

# George Hotel & Residences Rezoning Internal Review

---



PRESENTATION TO COUNCIL  
JULY 19, 2016

# Council Direction for Internal Review

---

Council resolved on January 12, 2016 (R2016-013):

*THAT staff report prior to the end of July, 2016 on their internal review of the George Hotel and Residences development application process, identifying process strengths, weaknesses, and recommendations for future processing of complex development proposals.*

# Purpose of Review

---

- Look back on the process of Town receiving and managing a complex development application
- Town used a custom review process for the application. Examine the process. What worked and what can be improved in future?
- Summarize strengths, weaknesses and recommendations for future complex developments.
- Review covers OCP amendment and Zoning Bylaw amendment February 2013 - Oct 2015.



# Presentation Outline

---

1. Timelines
2. Review Team Approach
3. Other Resources
4. Public Input
5. Freedom of Information Requests
6. Site Complexity
7. Conclusion: Strengths & Weaknesses
8. Recommendations / Alternatives

# 1. Timeline & Key Topics

---

## ➤ **February 2013** Application Submitted

Staff key concerns:

- Alignment with OCP Harbour Area Plan – building mass, scale, height, access, views to waterfront

## ➤ **October 2013** Revised Application Submitted

- Applicant acquired additional property and revised design for two building proposed. Also addressed some items identified by staff.



# 1. Timeline & Key Topics

---

- **December 2013** APC reviews /comments
- **January & February 2014**

Council reviews form and character. Council required following information prior to making a decision:

- i. visualizations of massing
- ii. independent review of geotechnical and aquifer protection
- iii. report on economic benefits to the Town



# 1. Timeline & Key Topics

---



- **April 1, 2014** – Council endorses form and character after review of APC recommendations, the results of visualizations and applicants response to design changes.
- **September 30, 2014** - Council receives economic review results of analysis by Coriolis Consulting Group.
- **May 12, 2015** - Council receives geotechnical information regarding Gibsons Aquifer and gives first reading to Zoning Bylaw amendment.
- **June 16, 2015** - Council reviews OCP amendment, gives first reading

# 1. Timeline & Key Topics

---

- **July 21 & July 28, 2015** – Council reviews geotechnical/hydrogeological reviews and resulting design changes. Second readings.
- **September, 2015** – Council sets date for public hearing and Town hosts Public Information meeting. Approx. 125 people attend
- **October 1, 2015** – Public Hearing held. More than 400 attendance.
- **October 6, 2015** – Council approved OCP and zoning amendments. Authorization to enter into Development Agreement.

