

Subject: [Fwd: Re: SLP Prelim Applications]

Date: Wed, 28 Sep 2005 12:44:07 -0700

From: Brian Platts <bplatts@shaw.ca>

To: Corrie Kost <kost@triumf.ca>

----- Original Message -----

Subject: Re: SLP Prelim Applications

Date: Wed, 28 Sep 2005 15:28:24 +0000

From: Bill Maurer <billm@millsoft.ca>

To: Ernie Crist <ernie_crist@dnv.org>

CC: Mayor and Council - DNV <Council@dnv.org>, Senior Management Committee <managecomm@dnv.org>, James Ridge <James_Ridge@dnv.org>, mbragg@shaw.ca, fonvca@fonvca.org

References: <8C8D665AE92D4643801E806BC27EC1940195B075@mail2003.cdnv.dnv.ca>

While I don't disagree with what you propose, it would be a big change and it wasn't on the table. Voting the motion down would have put council in the unenviable position of giving developers a red or green light with little or no information and then later having to change their position when the information was complete. The case of unit counts is the simple one but what happens when there are available units and other issues have to be considered? It is just not possible with the amount of information available at the time of the preliminary.

What you propose can be accomplished by passing a motion which directs planning to refuse applications if there are no available units in the plan. I have been told that it is a violation of the community charter to refuse development applications. Maybe Irwin Torry could clarify this.

There is a development in Seymour which has recently submitted a detailed application. They were advised by planning that their development exceeded the unit count yet proceeded with the expense of preparing a detailed application. They are being sent a letter on behalf of the SLP Monitoring Committee which also confirms this. They have also been given copies of the SLP. Is it possible that they may proceed with a rezoning application? Yes. It's possible, but unusual. Developers generally will not proceed without getting a green light from planning which they shouldn't have in this case.

There are a number of factors which cause developers to proceed with their applications in the face of large odds:

1) rs1 (undeveloped) land is being taxed at a high mill rate leading to high property taxes being charged for these properties while they are in a non-revenue generating state. In order to recupe these accumulated tax payments, developers must seek high density development.

2) developers which are attempting to assemble lots will buy "options to purchase" which only run for specific periods of time (generally 1 year). This places pressure on them to get the detailed application in and rezoning approved before the options lapse.

3) lot aquisition is underway when a new ocp precludes the level of development on the property(s) which the developer had anticipated.

These could be alleviated by:

a) lowering the mill rate on undeveloped land which imposes virtually no infrastructure overhead on the district. Council(s) in the past no doubt felt that it was an easy way to generate tax revenue but you don't get something for nothing. There is a long term development pressure on the community produced by this approach.

b) more clearly let the developer know that the SLP is being adhered to and that it will be a number of years before Seymour can tolerate additional

unit counts.

Both planning and the SLP Monitoring Committee are doing a better job at sending a clear interpretation of the plan to development applicants than they were doing prior to May of this year. The primary development pressure in Seymour continues to come from a few projects which were already in the conceptual stage prior to the SLP being adopted. Developers take a risk when they proceed with a project and most will realize that not every development will be approved as they had planned or on their schedule.

Ultimately council is the final arbitrar and it is the role of ocp monitoring groups to remain vigilant and to clearly express their concerns at the appropriate times.

Regards,

Bill Maurer

Ernie Crist writes:

> Hello Bill:

>
> I understood perfectly well. To use your own words below "The
> development process starts with the Preliminary Application. The
> applicant then has to pass through a number of gates en route to
> preparing a Detailed Application" etc.

>
> This is exactly what in my opinion needs to be avoided. It is the thin
> edge of the wedge and prejudices the outcome of the next round. Just
> close the door - sorry we will not accept any application until the
> reviewing process for the next round is opened. This is my opinion.

> Ernie

> --Original Message-----

> From: Bill Maurer [<mailto:billm@millsoft.ca>]

> Sent: Tuesday, September 27, 2005 8:59 PM

> To: Ernie Crist

> Cc: Mayor and Council - DNV; Senior Management Committee; James Ridge;

> mbragg@shaw.ca; fonvca@fonvca.org

> Subject: Re: SLP Prelim Applications

> Oh, Ernie. You don't understand.

> The motion that passed is to leave everything as it is.

>
> The development process starts with the Preliminary Application. The
> applicant then has to pass through a number of gates en route to
> preparing a Detailed Application. This includes planning, environmental,
> density, permits & licensing, traffic, advisory design panel, ocp, ...
> Once they feel ready, they submit a detailed application. This is
> submitted by planning to council at the time of rezoning along with a
> report which shows where they have met and where they do not meet
> existing requirements.

>
> Does this not sound better than the original motion which would have
> made a special case of Seymour by requiring that every Preliminary
> Application be reviewed by council without any prior review or which
> would have seen the SLP changed from its original intent?

>
> The system is working Ernie and it is community driven. The previous
> motion as written had no community input. It was altered by Jim and
> supported by council in response to public input and letters from the
> community as well as a letter from the SLP Monitoring Committee which

> was included in your council packet.

> Regards,

> Bill

> -----
> Ernie Crist writes:

>> Hello Bill:

>> No, I did not speak in favour of it. I spoke in favour of making a
>> clear statement not a Jim Cuthbert half baked motion geared to confuse
>> everybody, weaken the process and play into the hands of the enemies
>> of community planning.

>> When I gave chess lessons the very first thing I told the new class is
>> "the first thing you have to know when you play an opponent is that he
>> is out to beat you". Well, they are out to beat you.

>> The issue is clear I stated. The Seymour plan is sacred and is not
>> subject to change every time somebody wants to revise the numbers. The
>> time to do that is during the public review process.

>> What was required last night was a clear statement to that effect not
>> a Jim Cuthbert, I don't want to be pregnant except maybe just a little
>> bit effort. You may not be aware, but Jim's amendment opens the door
>> to continued testing and questioning of the plan by every would-be
>> developer and real estate Tom, Dick and Harry.

>> It weakens and undermines the credibility of the whole community
>> planning process. That is the whole purpose why the pro developer and
>> the real-estate interests got that issue on the floor in the first
>> place. It is also the reason why Council deals with DVP applications
>> instead of the Board of Variance as is done in other municipalities -
>> "it stimulates the market". If your people don't understand that they
>> will pay a heavy price. The way to deal with that is NO, THE PLAN IS
>> NOT DEBATABLE - SORRY BUT IT IS NOT ON THE TABLE. If something
>> extraordinary comes up we can deal with it without going through any
> phoney hooplas.

>> Ernie Crist

>> -----Original Message-----

>> From: Bill Maurer [<mailto:billm@millsoft.ca>]

>> Sent: Tuesday, September 27, 2005 1:58 PM

>> To: Ernie Crist

>> Subject: SLP Prelim Applications

>> I'm curious why you voted against Jim Cuthbert's ammendment motion of
>> item 3 on last night's agenda? You spoke in favour of it.

>> Regards,

>> Bill

