

North Vancouver School District – Land, Learning and Livability

June 13, 2012 Conversation Event –Summary Notes

1.0 Objectives

On June 13, 2012, the North Vancouver School District convened a special meeting of the Finance and Facilities Standing Committee: Land, Learning and Livability – A Conversation event. The session objectives were to:

- To share findings from the Land, Learning and Livability Public Dialogue
- To hear expert regional perspectives and experiences in reconciling competing interests in the management of surplus lands
- To receive recommendations from NVSD partners regarding the balancing of competing interests in managing surplus lands
- To improve understanding about options for next steps in addressing surplus properties
- To clarify next steps

The meeting was well attended, with seven trustees, three NVSD partners, and approximately 55 members of the public in attendance, as well as the three guest speakers.

This document provides a brief summary of discussions held during the meeting.

2.0 Context and Overview of Community Engagement Process

Following introductions of the trustees, NVSD partners and guest speakers, Chair Franci Stratton provided an overview of the findings from the community engagement events convened to-date. A copy of the PowerPoint presentations is posted on the North Vancouver School District's website here: http://blog44.ca/landmanagement/may-29th-public-dialogue-event/#.T99nxo4_4yE

3.0 Guest Speaker Presentations

The three guest speakers were asked to respond to the following question: ***How do you balance competing interests in the management of surplus lands?***

- Freda Pagani - **Former Director, UBC Campus Sustainability**
- Michael Geller – **President, Geller Group**
- Brad Tone – **Tone Management**

Freda Pagani

(please see PowerPoint presentation posted on the NVSD website)

Freda examined the question posed to speakers: How do you balance competing interests in the management of surplus lands?

“Balance”

- Balance implies equity
- Some taken away and others added
- Also implies “**either/or**” thinking -- this forces choices prematurely
- Suggests competing interests – false choices

vs. “**both/and**” thinking

- Forces creativity in driving solutions
- Need constraints to be creative (e.g., time pressure)
- Adds constraints/ avoids premature decisions

This different approach can mean hard work and takes longer.
Decision-making process should take time to evolve

“surplus”

- The amount that remains when the use or need has been satisfied.

vs. “legacy” – something transmitted by and received by predecessor

- Gift by will (especially \$ or property) into the future
- Bequest/ birthright/ heritage/ inheritance

Revised question: How do you integrate the competing interests in the management of legacy lands?

How?

- Identify stakeholders (past and future)
- Identify stakeholder needs
- Identify social/ economic and ecological needs (sustainability)
- Ecological needs are complex but easier than social needs
- Create solutions to satisfy needs

Legacy

- Think long term (distasteful to cash in now)
- Respect previous stakeholder decisions
- Respect future generations (e.g., with respect to climate change)

Michael Geller

(please see PowerPoint presentation posted on the NVSD website)

- What can a developer contribute to the discussion?
 - Transfer of ideas from one area to another
 - Some ideas work almost everywhere

Example of ideas that may be transferable:

- Existing and new facilities built in conjunction with new residential and commercial development
- Leveraging public amenities through private development
- Policy guidelines for whole properties
- Include affordable non-market housing
 - E.g., Life leases (tenure) (sell to and from the society for the same price)
 - Tend to combine condos and rental vs. low-income social housing (e.g., senior's housing)
- Generate endowment and enhance surrounding community (e.g., keep options open)
- Land lease (99-year leases, e.g., graduated leases)
- Shared equity programs (e.g., rent to own housing)
- Housing cooperatives
- Land leasing to community housing developers (work force housing)
- Creative partnerships between private/ non-profit and public sectors
- Conversion of school to seniors housing over time

Brad Tone

- Offering some perspectives on sustainability, complete communities, property trusts and lessons learned in public process
- “attitude is everything” – speaks directly to the “both/and” way of thinking which Freda discussed
- Spoke about his experience on the 12-member City of Vancouver Mayor’s Task Force on Affordable Housing
 - Hoping to create more affordable housing opportunities for individuals and families that would otherwise no longer be able to live and work in the communities in which they grew up in
 - Although absolute objectives differ, there are some similarities with regards to ideas and sustainable solutions that might help to answer the question “How to balance the competing interests in the management of surplus lands”