# 1. Timing - Context

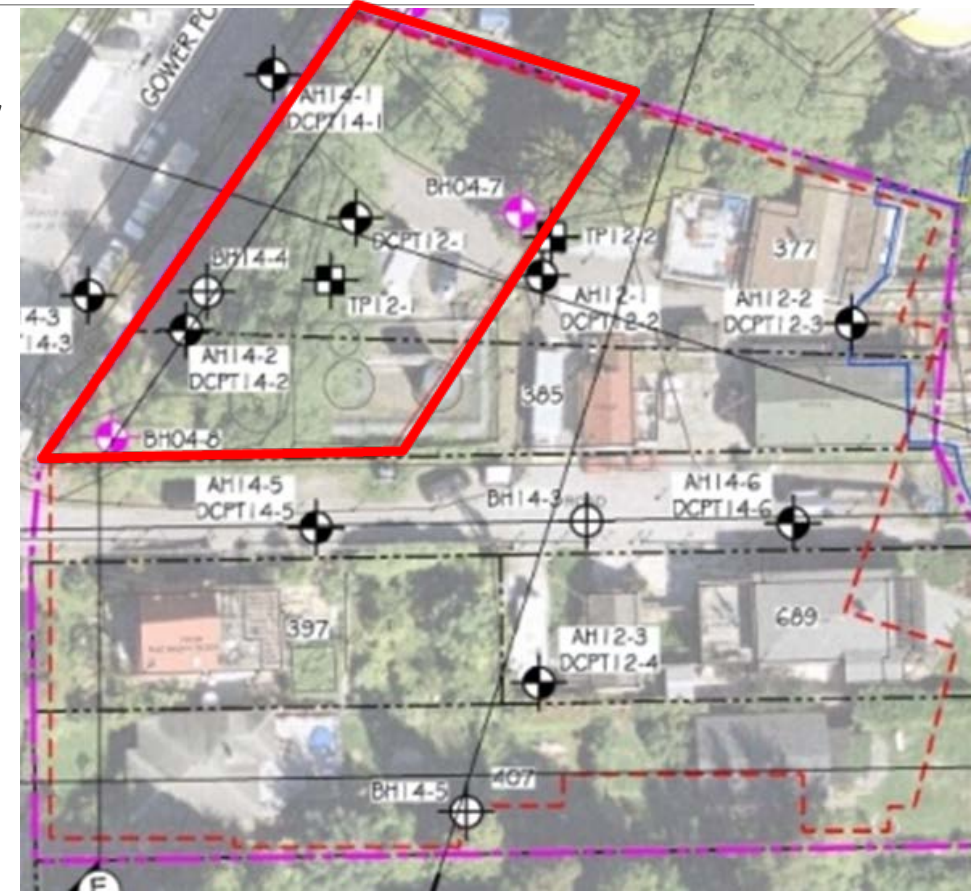
---

- Municipal Elections of November 2014 heightened awareness and politicized debate
- Town's Official Community Plan Update process. New policy (as of March 2015) triggered additional requirement for George



# 1. Timing - Context

- Geotechnical and hydrogeological review took longer than anticipated
- Studies revealed additional questions requiring more investigations, including peer reviews
- Rezoning process took 32 months, approx. 2.5 years. Not unusual compared to other municipalities.



## 2. Review Team Approach

---

- Interdepartmental approach & added professional support
- Integrated reviews considered engineering, legal, planning issues comprehensively. Effective coordination
- External expertise added for visualizations of building form and mass, geotechnical, aquifer protection peer reviews, legal review, economic benefits, appraisal of Winn Road
- Negotiations - affordable housing, community amenity contributions, infrastructure upgrades to Prowse Rd Lift Station

## 2. Review Team Approach

---

### RECOMMENDATION

- Staff recommends to update the Development Services Procedures Manual by adding a process with an interdisciplinary Review Team for complex development applications.

# 3. Other Resources & Costs

---

Approximate cost of key additional resources that were recovered:

- ✓ Application fees collected in 2013 (\$17,450)
- ✓ Geotechnical and hydrogeological peer reviews (\$66,000)
- ✓ Visualizations (\$5000)
- ✓ Economic review (\$7000)
- ✓ Legal Costs for Development Agreement (\$8000)
- ✓ Planning Consultant (\$47,000)
- ✓ Appraisal Winn Road (\$5000)
- ✓ Sanitary Pump Station Assessment (\$13,000)
- ✓ Total Costs recovered approx. \$151,000



### 3. Other Resources & Costs

---

#### Additional Town Resources:

- ✓ Three Council meetings in larger venues,. for form and character, economic review, aquifer protection
- ✓ Processing hundreds of submissions to Council in winter 2013/2014 and fall of 2015
- ✓ Website updates on dedicated Town website page & Facebook postings
- ✓ Production of two explanatory videos

### 3. Resources & Costs

#### RECOMMENDATION

- Staff recommends that a formalized cost recovery mechanism be included in Development Applications Procedures Bylaw No. 1166, 2012.



## 4. Public Input

---



High level of public interest and high volume of correspondence:

- 400 submissions winter 2013/14
- 575 submissions fall 2015 public hearing
- Town dedicated webpage
- Two explanatory videos – review process 400 views in spring 2014 and Public Hearing information fall 2015 200 views.
- Information meeting September 2015 – approx. 125 attended

## 4. Public Input

### RECOMMENDATION

- Staff recommends that a customized process for complex development applications be formalized through an update to Council Policy 3.6 regarding “Public Notification of Development Applications”.



