



# FRAMING THE FUTURE

## Vision and Guiding Principles

December 2013



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# 1

## MESSAGE FROM THE COMMITTEE

The South Downtown Waterfront Initiative Committee is pleased to provide a Vision and Guiding Principles for the South Downtown Waterfront, as per the mandate provided by the City in June 2013.

The Committee has encouraged a transparent and community-based process that has led to the *FRAMING THE FUTURE: Technical Report*, and this report, *FRAMING THE FUTURE: Vision and Guiding Principles*.

FRAMING THE FUTURE identifies an important city building opportunity for Nanaimo; one that is unparalleled in the city's history. That opportunity must be seized and acted upon.

The Committee believes this process has opened up a community dialogue that deserves further nurturing. Snuneymuxw First Nation is a key partner if the area is to achieve its full success, and the Committee urges the City to continue to engage the First Nation in discussions related to the area. Likewise, the Port Authority and adjacent neighbourhoods have significant interests

in the development of the area. Their continued involvement in discussions that foster mutual benefits will be critical to the successful transition of the South Downtown Waterfront.

While the Vision and Guiding Principles present a framework for the long-term development of the area, the Committee is cognizant of the implications of immediate needs, and near term opportunities that may impact the site. The Committee urges the City of Nanaimo to articulate planning and design over the immediate, and near term that does not compromise the promise of the area. Given the apparent potential development of several initiatives over the near term, including the transit hub and the fast ferries, the Committee believes that a group should be tasked with transitioning FRAMING THE FUTURE, and monitoring short-term initiatives. The potential is far too significant to be lost on near term actions that do not address long-term needs.

One other issue, not explicit in the South Downtown Waterfront Initiative mandate, requires some critical thinking — the notion of a structure for ongoing planning and development management.



In many jurisdictions, a specifically mandated public development corporation has been created to implement the public policy of Council, or a group of like-minded stakeholders related to a special site. Boston (Boston Redevelopment Authority), Toronto (Harbourfront), Vancouver (Granville Island), and Winnipeg (North Portage, the Forks, and CentreVenture) are a few examples of the successful carrying forward of a complex vision for a significant site. The City of Nanaimo may wish to explore how a similar management structure that includes key partners, like the Port Authority and Snuneymuxw First Nation, could be created for the South Downtown Waterfront.

The purpose of such an entity would be to provide a mechanism for implementing the redevelopment of the South Downtown Waterfront area through a combination of investments by the development corporation itself, the private sector, public agencies, institutions, and governments. By being somewhat at arm's length from the City, this entity could be more business-like with its real estate assets — maximizing returns, seeking out business partnerships and funding, and managing its risks in the real estate marketplace — all in the context of higher order public policy measures (*See the Appendix for a Backgrounder on Public Development Corporations*).

Lastly, the Committee encourages the City to explore the development of a Charter for the implementation of the Vision and Guiding Principles. The Charter could inform the work of the entity responsible for the planning and design of the development of the area. Cities such as Auckland and Seattle have Charters that might inform those discussions. Such a Charter brings to bear notions

of community ownership, expectations, and measurements. Such a Charter could form the basis for a commitment to open, transparent decision-making, and accountability (*See the Appendix for a Backgrounder on Implementation Charters*).

The Committee members appreciate the support of the citizens of Nanaimo, City staff, and the stakeholders who willingly gave of their time and advice.

It has been a privilege to help shape the future of such an important area of Nanaimo.

Sincerely,

*Dave Witty, Chair*  
**Vancouver Island University**

*Darren Moss*  
**Downtown Nanaimo Business Improvement Association**

*Fred Pattje*  
**Nanaimo Advisory Planning Committee/City of Nanaimo**

*Sasha Angus*  
**Nanaimo Economic Development Corporation**

*Mike Davidson*  
**Nanaimo Port Authority**

*Dennis Trudeau/Daniel Pearce*  
**Regional District of Nanaimo**

*Douglas Hardie*  
**South End Community Association**

*Ann Kjerulf and Doug Kalcsics, Vice Chair*  
**Community Members-at-Large**

# 2

## MANDATE & PURPOSE

### Mandate

The South Downtown Waterfront Initiative was established by the City of Nanaimo in June 2013 “to provide *Guiding Principles* and an overall *Vision* to serve as resources for guiding future planning processes, regardless of jurisdiction and ownership”.

*South Downtown Waterfront Committee Mandate and Objectives: June 25, 2013*

### Purpose

FRAMING THE FUTURE for the South Downtown Waterfront is not a regulatory document. Therefore, its effectiveness will be determined by ongoing community support for its tenets, and its continuing regard by all decision makers.