1. Trustees must clearly define their objectives and goals

- The Land Learning and Livability process will help to foster clarity of intention within all forms of public engagement.
- The immediate goal is to identify determinants in the form of short and long-terms benefits which the NVSD needs to manage from their inventory of lands
- Similarly successful model: UBC (15 years ago) set a goal to attract the best teaching talent they could – and to do so they had to address the need for housing that was both affordable and part of a complete community. These communities exist today on leased land with very little turn-over of housing, a testament to the quality of the planned environment and the process.

2. Accept that not everyone will be in agreement

- But is not acceptable to narrow the public process for fear of hearing other opinions. (I say this in recognition of competing interests and the sometimes very unfair generalizations that come as a result of nimbyism)
- Instead, engage a wide spectrum of site-specific public engagement that tracks participants and their observations in a fair and impartial manner
- trustees will need to be resilient and grounded in a sense of purpose

- Only then can anyone of us rest in reason

3. Recognize what is being called surplus lands as a Land Trust

- The lands are only surplus to their recent historic use, yet they hold future value in assisting the NVSD with their goals
- A Land Trust, or Property Trust, has a very different mode of operation from land that is inventoried. A Land Trust can be a corporation which manages properties on behalf of the School Board, yet operates in complete transparency and is monitored by an independent Board reporting to the NVSD Board of trustees.
- A successful Land Trust Model should carry with it the goal to increase in value over time. It can also leverage land to create funding directed at specific needs. The Land Trust would also be benefiting from various revenue streams generated by the lease of land; in some remote instances the sale of lands; and the sustainable management, planning and rezoning of lands (if done with skill, this could involve CACs)
- It would also have the authority to borrow funds using land and buildings as security. Thus a Land Trust can become the repository of long term revenue from various sources earmarked for NVSD funding.

4. Some of the NVSD sites offer excellent opportunities for the enhancement of complete communities are in reasonably close proximity to public transit.

- It is possible to envision uses on many of these properties which would add value to their immediate communities and the District as a whole.
- Interesting to note the construct – that many of these schools become obsolete as demographics have changed and housing costs in single-family neighbourhoods have skyrocketed. There is no doubt that the lack of affordable family oriented housing in the District of North Vancouver has affected the ability of young families to stay in communities in which they grew up. Affordability and community context are fundamental goals of sustainable planning. In this way, a Land Trust can benefit the greater community.
- A game changer suggested by the Mayor's Task Force on Affordable Housing was to lobby for an amendment to the Land Title Act, to create positive covenants in a party wall agreement that could run with the land and bind subsequent owners. This amendment was approved last week and now enables the creation of a tenure of housing which will have increasing importance in our City, without cumbersome administrative and legal requirement to protect homeowners and builders. In this much improved system, the Approving Officer may not find that is appropriate to consider application for **freehold and leasehold rowhouses** with party wall agreements.
- A "soft and gentle form of densification appropriate to young families."

5. Intentions – It is important that we remember to give more than we take.

- In this instance, trustees have opened the doors to opinions and ideas. They are giving up front and facilitating the process with intention, ideology, clarity and knowledge. This shows deep respect for their community.
- I was once asked to evolve a new master planned community of the grounds of existing rental housing, which in itself had displaced a golf course in the heart of Shaughnessy, which before then had sat within the territory of the Musqueam Band. There were upwards of 800 units planned in this new community of Quilchena Park. Beyond the countless evenings I spent engaged in conversations within the basements of many of the neighbours surrounding the

park, I also had the opportunity to meet, listen to and eventually engage Hereditary Chief Jim Hart. Jim is a sculptor who at times works from a studio in the Museum of Anthropology at UBC. One day I sat in Quilchena Park with Jim and shared mythological stories. In keeping with the intention of increasing the biodiversity of the site, saving every tree, and creating harmony within the built environment, I asked Jim if there was a story about a Pacific Northwest Buddha that might inspire an artwork that could front the Public park within the new community we were planning. Jim pulled from his pocket a small 4" high sculpture he had created and said, "Only this." He called it The Three Watchmen.

