VCPC recommends that the city explore the feasibility of applying the guiding principles enumerated in the *Heather Lands Policy Statement* to planning for sites beyond those currently owned by First Nations.

Privately owned publicly accessible spaces (POPS)

The May 5, 2018 Policy Report on the *Heather Lands Policy Statement*¹ presented to Council on May 15, 2018 identifies 27 city policies that are considered relevant to the development of the site. However the City of Vancouver does not have a policy specifically dedicated to privately owned publicly accessible spaces.

A research study of privately owned public spaces in Vancouver, conducted in 2012² looked at 24 privately owned and seven publicly owned public spaces in Vancouver's central business district. The private spaces were created mostly as a result of density-busing, i.e. developers received a relaxation of zoning in exchange for providing a publicly accessible space. The study found significant differences between corporate and civic plazas. Privately owned spaces were under more surveillance, had fewer accessible washrooms and provided less lighting, art and cultural enhancement, according to the study. The study also identified design features in privately owned public spaces that discourage use by the general public, serving only to encourage movement into adjacent buildings. In an example cited in the study for illustration purposes, landscape was minimal and no seating was provided despite ample space.

¹ City of Vancouver. Policy report to Council on Heather Lands. May 15, 2018. <http://council.vancouver.ca/20180515/documents/rr3.pdf>

² George Rahi, Andrew Martynkiw and Emily Hein. *Accessing Vancouver's Privately Owned Public Spaces*. Trail Six: An Undergraduate Journal of Geography. 2012. <http://ojs.library.ubc.ca/index.php/trailsix/article/view/183276>

To broaden the discussion, the VCPC looked at how other cities handle privately owned spaces. Toronto, among others, has urban design guidelines³ that are intended to give direction to architects, landscape architects, urban designers, planners and developers, and to facilitate discussions between city staff, local residents and the development community.

The City of Vancouver is currently preparing a *Downtown Places and Spaces Strategy*⁴ that recognizes significant community interest in having a policy on the retention and/or replacement of public spaces. The draft statement notes that opportunities exist to better utilize these spaces for programming, events and other activations. POPS are one component of the current initiative, called [Places for People: Downtown](#).

The city addresses site-specific public space issues in area plans such as the *West End Plan* and *Northeast False Creek Area Plan* as well as in the *Greenest City Action Plan*, *Transportation 2040* and *Healthy City Strategy Action Plan*.

In the *Heather Lands Policy Statement*, the nature of land tenure is ambiguous. The Policy Statement says MST Partners have “stated an interest in holding the land in perpetuity.” The city is committed to work with CLC and MST Partners to security community amenities – a two-acre park plus two-acres of developed open spaces, a 1,400 square-metre culture centre, 69-space childcare facility and 1,100 units of affordable housing and home ownership – without requiring dedication to the city.

“This ownership structure will be unique for major project sites,” says the *Heather Lands Policy Statement*. However an elaboration of the measures to ensure the design, construction, delivery and community use of the cultural centre, childcare facility and public access to parks and open space in perpetuity has been deferred to a later date. The public amenities are to be secured at rezoning.

Similarly on housing, the Policy Statement notes, “the City’s standard practice is to secure turn-key social housing units constructed by the developer, with the lands and buildings to be owned by the City. In this case, however, it is anticipated that the social housing will be owned and operated by the MST Partners or a designated non-profit agency on their behalf, and will be secured in perpetuity.”

By comparison, at the nearby Oakridge Municipal Town Centre⁵, the developer is expected to design, build, maintain, repair and replace a park on the rezoned 28-acre site at no cost to the city. The park is expected to be public for the life of the development and the owners will not be permitted to pass along the costs of repair, maintenance or replacement to the residential portion of the development. The Vancouver Board of Parks and Recreation must approve the design of the park and is to be responsible for programming, operation and control of the park.

3 City of Toronto. *POPS: Creative Placemaking to Enhance Urban Life*. 2014 <https://www.toronto.ca/wp-content/uploads/2017/08/8527-draft-design-guidelines-for-privately-owned-publicly-accessible-space-Di....pdf>

4 City of Vancouver. Administrative report to Council. March 29, 2017. *Downtown Places and Spaces Strategy – Work Program* <http://council.vancouver.ca/20170329/documents/pspc2.pdf>.

5 Applicant’s design plans. Information displays. <http://vancouver.ca/files/cov/Oakridge-Centre-Redevelopment-proponent-OH-boards.pdf>.

The City stipulates that the hours of access to the park are expected to be at the sole discretion of the city and the park is to function like any other park in the city with respect to access and use.

Likewise, at the nearby Pearson Dogwood lands⁶, the design, construction and programming of a 2.5-acre park and 1-acre farm on the 25-acre site are to be at no cost to the City of Vancouver and to be determined by a Park Board-led process. The applicant is responsible for servicing the park and farm, and to meet environmental management requirements for the intended use prior to the transfer of the park to the City.

- The VCPC suggests that the City of Vancouver develop a policy on privately owned publicly accessible spaces, and that the policy apply to the Heather Street Lands.

Integrating a new community within an established neighborhood

The *Heather Lands Policy Statement* envisions the construction of 2,000 - 2,500 units of social and market housing adjacent to a neighborhood that is currently almost entirely single-family properties. The conceptual plan envisions a transition from the new development to adjacent townhouses and low- and mid-rise housing. The plan does not acknowledge the neighborhood of single-family homes.

Further south, the nearby *Pearson Dogwood Policy Statement* clearly articulates expectation for a sensitive and respectful transition that integrates the new with the established neighborhood. The Policy Statement recommends buildings on the site's edge be designed to ensure compatibility, that long monolithic appearances be avoided, that form is modulated and views maintained to open spaces, parks and courtyards, and that visual porosity be extent throughout the development.

We are pleased to see that the Urban Design Panel, in response to the *Heather Lands Policy Statement*, encouraged establishing clear connections and improved integration with the surrounding neighborhoods.

- The VCPC supports the UDP recommendations.

Finally, the VCPC requests a briefing by city staff, and requests that the City of Vancouver engage with the Commission early in the development process of sites of citywide interest.

⁶ City of Vancouver. Rezoning application and policy statement. 2017. <http://vancouver.ca/home-property-development/pearson-dogwood.aspx>.