FRAMING THE FUTURE is intended to be a living document that guides future development decisions over the next 30 to 40 years. Given that the future is uncertain, and that change will be driven by a host of social, cultural, economic, environmental, political, and technological factors, FRAMING THE FUTURE is not prescriptive in predetermining what the future of the South Downtown Waterfront will be. Rather, the document provides a set of *Guiding Principles*, which constitute a framework to evaluate the myriad development proposals that may arise in the future. These *Guiding Principles* include:

1. Promote access and connectivity to local neighbourhoods, the city, and the region.
2. Support an evolving Working Harbour
3. Promote ecologically positive development.
4. Promote bold and resilient land use.
5. Embed cultural and social considerations in future decisions.





Detailed long-term implementation plans are left to future generations. Those generations are tasked with respecting the *Guiding Principles*, and articulating the *Vision* within a framework of future parameters and needs that identify land use mix and location.

As a stakeholder and community driven document, FRAMING THE FUTURE will need the citizens of Nanaimo to continue to monitor its use, and ensure that future City Councils, landowners, and others adhere to the *Vision* and *Guiding Principles* (until such time as the community believes circumstances require they be revisited). Citizens will also need to commit to the evolution of the harbour and waterfront keeping with the intent of FRAMING THE FUTURE, and the future well-being of Nanaimo and its citizens.

# 3

## INTRODUCTION

Nanaimo's central waterfront is a defining feature of the city - running from Departure Bay in the north to the Snuneymuxw Reserve #1 in the south. While much of the central waterfront has been developed with public access in mind, the area extending from Cameron Island southward has been inaccessible to the public and, as such, underutilized. It is this portion of the waterfront that is the focus of FRAMING THE FUTURE.

Over time, the waterfront has evolved from a major Snuneymuxw village site, with associated marine and land resource harvesting, to a heavy industrial site and, more recently, to a principally marine transportation site. The site will continue to evolve.

In recognition of this evolution, and the City of Nanaimo's 2013 purchase of approximately 25 acres of land (about 50% of the Wellcox property) in the working harbour, the City invited a number of stakeholders<sup>1</sup> to lead the development of a *Vision* and *Guiding Principles* for the entire harbour area. After seven months of community consultation and open meeting deliberations, the South Downtown Waterfront Initiative Committee has completed its work, and submits this report to existing and future stakeholders, the City, and its citizens.

<sup>1</sup>Community-at-large, Downtown Business Improvement Association, Nanaimo Economic Development Corporation, Nanaimo Advisory Planning Committee, Nanaimo Port Authority, Regional District of Nanaimo, South End Community Association, Vancouver Island University.









# 4

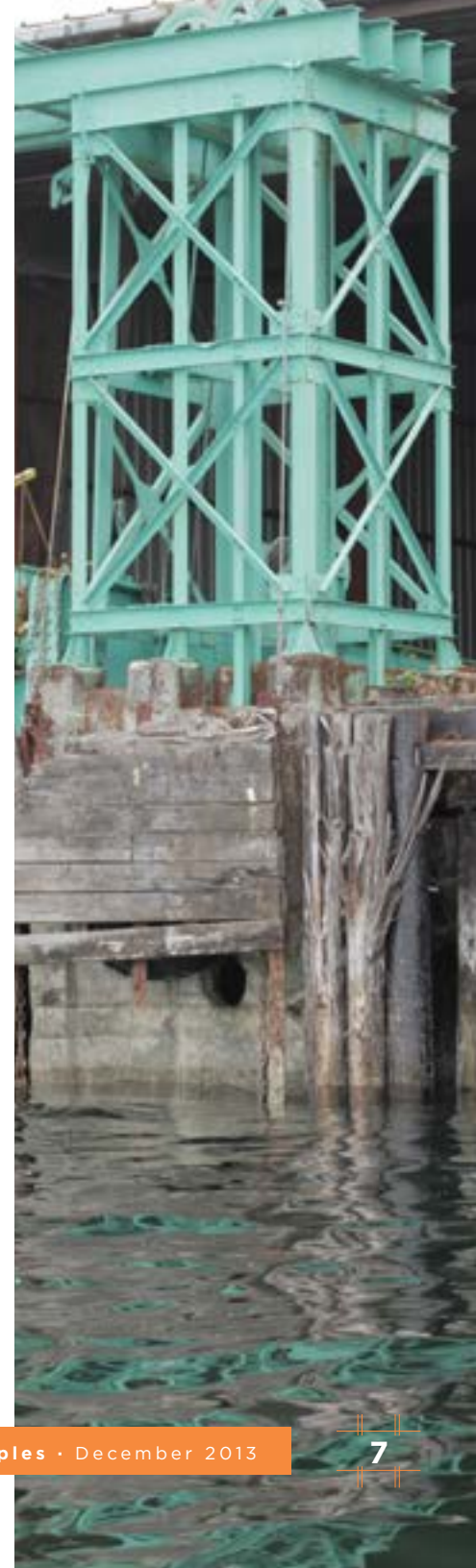
## THE SPECIAL OPPORTUNITY

Envisioning a bold and resilient future

Nanaimo's harbour and associated waterfront offers a significant opportunity to initiate and fulfill an unprecedented mandate – the development of appropriate and complementary land uses that foster community, cultural, economic, environmental, and social well-being. Nanaimo has a chance to create a harbour and waterfront with a legacy that is celebrated for, and by, future generations.