## 5. Freedom of Information Requests & Complaints

---

### *Freedom of Information (FOI) and Privacy Protection Act:*

- 12 FOI request related to George were processed
- 9 from non-profit society and 3 from individuals
- Records requested included emails, reports, notes from staff and Council. Required detailed review of 18,991 pages of record and release of 4,801 pages
- Staff spent 388 hours processing requests
- Cost to Town \$21,000 and recovered \$6,100 in fees from applicants

# 5. Freedom of Information Requests & Complaints

---

## Other Complaints

- Provincial agencies
- Professional organizations
- Staff prepared detailed responses and worked with agencies to respond to complaints made

## Summary

- Large number of FOI requests and other complaints
- Pulled significant staff time away from other Town priorities

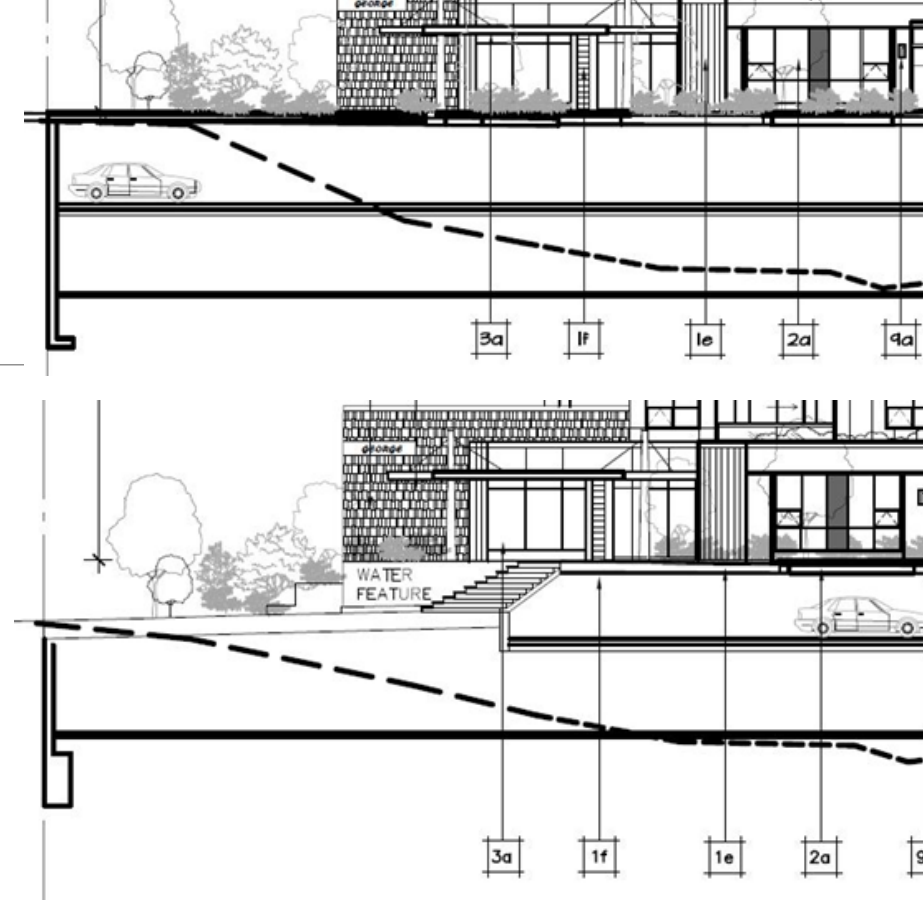
# 6. Site Complexity

## Rezoning process

- Gibsons Aquifer Protection
- Waterfront – sea level rise
- Peer reviews
- Design changes

## Further Review Before Construction

- Water lease changes, site contamination, rights of way, foreshore habitat protection, legal instruments, marine environment
- Complexity will continue through review and construction



# 7. Conclusion: Strengths

---

Staff sees the following strengths:

- Step-by-step review process by Council – result in design changes improved form and character & protect Gibsons Aquifer
- Interdepartmental review team with support of expertise – costs largely recovered through arrangement with applicant
- Additional efforts for information sharing – webpage updates, explanatory videos, Council meetings at larger venues, information meeting in advance of public hearing

# 7. Conclusion: Weaknesses

---

Staff identified the following weaknesses:

- Application review process by nature is developer driven and offers only limited opportunities for community involvement
- Contentious proposal that required significant town resources to address levels of interest (FOI requests, questions and commentary at Council meetings)
- Site complexity of the project required customization of review process and external expertise.

# Recommendations / Alternatives

---

1. Receive the staff report
2. outline an Interdisciplinary Review Team process for complex development applications;
3. incorporate a formalized cost recovery mechanism for complex development applications;
4. include a range of options to inform and engage the community for complex development applications.

# Alternative/ Additional Recommendations

---

OPTION - If Council would like to extend the March 16, 2016 policy for this Council term:

THAT the Development Applications Procedures Bylaw No. 1166, 2012 be revised to include an early Council review for any requests of increased height in the Harbour Area.