- He said, "Brad, when I first heard of the idea that I might somehow participate with the development of this new community, I told myself 'no way that will happen.' But now that I understand the great intention, I want to participate with this sculpture. There are three watchmen standing back to back . . . and this would sit on the shore in front of the Haida Gwaii village. One watchman looked up the coast to offer strength and wisdom to the departing hunters and fishermen, the other looked down the coast to where they might return one day with sustenance for their families . . .but the third watchman was most important . . . it looked away from the sea, back at the village . . . looking into self. I carried that 4 inch sculpture with me to every meeting with the City, the community, the project consultant team and the construction crews."
- The Three Watchmen stands at the Quilchena Park site today. It is 16 feet tall. It is bronze . . . and recently a second casting was made for where it too stands . . . in front of the National Gallery of Canada in Ottawa.
- Energy flows . . . where intentions go.



Hereditary Haida chief and artist James Hart with his bronze sculpture, "The Three Watchmen," installed Thursday outside the National Gallery of Canada. (Photo by Wayne Cuddington / Ottawa Citizen)

4.0 Discussion with Partners

Representatives from the North Vancouver Teachers' Association, the North Vancouver Parent Advisory Council, and CUPE attended the June 13 Conversation event. They were asked to respond to the following question: ***What are one or two recommendations you might share with trustees or that trustees should consider when balancing competing interests?***

David Whitehead of NVPAC acknowledged that trustees are faced with tradeoffs as they try to address the various needs in the community. He emphasized the need to look after the children, ensuring that they have access to quality education in decent facilities. He suggested that the under-utilized properties be used to serve the students and the community, noting the need to be mindful of the implications of any choices that are made. He acknowledged that the degrading and aging nature of some of the surplus facilities requires that they be kept up at the expense of serving the needs of students.

Chris Miller of NVTA encouraged participants to challenge their ideas of community and spoke in favour of the notion of multiple use (recreation, arts, sports, environment, etc.).

5.0 Open Discussion

Given the findings from community engagement activities to date, discuss trustee perspectives for balancing community and student needs in the management of surplus lands.

The trustees were given an opportunity to ask questions of the guest speakers and partners, after which the discussion was opened to the public participants as well. The following is a brief summary of some of the questions and answers.

Trustee Question:

Given the discussion about the idea of a Public Land Trust, how that would benefit the School District? Is it true that if we lease the land, we'll be letting it go? There is a huge potential to generate revenue through a Public Trust. How can the Land Trust model be applied to the School District lands?

Brad Tone:

- Set your goals to increase the value of these lands.
- In the planning process, there would be portions of it that would not be held in Trust. No one expects the trustees to be expert planners but what you can do is empower yourselves with mechanisms to study the answers. If this is something you want to address (such as purpose-built housing), you can do that. If you want to focus on specific amenities, you can do that but that is a long planning exercise.
- A Land Trust is an arm's length mechanism that can help you achieve that goal.

Michael Geller:

- At UBC and SFU we have properties trusts that are legal entities that basically do the day-to-day administration of the lands on behalf of the university.
- Need to have a conversation about how you oversee the development.
- It could be an option for the School District to create an entity to manage the planning and development of the properties.
- The above legal entities had representation from stakeholders (non-profit, community, city, etc.)
- The entity oversees the development and enters into agreements with developers to collect rents, etc.

Brad Tone:

- Need to address the issue of affordable housing; add value; acquire other properties, and more
- To do that, you need a land trust mechanism – the UBC Property Trust is an excellent example.