This area can be transformational for Nanaimo and the region. It can, and should, be a place that becomes known locally, regionally, and nationally for being authentic, bold, economically viable, enduring, inclusive, progressive, resilient, restorative, socially just, and timeless. In particular, engagement with the Snuneymuxw First Nation to explore mutual, common, and collaborative ambitions, could provide an enhanced common purpose, while being respectful of the unique Snuneymuxw culture. The harbour and waterfront provide an unprecedented opportunity for a respectful and fruitful sharing of ambitions and rewards.

The harbour and waterfront are critical to the future well-being of Nanaimo. No other area will define the city in the same way, with the same effect. Cities that have recognized the significant roles of their waterfronts (e.g., Aarhus, Auckland, Stockholm, Vancouver) are considered leaders in economic, environmental, and social sustainability, and are places of international recognition and attention. Nanaimo should aspire to nothing less.







# 5

## THE VISION

The harbour and waterfront must be seen as integral pieces of the urban fabric of Nanaimo. The end goal must be one that creates a community of communities, whether they be industrial, mixed use, open space and parks, residential, and/or transportation oriented.

The final outcome of future activity should present a sense of place, with a well-articulated and well-integrated land use pattern that encourages and promotes complementary uses. Land use boundaries should be more about defining complementary edges and blending, than separating different uses.

### On Connectivity

Connectivity to, and through, the area should weave spaces together to foster a sense of cohesiveness, rather than a sense of isolation. Connections should evolve as part of the continued development of the area. Over time, forms of transportation will evolve, resulting in new opportunities to modify forms of movement within the site, and between the site and the region. Such changes will need to be monitored so that if, and when, changes occur (such as the potential relocation of rail from the site or within the site), these changes are accommodated in a thoughtful and holistic fashion, ensuring the long-term future of the waterfront is not compromised by short-term gain.

A key priority will be ensuring that neighbourhoods are not adversely affected by intrusive traffic flows, particularly those associated with heavy goods movement, noise, vibration, and threats to public safety. Furthermore, the development of uses that would disrupt public access, and sterilize the waterfront for future uses, which preclude public accessibility, should be avoided. Connectivity should integrate neighbourhoods in a thoughtful way, not disrupt them into fragments in which pedestrian movement and neighbourhood cohesion are compromised.





Over time, the types of movements will change as the site promotes increased pedestrian networks, pedestrian-friendly development, cycling, and reduced automobile dependency. Irrespective of the land uses involved, each new development should ensure that networks are put in place to access the waterfront, connect with adjacent neighbourhoods, and encourage pedestrian movement.

## On the Working Harbour

Nanaimo has had a working harbour for more than 100 years. It has continued to evolve away from a heavy industrial complex to one that focuses on the movement of goods and people. Any future development should recognize that, worldwide, harbours are continuing to evolve in response to changes in transportation technology, the scale of goods and people movement, logistics, supply chain management, and land valuation.

Duke Point provides a potentially, more functional alternative for large bulk shipping, and higher frequency and volume activities. While its future use may evolve into a centralized shipping site, the Nanaimo harbour will likely continue to maintain some marine transportation uses for the foreseeable future. As a result, land use decisions need to incorporate a recognition that, over time, the harbour's *working* moniker may change to one that includes a mix of uses, some of which support light industrial, high technology, and other emerging activities (many not currently identified in 2014). The economic and employment potential of the South Downtown Waterfront lands should be preserved and enhanced. Through future considerations, however, care will need to be taken to ensure that land use decisions respect adjacent existing and potential uses. Creating uses that reflect design that fosters *good neighbourliness* will be essential.

## On Ecological Stewardship

The harbour and waterfront have been confronted with significant environmental degradation over the past 100 years. The ground is contaminated with coal debris, portions of the area have been filled with that material, the shoreline has been seriously altered, and the interface between the modified land base and marine environment has been severely impacted. In portions of the site, simple remediation will not do. A major rethinking of how future development is undertaken is needed for Nanaimo to make full use of the opportunities that exist at this site.

In many ways, the implementation of ecologically restorative development will promote a culture of stewardship that could set Nanaimo apart from other post-industrial harbour cities. This approach provides the potential to explore, and implement new applications and technologies. These, in turn, could promote a local environmental technology sector by advancing the site as a self-sufficient, and self-contained, energy, waste and water management system, and be an environmental leader within the region. Partnering with emerging technology firms on the site could create a *living* laboratory for emerging *green* technologies.

