

# Neighbourhoods for a Sustainable Vancouver

June 24, 2009

TransLink Board of Directors  
1600 - 4720 Kingsway  
Burnaby, BC V5H 4N2

Attention: Mr. Tom Prendergast, CEO

## **Re: TransLink's Transport 2040 - Consultation on the 10 yr. Funding Plan**

Neighbourhoods for a Sustainable Vancouver is a City of Vancouver wide organization of neighbourhood groups that includes about 30 residents' associations, CityPlan Vision implementation committees, ratepayers' associations and community groups. We are commenting on the current and proposed TransLink funding models. Since TransLink's Transport 2040 and Metro Vancouver's 2040 Regional Growth Strategy were drafted in parallel, we are also including some of our comments on Metro's 2040 proposal which is interrelated with TransLink. Please consider this letter as part of our comments to TransLink under your consultation process.

Our concerns are mainly related to TransLink using real estate development, rezoning and land speculation to fund transit. The substantial change to use real estate to fund transit was done without public consultation and we adamantly oppose this direction. We support TransLink having a stable source of funding from Provincial and Federal taxation sources and abandoning the use of real estate speculation. Our comments to date for TransLink funding sources are as follows:

1) Do not use property taxes or real estate development -

Transit is a responsibility of the Provincial and Federal governments, so the funding sources should be from those senior level sources of taxation not from the few civic sources of taxation. Therefore, property taxes and real estate development / rezoning / land lift should all be off the table as they are sources for civic fund raising for civic amenities. If these sources are used to fund transit then the Province is downloading onto the municipalities.

There is a systemic conflict of interest for Translink to be both a regulator of land use policy and a real estate speculator / developer. There has been no public consultation to date to justify this direction or to having an unelected appointed Board of Directors.

2) Transit funding should be based on polluter-pay rather than user-pay principals-

Transit fares should be lowered to encourage transit ridership. Those who pollute should pay more for transit through increased gas taxes, carbon taxes, variable vehicle levies, road user fees, parking fees, goods movement fees, or other polluter based charges.

3) The balance of funds should come from Provincial and Federal taxation sources-

The municipalities only collect 10% of taxes while Provincial and Federal governments collect the remaining 90%. Senior governments must stop downloading onto municipalities as described above in #1. Any shortfall in funding should be provided by the Province and the Feds.

#### 4) Increase and improve TransLink's public consultation process –

There has not been broad public consultation on TransLink's direction or funding. We think that one rather confused workshop for the whole City of Vancouver is not adequate. Most residents do not know what the options are or that TransLink is proposing to use real estate development as the future main Transit funding source based on a Honk Kong model. This has never been publicly debated.

The main comments we have on TransLink's involvement in the Metro Regional Growth Strategy are as follows:

Our concerns with this proposal are mainly related to a substantial change of governance for municipal planning process, lack of clarity in the Metro proposal, and using the Regional Growth Strategy to give TransLink, which is now in the land development business, undo influence in municipal planning.

#### **1) We oppose Metro, Provincial and TransLink regulation of municipal Official Community Plans (OCP):**

Unlike previous regional growth plans, this draft proposes shifting the authority over land use decisions. The Regional Context Statements and the Official Community Plans (OCP) would require Metro Board approval for compliance to the Regional Growth Strategy; TransLink approval of the OCP and large developments for implications to the regional transportation system; and Provincial approval for developments along highways. This is an attack on the principle of subsidiarity; it would make municipal officials less accountable and public involvement in planning virtually meaningless. Municipalities should retain control over land use planning and approvals within their boundaries.

If Metro's intent is to protect green zones and industrial areas, then any regional authority should be restricted to absolute protection for green zones and qualified protection for industrial areas and only these should be required to be shown on a map. Metro should have no authority over or formal input into land use policy other than green zones and industrial areas. We do not support the City of Vancouver's motion amendment D that proposes regional land use "input" for Urban Centres and Frequent Transit Development Corridors, as the wording is ambiguous and could be construed as adoption of policies or plans that have not been subject to local area planning and Community Vision implementation under City Plan. Also, because of TransLink's real estate development conflict of interest, TransLink should be allowed to review and comment only, without any authority over land use policy.

#### **2) TransLink's conflicted roll as both planning regulator and developer:**

Land lift is a municipal asset that is used to provide amenities such as community centers, parks, and facilities. TransLink has been given a mandate to raise funds through real estate speculation, rezoning and land lift to pay for transit which is primarily a provincial responsibility. We strongly oppose this downloading onto municipal governments. It appears that the Province is using the Metro Vancouver Regional Growth Strategy to facilitate TransLink real estate dealings by giving this unelected board authority over land use decisions that could override municipalities. Since TransLink and their private development partners would have a financial stake in those decisions, conflicts of interest would be systemic.

#### **3) Regional growth strategies are too prescriptive:**

The details outlined on pages 16–18 of the draft report are overly prescriptive in regard to density bonus provisions, variable development cost charges, reduced parking and other financial incentives for development. Although municipalities may choose to use such incentives from time

to time, they involve significant trade-offs, and should not be prescribed in the Metro plan as they would be routinely used to fund transit and possibly other provincial responsibilities in place of amenities. The prescription for “Large-scale, high density commercial office and retail uses” in the Metro Core ignores and could conflict with the imperative to retain an adequate supply of old but functional buildings—essential for maintaining commercial diversity and affordable spaces for new ideas and enterprises.

**4) Frequent Transit Development Corridors are too broad:**

The Frequent Transit Development Corridors as shown on Map 2 are described on Figure 2 (page 18) as 400 to 800 metres on both sides of the corridor for medium and high density development. In some municipal locations this may be reasonable if they have a generally large lot layout and only a few transit corridors. However, in Vancouver, 400 to 800 metres would result in mass upzoning of the entire city! The Metro plan should generally describe transit oriented development to be close to transit without specifying where it should be located. Detailed community planning within municipal boundaries should be under the sole jurisdiction of the municipality.

**5) Provincial control of developments along highways:**

Developments impacting highways should also be under municipal control. It is a concern that requirements for provincial reviews of developments along highways could be a way for the Province to use land lift and rezoning to fund highway improvements. Again, this would constitute down-loading. While such authority might ostensibly be a check on car-dependant sprawl, it could actually facilitate environmentally destructive highway-oriented residential, commercial or industrial development.

**6) Green zones would be more vulnerable:**

Under this proposal green zones would be more easily removed from protection, which would make them subject to “horse-trading” between municipalities, a practice we oppose. Exemptions from Green Zones should require unanimous support of the Metro Board, not just 2/3 support as proposed. Also, some green zones are shown within Urban Containment boundaries and should be excluded so they cannot be developed (e.g. UBC Endowment Lands and the North Shore).

**7) Timelines for public consultations are inadequate:**

We agree with the conclusions under “Public input to date” in the CoV staff report. There has not been enough time for the public or their elected representatives to understand the issues and to respond. We implore Council to insist on an extension of the Metro public consultation. The deadline for all input by May 22, 2009 is not acceptable.

These and other concerns raised at during the May 20<sup>th</sup> Metro public forum at the Wosk Centre confirmed that more work and substantive changes are required for the Regional Growth Strategy and Translink funding models. To this end we support a better opportunity for public participation in both the TransLink Transport 2040 funding proposals and the Metro Vancouver 2040 Regional Growth Strategy.

Regards,

Ned Jacobs  
On behalf of the Steering Committee  
Neighbourhoods for a Sustainable Vancouver

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