Freda Pagani:

- Selling vs. leasing: With leasing, you're holding your options open. Selling land is a once only thing. Money gets put into endowment, but there is uncertainty whether the endowment will be sustainable or whether funds will dwindle with uncertainty. They aren't making land anymore. For that reason I think it's preferable to have a long-term lease.

Michael Geller:

- Notion of prepaid leases vs. term payments of over 99 years (tied to cost of living index and whatever). Developer likes the idea of paying upfront. New community facilities need to be paid for; you can do that with rent, leases, etc.

Trustee Question:

We focus on delivering education. How do we collaborate meaningfully in these land issue situations when that isn't our expertise. I'm curious how you see that playing out?

Freda Pagani:

- I was on the other side of the trust representing the university. There was a values conflict between UBC and the Properties Trust – maximizing financial returns vs. community needs.
- It is important to clarify the Terms of Reference with broader community stakeholder concerns.

Michael Geller:

- They are looking for a new person to oversee the Calgary Trust. They realize that it isn't all about making money -- want to see a balance between community needs and public purpose. Creating an entity is an idea to consider because you have so many sites. (NVSD has more complexity because of the number of sites)

Brad Tone:

- Transparency is built into a Land Trust. The Trust has a Board of Directors who respond and answer to trustees.
- Be very clear about what your goals are. This is the time to set parameters.
- Acknowledge that this is a daunting task for the School District. Need professionals to work for and with you.

Trustee Question:

I'm concerned about competing interests. Who besides the Board of Education is provided with advice beyond the administration. How much control would Board have in the decision-making process? How much time would this take away from our management of excellent student programming? Also wondering about cost? We're looking at finite dollars and I'm concerned about startup costs and loss of control and the bottom line: the objective of money versus the trust, the legacy.

Freda Pagani:

- The Trust Board of Directors reports to the Board of Education.
- I developed a business plan where I saved money to pay for my salary and costs. I saved the university millions and millions of dollars ultimately. It made me very creative.

Michael Geller:

- Same conversation in Calgary. How do we know we can trust these people? The composition of the Board of the Trust at SFU included 4 appointed outside experts. None were paid, all volunteer, (e.g., University president, representative from faculty, representative from student body and someone who chaired the community advisory committee who started to include the nearby representatives (stream keepers).
- Rather than giving away control, we brought people into the tent that would give us the input and who could possibly stop things
- Do the plans change over time? We conducted a Charette because I didn't know myself where the road should go, how high the buildings should be, etc. We had a three-day weekend event, invited the mayor, planners, outside experts and said that we would choose the consulting team based on their input. Early on, I knew that some key directions of this process were quite different from earlier years when a few people tried to put zoning in place. That initial Charette gave a direction that served us very well.

Brad Tone:

- Lots of mechanisms and processes to evolve those things. You made a comment about specific sites and the scale. A lot of sites are in suburban areas and that makes it more challenging. The forward-thinking concepts of urbanism may not necessarily apply, but you still need to be forward-thinking.
- In regards to process, every one of these plans evolves as you go through it. You want to find the right people to tumble with.
- You need clarity of purpose and the right team to do it.
- It is not a linear process; don't have that expectation.

Trustee Question:

I went to a school in Argentina that had condos above the school. How do we as trustees integrate competing interests of our lands with our stakeholders? What I'm looking for to help is, every resident who pays taxes is a stakeholder, these are public schools and public lands and everyone has a stake because they want to provide the best education for their kids. P3s can be a bad word depending on how you perceive that and I'd like clarification on school boards that have had success with this?

Michael Geller:

- Example of a successful P3: The redevelopment the Vancouver school property where the School District "got into bed with" United Properties, Bentall, etc resulted in residential, office, commercial space and new offices for the School District.
- The challenge is that public objectives may be different than private objectives. Seek out interesting examples. If one looks around, there will be some interesting attempts. I'm not aware of anything quite on the scale of the situation you have here.
- If they are well –structured, P3s can work. Some will involve non-profits, not just developers.
- Need to know the strengths of the various parties.