The rehabilitation of the waterfront, including enhanced public access, and foreshore and near shore restoration, could strengthen local fisheries, and make the site a destination for local and distant visitors as marine life, and the nearby estuary, are revived.

## On Land Use

It is through careful, thoughtful and visionary land use considerations, and associated decisions, that the long-term potential of the harbour and waterfront will be realized. Future land uses must complement one another. There must be a sense of place that creates a unique identity for the South Downtown Waterfront, while at the same time respecting its context and history. Given the history of growth in Nanaimo, which has varied from year to year and decade to decade, development that is adaptive to varied demand should be a central consideration. But, as Dr. Larry Beasley noted in his presentation to the community during the development of FRAMING THE FUTURE, *“if done right, with the highest of planning and design standards, a clear and committed vision, Nanaimo’s waterfront could develop its own synergy and energy as a destination for those seeking a high quality of life.”* As well, the challenges of climate change will need to be considered in every development proposal for this area.

Once developed, the harbour and waterfront should provide a harmonious sense of place that welcomes all citizens, and contributes to economically and socially vibrant neighbourhoods – each one complementing the other.

Streets should be places where people feel comfortable, where street level activity is encouraged, and where mixed use developments frame the street in a modest scale that fits Nanaimo and the site. Across most of the area, development should be, at most, 4 to 6 storeys in height, and focused on creating and celebrating well-functioning neighbourhoods.

The potential to create a collection of neighbourhoods that support a mix of uses, high quality design, and pedestrian-oriented connections to the waterfront and the Downtown core offers an unprecedented future for Nanaimo, and generations to come. Quite simply, success will be measured by the legacy left to those future generations.

## On Culture and Social Matters

It is at the harbour and waterfront where Nanaimo's diverse cultures can come together to explore and enjoy the waterfront, the distinct neighbourhoods, and our shared cultural heritage. This opportunity should be celebrated in art, open space, and place names.

A thriving harbour and waterfront will honour the arts, culture, and heritage. Engagement, across all ages and aspects of society, should be promoted through careful design and planning of spaces and places that welcome and encourage interaction. Snuneymuxw and City partnerships could create a sense of place rich in heritage and culture. There is much that can be achieved here.



# 6

## THE CHALLENGE

The *Vision* and following *Guiding Principles* are simply words. They speak to a future that can place Nanaimo and its waterfront at the cutting edge of community building. Still, the words need to be put into action. Action requires a commitment to continuing the process of examination and engagement, and to collaboration, listening, promoting thoughtful discourse, sound planning, and exceptional design.

FRAMING THE FUTURE must become interwoven into the agendas of current and future Councils, administrative staff, and the citizens of Nanaimo. It must not sit unused – stakeholders and citizens must not let that happen. The City must not let that happen. All of us (here in the present and those in the future) have a responsibility to monitor FRAMING THE FUTURE, to ensure that development decisions are filtered through the *Guiding Principles*, and to demand only the highest quality planning and design for the area. While some temporary uses may require a different process, such decisions should be made only when, and if, a long-term solution and commitment to that long-term plan of action is confirmed. It will be critical to the successful long-term development of the area that temporary solutions are monitored, and limited in both time and scope.

The real test for FRAMING THE FUTURE, and its associated *Vision* and *Guiding Principles*, will be the degree to which the citizens of Nanaimo assume responsibility for monitoring development proposals for the area, and ensure that the *Guiding Principles* are applied to all such proposals, regardless of their scale. In the absence of concerted and thoughtful decision-making, piecemeal activity could gnaw at the core of the *Vision*. With proper consideration and guidance, however, incremental activity can work toward achieving long-term ambitions. However, such activity must be thoroughly thought through, and vetted through the *Guiding Principles*. In the end, all development proposals should be treated with equal rigour, and commitment to excellence.

As needs change over time, there may be a requirement to modify the *Guiding Principles*. Such modification should be undertaken only through a comprehensive manner that includes significant consultation with stakeholders and citizens.

We owe future generations that assurance.







# 7

## GUIDING PRINCIPLES

The Guiding Principles are action-oriented, providing overarching and critical direction for the future of the waterfront and harbour. They are long lasting, guiding actions that promote consistency, and provide a sense of expectations.

The South Downtown Waterfront Initiative Guiding Principles relate to: connectivity, the working harbour, stewardship, land use, and cultural and social considerations. These Principles must stand the test of time, and all words must be clear and definable. The five core Guiding Principles have been developed in 2014, and are intended to frame future development considerations for the harbour and waterfront. They need to be brought to life so that the products of their application set out a continued high level of expectation for all development.

### Principle 1:

#### PROMOTE ACCESS & CONNECTIVITY TO LOCAL NEIGHBOURHOODS, THE CITY & THE REGION

- Physical connections should include walkways, roads, and waterfront development that positively links the site to its surroundings, and encourages activities that promote social diversity and integration.
- Roads need to connect with local neighbourhoods by adhering to recommendations set out in approved neighbourhood plans, and ensuring that heavy truck traffic does not disrupt or threaten residential neighbourhoods.
- Cycling and pedestrian-friendly access to, and through, the site should be a priority for street networks and non-vehicle pathways.
- The site should be recognized as a regional gateway to, and from, Vancouver Island.
- A waterfront walkway should be developed along the water's edge, connecting to existing waterfront walkways in the Downtown.
- An integrated transportation hub with private, and public, multi-modal forms of connectivity among land, sea, residential, industrial, and commercial activities should be promoted.





## Principle 2

### SUPPORT AN EVOLVING WORKING HARBOUR

- A productive working harbour, providing household sustaining employment, should be encouraged and promoted.
- Future harbour activities and uses should be complementary to, and in the interest of, the surrounding community, city, and region.
- The concept of a working harbour should be maintained as a core component of the Nanaimo economy by supporting existing uses and anticipating, and providing for, future complementary uses, where economically, environmentally, and socially feasible.
- Future industrial development should be strategic to the economic and social well-being of Nanaimo.
- Consideration should be given to the creation of economic activity that is innovative, and complementary to adjacent development.

## Principle 3

### PROMOTE ECOLOGICAL POSITIVE DEVELOPMENT

- Design and development should create a waterfront neighbourhood that is environmentally restorative, socially diverse, and economically regenerative.
- Opportunities to restore marine and estuarine functions along the shoreline, and further increase the waterfront's resilience to climate change impacts, should be actively pursued.
- Both on- and off-shore waterfront areas should be managed so that environmental restoration is achieved over time.
- Stewardship of cultural, human, and natural resources should be a central tenet for future development considerations.
- Leading *smart* practices, that require self-contained energy, waste and water management systems and respond to rising sea levels (and other climate change effects), should be considered and promoted so the waterfront becomes an example of advanced *green* technology and adaptation to climate change.
- Parks and natural areas should serve not only an aesthetic or recreational purpose, but contribute ecological benefits, such as purifying air and water through low impact development approaches that provide habitat, and enhance the energy performance of buildings.

## Principle 4

### PROMOTE BOLD, RESILIENT & VISIONARY LAND USE

- Integrating complementary land uses within the site, and beyond, will be essential to the creation of a cohesive and vibrant community.
- High quality, authentic, carefully articulated, enduring, and robust urban design that celebrates the site, its context, and Nanaimo's heritage should frame all development decisions.
- An emphasis on urban design that contributes to a sense of place for all citizens should be a central planning and design theme for the site.
- The scale and massing of development should be respectful of existing neighbourhoods by generally limiting building heights to 4 to 6 storeys, and ensuring that valued viewsheds of the estuary, islands, and Salish Sea are considered.
- If, after careful consideration, buildings greater than 6 storeys are deemed appropriate, such buildings should engage with the street in an active and sympathetic way.
- The promotion of flexible and enduring spaces and buildings, that can adapt over time to land use evolution and climate change, should be an important consideration for land use approvals.
- Consideration should be given to the promotion of a land use mix that attracts the largest number of people and jobs to the area.

## Principle 5

### EMBED CULTURAL & SOCIAL CONSIDERATIONS IN FUTURE DECISIONS

- The Snuneymuxw have a long history with, and connection to, the area. Their associated rights and cultural traditions should inform future development.
- The importance of waterfront to the Snuneymuxw should be recognized, including the development of a public art programme, place name designations, and open space locations.
- Accessible, safe, and welcoming neighbourhoods that offer diverse and attractive facilities, services, and activities should be encouraged throughout the area.
- Public waterfront access, and engaging public spaces that celebrate Nanaimo's heritage, should be integrated into land use planning and development decisions.
- Culturally rich development should be promoted to strengthen the relationship between South Downtown waterfront activities, and the broader community.



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# 8

## GLOSSARY OF TERMS

### ECOLOGICALLY RESTORATIVE

*Environmentally restorative* refers to development that is net positive to the health and integrity of the natural environment. A deliberate goal of development is to be environmentally restorative by going beyond just minimizing impacts, to positively restore and enhance the environment.

### GREEN TECHNOLOGY

There is no commonly accepted or internationally agreed definition of *green technology*. The term can be broadly defined as technology that has the potential to significantly improve environmental performance relative to other technology. It is related to the term *environmentally sound technology*, which was adopted under the *United Nations Conference on Environment and Development Agenda 21*, although it is no longer widely used. Based on *Agenda 21*, *environmentally sound technologies* are geared to protect the environment, are less polluting, use all resources in a more sustainable manner, recycle more of their wastes and products, and handle residual wastes in a more acceptable manner than the technologies for which they were substituted. Other related terms for *green technology* include: *climate-smart*, *climate-friendly*, and *low-carbon technology*.