Freda Pagani:

- I echo cautions around P3.
- Fundamentally, the difference between public and private is a big divide. Private wants to make money and get out, and the public has a broader interest.
- To make a PPP work requires that the public concerns are explicit enough to the private sector
- You might as well do it yourself given how long that process takes and do it better.

- I felt I was better able to represent the interests of the university rather than a private sector that does it “on time, on budget”.

Michael Geller:

- Do you want to develop condos or private offices? Private can take advantage of public if not structured properly.

Freda Pagani:

- You have to identify stakeholders and their needs and then integrate them. Any elected body tends to listen to the most vocal group. In fact, many stakeholders care, you’re just not hearing from them.
- Leadership is needed to take a stand to address the needs of all stakeholders, not just the loud ones.
- The public ultimately recognizes that kind of leadership.

Trustee Question: When you were going through your process with SFU, can you speak to some of the organizations you were involved?

Michael Geller:

- For staff housing, I could have developed it myself but we partnered with VanCity’s real estate arm. The SFU ChildCare Centre were the most formidable group I had to deal with. We did some innovative things: instead of freestanding facilities, we integrated the childcare facility into the project, which the Society managed. We didn’t work with CMHC although the developers went to them to get insurance on the loans.
- Leases can result in a lower price for lands, but you can also add covenants and agreements. You can what the buildings look like with a lease; it costs you more but you get some benefits.
- We started to do things with local business improvement associations; the police and other partnerships and some manifested on the community advisory committee.

Public Comment:

- I operate a daycare. With the help of Mayor Don Bell, we were able to build a daycare that is a P3 on a 20-year lease.
- If you have good guidelines, you can work it out and still get public lands back at the end of the day.

Michael Geller:

- It’s hard to build daycare facilities. One option is to include specially designed units in a development that can provide space for a smaller at-home daycare facility rather than building a separate facility for a daycare for 24 or 26 children. That would be an example of creative thinking.
- You have the opportunity to address environment, economy and social, as well as education needs with these sites. Some might be recognized for childcare, some for housing, some for education...and they will be paid for because it helps realize all those dreams.
- Need strong Terms of Reference to achieve this.

Public Comment:

- You have 11 sites. The trend is to make schools bigger. We need to think about educational sites for future use. In case we are off target, let’s ensure there is a strong mandate for the terms of reference because if we are wrong, we can reverse and go back to smaller entities such as junior high schools.

Public Question:

Lonsdale Creek Annex is not an empty property. I'm curious, that one is not on there.

Answer:

- Lonsdale Creek Annex is an aging facility.

Public Question:

Are we looking at 10-year thinking? What is the timeline?

Answer:

- Trustees will have decisions to make or direction in terms of next steps and they will be considering different options. To go down that road, that is a longer term project. Timelines are a bit loose; some properties we can do things with short-term.

Public Comment:

- Parks in the North Vancouver include School District properties. Don't want to lose these existing park spaces.
- Since these lands were purchased by the community, I feel that the community should come first, not development.
- Strong desire for recreation facilities and sports fields
 - All the kids who want to play hockey, swim, etc. have to go elsewhere. Lucas Center is the largest, flattest piece of land, a perfect place for daycare, seniors, large enough for track, for soccer. If we turn it over to housing we lose it.
- Density bonussing can be used to provide funding for other amenities and services. Need to think about how well these properties can provide the missing amenities.
 - These properties should be looked at in terms of what is missing in these communities. We have a shortage of recreation facilities and fields. Kids learn in the community: fields, school, daycare, etc.

Public Comment:

- Kids are also going to West Van for school, not just sports. We are blessed to have these properties. We do need to generate revenue in a creative way to enhance education.

Public Comment:

- Spoke to significance of the new School District building now also housing the Gordon Smith Gallery of Canadian Art and the Artists For Kids program and learning spaces. The new development also provides for adjacent housing of disabled residents. Park area has been an improvement over what was there before as well.