### LOW IMPACT DEVELOPMENT

*Low Impact Development (LID)* is an innovative and ecologically friendly approach to land development that works with nature to manage stormwater as close to its source as possible. *LID* employs principles, such as preserving and recreating natural landscape features and minimizing impervious surfaces, to create functional and appealing site drainage, treating stormwater as a resource rather than a waste product. Various practices have been used to apply *LID*, such as a bioretention facilities, raingardens, vegetated rooftops and medians, rain barrels, and permeable pavements. By using a *LID* approach, water can be managed in a way that reduces the impact of built areas, and promotes the natural hydrological function of an ecosystem or watershed.



## **SELF-CONTAINED ENERGY, WASTE & WATER MANAGEMENT SYSTEM**

Integrated localized systems that cleanly and safely satisfy all or most of the neighbourhood energy and water use requirements, whilst minimizing off-site waste water and solid waste processing needs. Such systems can substantially reduce short and long term municipal costs to provide and maintain conventional utility infrastructure, whilst increasing neighbourhood resilience and being beneficial to the local environment.

## **TRANSIT HUB**

A *Transit Hub* is a place where passengers are exchanged between vehicles or transport modes, and includes bus stops, rapid bus stations, ferry slips, seaplane slips, and bicycle storage. They are typically located within the activity centres of the community, such as downtown village centres and shopping malls, in order to reinforce the relationship with land use patterns.

# 9

## APPENDIX

### Backgrounder

#### A PUBLIC DEVELOPMENT CORPORATION AS A TOOL TO IMPLEMENT PUBLIC POLICY

There is a long tradition in Canada and the United States of local governments creating special purpose public development corporations. These corporation are designed to implement longer term public policy objectives, particularly for special areas of a municipality that require extraordinary attention, and a unique combination of public and private sector participation. Clearly, legislation in British Columbia provides for such entities, and there are many variations across the province.

Some keys to long-term success, as demonstrated by mature public development corporations across Canada and the US, include:

##### 1. A CLEAR MANDATE

- Precision in defining the mandate and mission of the responsible entity to avoid duplication and ambiguity, to more effectively apply limited resources on focused activities, and to avoid distraction by non-core issues.

##### 2. A SOLID STRATEGIC PLAN

- Sound research and planning, a defined direction (objectives and principles), a practical action/ implementation plan and measurable performance.

##### 3. STRONG LEADERSHIP

- Quality leadership on the Board to provide strong policy direction and linkages to the community, and broad, but competent, representation from local stakeholders that can make a difference, and also benefit from results.

##### 4. COMMUNITY COMMITMENT

- Community consultation and engagement initially, and then on an ongoing basis. *The long-term Vision must reflect the community's*



*commitment to the South Downtown Waterfront lands, and the issues of the Downtown and South Downtown Waterfront areas should always be top of mind in the community and political decision-making.*

- There should be demonstrated results, and improvement on a continuous basis, to keep the community excited about progress.

#### **5. APPROPRIATE LONG-TERM FINANCIAL & HUMAN RESOURCES**

- Sufficient funding commitment, with the long-term objective of being self-sustaining (public, private and non-profit projects and activities).
- A solid business plan.
- Community confidence in the Board through financial accountability and transparency.
- A small, but competent, core staff
- Partnerships developed to reduce cost, and multiply impact of limited resources.

#### **6. THE CAPACITY TO SELF-CORRECT, RENEW & RECHARGE**

- A Board and staff succession plan.
- Planned Board member rotations.
- Focus on ongoing monitoring, feedback, performance reviews, planning, and regular review and adjustment of the Strategic Plan.

There are hundreds of examples of successful arm's length entities in Canada and the United States. The following four cases represent the breadth of purposes and structures created to support public policy objectives.

#### **GRANVILLE ISLAND, VANCOUVER, BRITISH COLUMBIA**

On behalf of the Government of Canada, Granville Island is managed by Canada Mortgage and Housing Corporation (CMHC). It is one of the most successful urban redevelopment projects in North America, which has drawn — and continues to draw — international attention from planners all over the world. In 2002, *Great Markets Great Cities* presented Granville Island with a *PPS Award of Merit* for its contribution to the social, economic, and environmental health of Vancouver. In 2004, *Project for Public Spaces*, a New York-based non-profit, named Granville Island the *Best Neighborhood in North America* because of its successful transformation in the 1970s from an industrial wasteland to one of the most beloved public spaces in Vancouver.

The Island is considered a jewel in the Canadian government's development crown, but is just as treasured by locals and tourists for its unique offerings. Granville Island, itself a piece of art and a destination for more than 10 million people each year, provides a rare example of government as an urban redevelopment standard-setter, creative marketer, and manager in one complete package. CMHC still manages the operationally self-sustaining Granville Island, now home to more than 300 businesses, marinas, fishmongers, studios, and cultural facilities, employing 3,000+ people.



The Granville Island Trust is an advisory body to CMHC's Granville Island Office, composed of nine members, including a Chair. The Trust has representation from Granville Island, local area residents and the City of Vancouver, and brings a broad range of expertise, including business, government, the arts, urban development, and public relations. The Trust advises CMHC on a wide range of subject, deals with various issues, and acts as a liaison to the Minister responsible for CMHC and local elected representatives.

### **WATERFRONT TORONTO, TORONTO, ONTARIO**

Created by the governments of Canada, Ontario, and the City of Toronto, Waterfront Toronto is mandated to deliver a revitalized waterfront. Following the release of the Toronto Waterfront Revitalization Task Force's report in March 2000, the three orders of government jointly announced their support for the creation of Waterfront Toronto (formerly Toronto Waterfront Revitalization Corporation) to oversee, lead, and implement the waterfront's renewal. Formally created in 2001, Waterfront Toronto has a 25-year mandate to transform 800 hectares (2,000 acres) of waterfront brownfield lands into beautiful, sustainable mixed-use communities, and dynamic public spaces. A primary objective of waterfront revitalization is to leverage the infrastructure project to deliver key economic and social benefits that enable Toronto to compete aggressively with other top tier global cities for investment, jobs, and people. To do this, Waterfront Toronto brings together the most innovative approaches to sustainable development, excellence in urban design, real estate development, and advanced technology infrastructure.

### **THE FORKS NORTH PORTAGE PARTNERSHIP, WINNIPEG, MANITOBA**

The *North Portage Development Corporation (NPDC)* was incorporated in Winnipeg on December 13, 1983. The objective of the Corporation is to provide a mechanism for implementing the redevelopment of the North Portage area through a combination of investments by the Corporation, the private sector, institutions and governments. The Corporation is owned equally by the governments of Canada, Manitoba, and the City of Winnipeg.

North Portage Vision: ". . . *The North Portage neighbourhood shall be a centre of commerce, culture and living, integrated to form a diverse downtown community through a mixture of public uses including: residential, commercial and institutional, recreational, educational and entertainment facilities.*"

The *Forks Renewal Corporation (FRC)* is a wholly owned subsidiary of NPDC, and was incorporated on July 24, 1987. The objective of the Corporation is to provide a mechanism for implementing the redevelopment of the former CN East Yards area through a combination of investments by the Corporation, the private sector, institutions, and governments.

The Forks Vision: ". . . *The Forks shall be developed as a "Meeting Place", a special and distinct, all-season gathering and recreational place at the junction of the Red and Assiniboine Rivers, through a mixed-use approach including recreational, historical and cultural, residential, and institutional and supportive commercial uses.*"

The operations of the two Corporations were merged in 1994 to form *The Forks North Portage Partnership*. The Partnership is governed by a ten-member Board of Directors, with appointees by each level of government, and the Chair is selected unanimously. The Chief Executive Officer directs the business affairs of the organization through one central administration office that is responsible for the management of both sites.

#### ***PIKE PLACE MARKET, SEATTLE, WASHINGTON***

Created in 1971 by the City of Seattle, Pike Place Market is a nine-acre historic district created in 1971. The Market Historic District, and most of its buildings, are managed by the Pike Place Market Preservation and Development Authority (PDA), a not-for-profit public corporation chartered by the City of Seattle in 1973 to manage the properties within the district. The charter requires the PDA to preserve, rehabilitate, and protect buildings within the Market, increase the opportunities for farm and food retailing in the Market, support small and marginal businesses, and provide services for low-income individuals. Public Development Authorities (PDAs) are unique, independent entities, which are legally separate from the City of Seattle. This allows the accomplishment of public purpose activities without assuming them into the regular functions of City government. Each PDA is governed by a volunteer council, commonly called a Governing Board, which sets policies, and oversees activities and staff. The success or failure of a public corporation is dependent on its Governing Board's abilities.

State and federal laws require that PDA contracts contain language to the effect that liabilities incurred by the corporation must be satisfied exclusively from its own assets, and that no creditor or other person shall have a right of action against the City due to any debts, obligations, or liabilities of the public corporation.

## Backgrounder

### CHARTERS AND THEIR POTENTIAL APPLICABILITY TO THE SOUTH DOWNTOWN WATERFRONT INITIATIVE

This brief explores how and why the establishment of a charter may be appropriate for the future of the South Downtown Waterfront. The word, *charter*, is derived from the Latin, *charta*, for paper. Charters may be enacted as laws or as policies, as reflected historically:

- To define the authority or rights of a specific group of people (e.g. the Magna Carta (1215) or the Canadian Charter of Rights and Freedoms (1982));
- To establish the rules and responsibilities for the governance of countries, municipalities, states or provinces or the management of a corporation (similar to Articles of Incorporation) (e.g. the Vancouver Charter [SBC 1953]); and
- To describe an organization's mandate and functions (e.g. Torremolinos Charter – guiding European regional/spatial planning, 1983).

More recently, charters have also been used as a project management tool where a project charter may define key elements, such as scope, objectives, roles and responsibilities of participants, communications, and monitoring and reporting requirements (e.g. University of Notre Dame Project Charter Template, 2003).

The central idea of charters is that they bestow a set of rights and/or responsibilities from a grantor (e.g. a government) to a recipient (e.g. citizens). While the intent of a charter appears to remain constant, it appears that they may evolve over time in response to societal, economic, environmental, or political influences. So in effect, they may be enduring in their mandate but, simultaneously, somewhat flexible. While the charter concept may seem nebulous, it has potential applicability to the future development of the South Downtown Waterfront. This potential is better explained by describing how charters are currently being used in two major waterfront redevelopment projects in Auckland, New Zealand and Seattle, Washington.

#### *WATERFRONT AUCKLAND*

Auckland is one of New Zealand's primary international gateways for commerce and tourism. It also plays a unique role within the city centre due to its access to water-based recreation, trade and tourism, and real estate development opportunities. *Waterfront Auckland* is a wholly-owned Auckland Council organization, established in 2010, that is responsible for the redevelopment of 45 hectares (111 acres) of waterfront land. It has the legal status of a Council Controlled Organization, and it is an established company (corporation) with two primary roles:

- To plan and influence the development of the city waterfront, including preparing a Waterfront Masterplan, which will provide input to, and be consistent with, Auckland Council's Spatial Plan; and
- To plan, manage, operate, deliver, and develop Waterfront Auckland owned assets, and related public realm assets in an integrated and balanced way.

*Waterfront Auckland* operates under a Waterfront Charter, referred to as *Our Promise to Aucklanders*, which outlines the Vision, Mission, Principles, Philosophy, and Objectives for the development of the Auckland Waterfront. The Charter is very general yet succinct, and provides a guiding framework for how waterfront development will occur, in a manner easily communicated to Auckland citizens. In addition to the Charter, *Waterfront Auckland* is legally mandated to prepare an annual Statement of Intent (similar to an Annual Report), which contains a vision and goals, performance measures for evaluating the progress of goals, the nature and scope of activities, relationships with Auckland Council and waterfront stakeholders, financial responsibilities and policies, and financial statements. The Statement of Intent constitutes a public and statutory expression of *Waterfront Auckland's* accountability to its sole shareholder, Auckland Council, and provides for public transparency as the waterfront is developed.

## SEATTLE WATERFRONT INITIATIVE

Since 2009, the City of Seattle and its citizens have engaged in a comprehensive planning effort, the *Seattle Waterfront Initiative*, to remove the Alaskan Way Viaduct, replace the Elliott Bay Seawall, and design major core waterfront projects, including a new pedestrian promenade, cycling routes, public piers, parks and paths, and new pedestrian connections between Downtown Seattle and the waterfront.

The Initiative has been guided by the Central Waterfront Committee to ensure that the planning process and future development achieve the public vision. Through collaboration with the public and waterfront stakeholders, guiding principles were established early on, and successive concept design, framework, and strategic plans have since followed.

In 2011, the City Council passed a resolution to approve the Central Waterfront Committee Charter, which established a terms of reference to shift the Initiative from concept vision to implementation. The Charter, while not legally binding, provided very clear direction for the future work of the Central Waterfront Committee by specifying:

- The purpose of the *Seattle Waterfront Initiative*;
- The scope of work of the Committee;
- The Committee's specific responsibilities, including:
  - Guiding the development of a strategic plan;
  - Serving in an advisory capacity with respect to the programming, planning, and design of the waterfront,



including reviewing and commenting on proposed changes to design plans;

- Identifying and evaluating funding options;
- Developing partnership opportunities and relationships;
- Overseeing and encouraging meaningful public participation;
- Long-term programming and operational planning;
- Annual reporting requirements;
- The Committee's relationship with the City; and
- The resources (i.e. staff resources) to support the work of the Committee.

It is further envisioned, through the Charter, that the Central Waterfront Committee will eventually transition to a successor entity or corporation, which would assume responsibility for leading the redevelopment of the Seattle Waterfront.

### **SUMMARY**

While not essential, the establishment of a charter may, as in the cases of Auckland and Seattle, serve as a valuable mechanism to drive the redevelopment of the waterfront forward. As demonstrated, a charter may provide a very clear framework under which a future committee or corporation may operate. Such a charter would respect the guiding principles and ideas developed through the *South Downtown Waterfront Initiative*, but also provide a roadmap for moving the Initiative forward to implementation.

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Vision and Guiding Principles

*December 2013*

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